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OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY (May 7, 2025, 11:55 PM)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90746* C.M.S.

RESOLUTION AUTHORIZING AN AMENDMENT AND EXTENSION OF A COOPERATIVE AGREEMENT WITH THE BAY AREA RAPID TRANSIT DISTRICT (BART) FOR SUPPORT OF THE OPERATIONS AND MANAGEMENT OF THE UPTOWN BIKE STATION; APPROVING CONTRIBUTIONS, PAID OVER THE COURSE OF FIVE YEARS, IN A TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED SEVENTY ONE THOUSAND SIX HUNDRED FORTY DOLLARS (\$371,640) IN MEASURE BB BICYCLE AND PEDESTRIAN FUNDS; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

WHEREAS, the City of Oakland (City) supports bicycle access to downtown Oakland by improving the safety and security of bicycle storage; and

WHEREAS, attended bike stations provide a secure place to store bicycles for extended periods of time; and

WHEREAS, the City's 2007 Bicycle Master Plan identified the 19th Street BART Station area as an important location for a bike station; and

WHEREAS, the Uptown Bike Station (Project) is one of nine bike stations provided by BART throughout the system, including Fruitvale BART, MacArthur BART, and Downtown Berkeley; and

WHEREAS, BART assumes legal responsibility for the Uptown Bike Station location, lease, overall operations of the station, and any cost overruns; and

WHEREAS, the Project has been successful since it began operations in February 2015 by a number of measures (prior to, during, and after the COVID-19 crisis), including full usage of station bike parking daily, high user satisfaction with the services provided, and high percentage (87%) of users taking BART in conjunction with their use of the bike station; and

WHEREAS, the City has partnered with the Bay Area Rapid Transit District (BART) for the last ten years to contribute funds for the operations and management of the Uptown Bike Station; and

WHEREAS, the initial lease term was five years from 2014 to 2019, and the Council approved Resolution No. 87652 C.M.S. in March 2019 to extend the lease term for an additional three years;

WHEREAS, the following lease term was three years from 2019 to 2022, and the Council approved Resolution No. 89173 C.M.S. in May 2022 to extend the lease term for an additional three years;

WHEREAS, the current three-year lease for the Uptown Bike Station expires on June 30, 2025; and

WHEREAS, BART and the City desire to renew their Cooperative Agreement outlining their responsibilities for the operations of the Project for an additional period of five years; and

WHEREAS, BART is requesting a maximum contribution from the City of Three Hundred and Seventy-One Thousand Six Hundred Forty Dollars (\$371,640) over a five-year period, which will be divided into one contribution of Seventy Thousand Dollars (\$70,000.00) in the first year of the lease term, and in increases of 3% each year in the subsequent four years of the lease (\$72,100.00, \$74,263.00, \$76,491, \$78,786); and

WHEREAS, Measure BB Bicycle and Pedestrian pass-through funds to support the operational costs of the Uptown Bike Station is an allowable use of these funds; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Sections 15064(b)(3) (common sense exemption) and 15301 (existing facilities exemption),, this action is exempt under CEQA since: (1) there is no possibility this action involves an impact on the physical environment and (2) the action involves the amendment of the operation and management of an existing bike facility with no substantial or significant change to the facility; now, therefore, be it

RESOLVED, That the Council authorizes the amendment of the existing Cooperative Agreement with BART to extend it for five additional years, and instructs the City Administrator or her designee to finalize and sign this agreement for a term beginning July 1, 2025 through June 30, 2029; and be it

RESOLVED, That the Council authorizes the amendment of the existing Cooperative Agreement with BART to extend it for five additional years, and instructs the City Administrator or her designee to finalize and sign this agreement for a term beginning July 1, 2025 through June 30, 2030; and be it

FURTHER RESOLVED, That the City provides funding to support bike station operations during the next five years of operation of the Project in an amount not to exceed Three Hundred and Seventy-One Thousand Six Hundred Forty Dollars (\$371,640) from Measure BB (Funds 2218 and 2219, Projects 1005118 and 1000707) which will be divided into one contribution of Seventy Thousand Dollars (\$70,000.00) in the first year of the lease term, and in increases of

3% each year in the subsequent four years of the lease (\$72,100.00, \$74,263.00, \$76,491, \$78,786); and be it

FURTHER RESOLVED, That funding for each year, from Fiscal Year 2025-26 to Fiscal Year 2029-30, will be contingent upon the allocation in the adopted budget by the Council; and be it

FURTHER RESOLVED, Pursuant to California Environmental Quality Act ("CEQA") Guidelines Sections 15064(b)(3) (common sense exemption) and 15301 (existing facilities exemption),, this action is exempt under CEQA since: (1) there is no possibility this action involves an impact on the physical environment and (2) the action involves the amendment of the operation and management of an existing bike facility with no substantial or significant change to the facility; and be it

FURTHER RESOLVED, That the City Council directs the City's Environmental Review Officer to file a Notice of Exemption; and be it

FURTHER RESOLVED, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed cooperation agreement, except for any additional increase(s) in the agreement costs; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve the proposed agreement(s) as to form and legality, and copies of the agreement(s) shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 3 2025

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, UNGER, WANG, FIFE, RAMACHANDRAN, JENKINS, HOUSTON, AND
PRESIDENT PRO TEMPORE GALLO - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____



ASHA REED

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

OCA DOCUMENT NUMBER / ATTORNEY INITIALS – Updated 1/6/2025