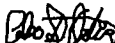


22 MAY -5 PM 4:30


Celso Ortiz (May 2, 2022 15:11 PDT)
City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 89173 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 AND APPROVING A CONTRIBUTION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$195,000.00) 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 many bike stations subsidized 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 the onset of 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 eight 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 current three-year lease for the Uptown Bike Station expires on June 30, 2022; and

WHEREAS, in order to extend the Project until a new bike station adjacent to the Paramount Theater on Broadway is completed, BART and the City desire to renew their Cooperative Agreement outlining their responsibilities for the operations of the Project for an additional period of three years; and

WHEREAS, BART is requesting a maximum contribution from the City of One Hundred and Ninety-Five Thousand Dollars (\$195,000.00) over a three-year period, which will be divided into contributions of Sixty-Five Thousand Dollars (\$65,000.00) each year of the lease term; and

WHEREAS, funds are proposed for funding from Measure BB Bicycle and Pedestrian Funds (2219) in the FY 2021-23 biennial budget, and will also be proposed in the FY 2023-25 biennial budget for the final funding year; 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, per California Environmental Quality Act (CEQA) Guidelines Sections 15301 – 15332, this project is categorically exempt under CEQA as a Class I: Existing Facilities exemption; now, therefore, be it

RESOLVED, That the Council authorizes the amendment of the existing Cooperative Agreement with BART to extend it for three additional years, and instructs the City Administrator or her designee to finalize and sign this agreement for a term beginning July 1, 2022 through June 30, 2025; and be it

FURTHER RESOLVED, That the City provides funding to support bike station operations during the next three years of operation of the Project in an amount not to exceed One Hundred and Ninety-Five Thousand Dollars (\$195,000.00) from Measure BB Bicycle and Pedestrian Funds; Fund (2219), which will be divided into contributions of Sixty-Five Thousand Dollars (\$65,000.00) each year of the lease term; and be it

FURTHER RESOLVED, That funding for each year, from Fiscal Year 2023-24 to Fiscal Year 2024-25, will be contingent upon the allocation in the adopted budget by the Council; and

FURTHER RESOLVED, That all proposed funding shall be allocated in the Measure BB Bicycle and Pedestrian pass-through Fund (2219); Mobility Management Organization (35247); Bicycle Plan Implementation Project (1005415); and be it

FURTHER RESOLVED, That the proposal is exempt from CEQA as a Class I: Existing Facilities; 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,

MAY 17 2022

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO, AND

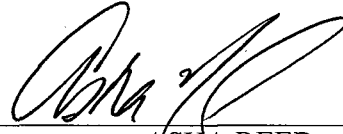
PRESIDENT FORTUNATO BAS — 8

NOES — 0

ABSENT — 0

ABSTENTION — 0

ATTEST:



ASHA REED

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