

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2008 MAY 29 PM 4:44 RESOLUTION No. 81376 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXECUTE A COOPERATIVE AGREEMENT AND AN AMENDMENT TO THE EXISTING FREEWAY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), FOR THE HIGH STREET SEISMIC RETROFIT AND 42ND/HIGH STREET PROJECTS

WHEREAS, the California Department of Transportation (Caltrans) and the City each have ongoing projects in the area of High Street and 42nd Avenue, namely, the High Street Seismic Retrofit Project, the 42nd/High Street Access Improvement Project, respectively; and

WHEREAS, both projects have previously received project and environmental approvals; and

WHEREAS, both projects require the acquisition real property from parcels adjacent to each project site; and

WHEREAS, Caltrans' High Street Seismic Retrofit Project requires that the City vacate a portion of East 8th Street, east of 37th Avenue, to accommodate the reconfigured offramp location; and

WHEREAS, it is in the best interest of Caltrans and the City to consolidate the acquisition of said property by a single party, namely, Caltrans, to maximize efficiency of efforts and costs, and to minimize disruption to the affected property owner; and

WHEREAS, City staff will undertake proceedings to vacate a portion of East 8th Street, east of 37th Avenue, as a separate Council action, as said street will become unnecessary for general circulation of traffic after construction of the two projects; and

WHEREAS, Caltrans and the City wish to enter into cooperative agreement for the acquisition of property and proposed street vacation; and

WHEREAS, sufficient funding is available in the Caltrans Grant Fund (2140), 42nd Avenue High Street Right of Way Project (C98530); and

WHEREAS, Caltrans and the City have previously entered into a Freeway Agreement, dated September 18, 1947, relating to that portion of State Highway Route 880 from High Street to Oak Street; and

WHEREAS, said Freeway Agreement will need to be amended to reflect the reconfiguration of the reconstructed freeway and City streets; now, therefore, be it

RESOLVED: that the City Administrator or her designee hereby be authorized to execute a cooperative agreement and an amendment to the existing freeway agreement with the California Department of Transportation (Caltrans), for the High Street Seismic Retrofit and 42nd/High Street projects; and be it

FURTHER RESOLVED: that the City Administrator or her designee be authorized to execute any additional documents or funding agreements necessary for the completion of the City's 42nd/High Street Access Improvement Project

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 17, 2008, 20__

PASSED THE FOLLOWING VOTE:

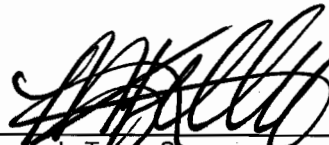
AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE - 8

NOES – 0

ABSENT – 0

ABSTENTION – 0

ATTEST:



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