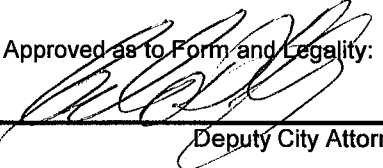


2017 JUN -1 PM 4:07


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 86787 C.M.S.

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BAY AREA RAPID TRANSIT (BART) PREFERENTIAL PERMIT PARKING PROGRAM ON SNELL STREET BETWEEN 69TH AND 75TH AVENUES FOR THE DAILY USE BY BART RIDERS AT THE COLISEUM STATION

WHEREAS, On December 3, 2015, the City Council adopted Resolution No. 85932 C.M.S. directing staff to negotiate and execute, among other financial agreements and funding partners, a Memorandum of Understanding (MOU) with BART to provide parking on Snell Street between 69th and 75th avenues for the exclusive use by BART riders; and

WHEREAS, BART owns a 1.3 acre surface parking lot at the Coliseum BART Station bounded by 70th and 71st Avenues and Snell Street, APN: 041-4166-031-02; and

WHEREAS, BART is leasing the 1.3 acre site for the development of the Coliseum Transit Village (CTV) Phase I Project consisting of 110 mixed-income residential units; and

WHEREAS, the current BART parcel has approximately 164 surface parking spaces for commuters and these spaces will be lost as a result of the proposed CTV Project. To mitigate the loss of these parking spaces BART entered into a Memorandum of Understanding ("MOU") with the City to convert: (1) a small recently improved City-owned lot consisting of approximately 20 surface parking spaces on Snell Street (APN: 041-4170-005-04) and (2) the existing approximately 92 on-street parking spaces along a portion of 71st Ave and along Snell Street between 69th and 75th Avenues under BART's parking permit fee program, respectively, with net parking revenue to be evenly distributed between BART and the City; and

WHEREAS, California Vehicle Code (CVC) Section 22507 allows local authorities, by ordinance or resolution, to establish preferential permit parking programs on public streets limiting parking to only "members of organizations, professions, or other designated groups," categorically including the above-mentioned BART riders from the Coliseum Station; and

WHEREAS, Section 22507 is the same State code by which the City established its Residential Permit Parking Program prescribed in O.M.C. Title 10, Chapter 44; and therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or Designee to establish a Preferential Parking Program on Snell Street between 69th and 75th Avenues for the Exclusive Use of BART Riders from the Coliseum Station; and be it

FURTHER RESOLVED: That future parking revenues generated as a result of the proposed MOU, net of operating and enforcement expenses, shall be placed in Fund 5650 Coliseum Projects to be determined; and be it

FURTHER RESOLVED: That the BART Parking Program shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution; and be it

FURTHER RESOLVED: That the City Administrator or Designee is further authorized to establish a BART Preferential Permit Parking Program and take whatever action is necessary with respect to the program consistent with this Resolution and its basic purposes without return to Council.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 20 2017

PASSED BY THE FOLLOWING VOTE:

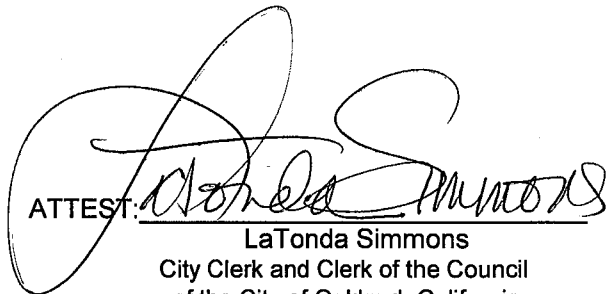
AYES - ~~XXXXXXXX~~ CAMPBELL WASHINGTON, GALLO, GIBSON-McELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID - 7

NOES - 0

ABSENT - 0

ABSTENTION 0

Excused - Brooks - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California