

  
City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION:**

- 1) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE TWO (2) ACTIVE TRANSPORTATION PROGRAM (ATP) GRANTS TOTALING THIRTY-ONE MILLION FOUR HUNDRED FORTY-NINE THOUSAND DOLLARS (\$31,449,000) FOR THE 7<sup>TH</sup> STREET CONNECTION PROJECT AND THE EAST OAKLAND NEIGHBORHOOD BIKE ROUTES PROJECT, AND
- 2) COMMITTING A MATCH OF UP TO ELEVEN MILLION FOUR HUNDRED FORTY-NINE THOUSAND TWO HUNDRED THIRTY-NINE DOLLARS (\$11,449,239) IN MEASURE BB FUNDS, MEASURE KK INFRASTRUCTURE BOND FUNDS, HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS, DEVELOPMENT IMPACT FEES, AND FEDERAL EARMARKS; AND
- 3) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS.

**WHEREAS**, the Seventh Street Concept and Urban Design Plan (2004) first called for an enhanced bicycle and pedestrian zone east of Mandela Parkway, including 7th Street, with upgraded sidewalks and Class II bike lanes; and

**WHEREAS**, the Let's Bike Oakland Bike Plan Update (2019) expanded upon previous design efforts by calling for a protected bicycle lane on 7<sup>th</sup> Street that would safely bring people across I-980 and into Downtown Oakland; and

**WHEREAS**, the decades long, iterative design process calling for more physical protection for people biking culminated in a design effort (2020) to finally unveil plans for a fully protected bikeway design on 7th Street; and

**WHEREAS**, through a series of West Oakland neighborhood meetings, mailed postcards, and an online survey, support was gauged and confirmed for the fully protected bikeway; and

**WHEREAS**, 7<sup>th</sup> Street serves as a crucial access point to transit and the only access point to Downtown from West Oakland that crosses under the I-980 Freeway; and

**WHEREAS**, the six-lane divided roadway sees a small volume of cars that are often fast-moving, and a high volume of trucks that should be redirected to an alternate route, justifying a road diet that opens up space for alternate, active transportation modes; and

**WHEREAS**, the City submitted an application to the California Transportation Commission (CTC) For Fourteen Million One Hundred And Eighty Thousand Dollars (\$14,180,000) in funding from the Active Transportation Program (“ATP”); and

**WHEREAS**, the CTC recommended award of these funds in an action on March 25, 2021; and

**WHEREAS**, The Let’s Bike Oakland Bike Plan Update (2019) process was the genesis of the East Oakland Neighborhood Bike Route Project with recommendations for this plan guided by the leadership of five community partners that facilitated public engagement; and

**WHEREAS**, The East Oakland Neighborhood Initiative (2020) revealed a high demand for safer routes for walking and biking, with over 50% of public meeting participants identifying improved walkways and bikeways as an improvement priority; and

**WHEREAS**, the Department of Transportation has already undertaken multiple efforts to develop a robust plan design with the direct help of community members; and

**WHEREAS**, with the help of the East Oakland Planning for Pavement Initiative, the East Oakland Mobility Action Plan, flyer campaigns, and community riding days, new bike routes have been identified for installation with some already under construction; and

**WHEREAS**, the proposed Projects are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes); and

**WHEREAS**, the Projects are also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment); each of the aforementioned provides a separate and independent basis for CEQA compliance; and

**WHEREAS**, the City submitted an application to the California Transportation Commission for Seventeen Million Two Hundred Sixty-Nine Thousand Dollars (\$17,269,000) in funding in the ATP; and

**WHEREAS**, the CTC recommended award of these funds in an action on March 25, 2021; now, therefore be it

**RESOLVED**, that the City Council hereby authorizes the acceptance and appropriation of grant proceeds for the 7<sup>th</sup> Street Connection Project in an amount not to exceed Fourteen Million One Hundred Eighty Thousand Dollars (\$14,180,000) into Fund (2116), Complete Streets Planning and Design Org (35212), project number to be determined; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the use of match funding for the 7<sup>th</sup> Street Connection Project from the following sources:

- \$1,500,000 from the 500 Kirkham development, pending successful negotiation of a development agreement;
- \$304,000 from the HSIP 9 project, Project 1005461;
- \$4,592,239 from a combination of Measure KK (Project 1003348, Funds 5332/5335) and Measure BB (Project 1001512, Funds 2211/2218) funds;
- Federal earmark funds, if successfully awarded; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the acceptance and appropriation of grant proceeds for the East Oakland Neighborhood Bike Routes Project in an amount not to exceed Seventeen Million Two Hundred Sixty-Nine Thousand Dollars (\$17,269,000) into Fund 2116, Complete Streets Planning and Design Org (35212), project number to be determined; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the use of up to \$4,592,239 in local match funding for the East Oakland Neighborhood Bike Routes Project from a combination of Measure KK, Project 1003348, Funds 5332/5335 and Measure B/BB, Project 1001512, Funds 2211/2118; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or his designees the Director of Transportation or Assistant Director of Transportation to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the ATP grants and these Projects in accordance with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED**, That the Council finds that these ATP projects are exempt from CEQA pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes) and CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment); each of the aforementioned provides a separate and independent basis for CEQA compliance; and be it

**FURTHER RESOLVED:** That the City Administrator or designee shall file a Notice of Determination/Notice of Exemption with the clerk of the County of Alameda and the Office of Planning and Research on each of the two ATP projects named in this resolution; and be it

**FURTHER RESOLVED**, that a copy of this resolution will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO, AND PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

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