

2024 APR 23 AM 12:00

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


Felisa Ortiz (Apr 23, 2024, 11:51 PM)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90211 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL STEPS NECESSARY TO NEGOTIATE AND ENTER INTO AGREEMENTS TO PROVIDE ADEQUATE CITY COORDINATION AND OVERSIGHT OF THE IMPLEMENTATION OF THE OAKLAND ALAMEDA ACCESS PROJECT IN THE CITY RIGHT OF WAY, COORDINATE OVERLAPPING CITY TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS WITH ALAMEDA COUNTY TRANSPORTATION COMMISSION, AND ACCEPT AND APPROPRIATE ANY NEGOTIATED FUNDS NECESSARY TO FACILITATE THE SUCCESSFUL DELIVERY OF THE OAKLAND ALAMEDA ACCESS PROJECT IN CITY RIGHT OF WAY

WHEREAS, the California Department of Transportation (Caltrans) has collaborated with the project sponsor, Alameda County Transportation Commission (ACTC) and the City of Oakland (City) on the design of the Oakland Alameda Access Project (OAAP); and

WHEREAS, the OAAP's improvements will simplify State Highway Route 880 (I-880) freeway access, better connect the cities of Oakland and Alameda, improve safety and reduce vehicle traffic on local streets in Chinatown, Jack London District, and Downtown; and

WHEREAS, the OAAP's improvements will change the ramp terminus for the Northbound I-880 Jackson Street on-ramp with the construction of a horseshoe connector between Posey Tube and Jackson Street, a widening of the Northbound I-880 Oak Street off-ramp, and removal of Northbound I-880 Broadway off-ramp; and

WHEREAS, the OAAP's improvements are recommended in the Oakland Downtown Transportation & Parking Plan (2016), Let's Bike Oakland Plan (2019), and the Final Draft Downtown Oakland Specific Plan (2024); and

WHEREAS, ACTC, the City and other partnering agencies and organizations including, but not limited to, Caltrans, Bay Area Rapid Transit (BART) and the developers of the Lake Merritt BART Transit Oriented Development have coordinated on the overlapping scope of work and strategies for funding and delivery of ACTC's OAAP, City's Broadway Streetscape Improvements project between 5th Street and 6th Street, and off-site transportation improvements from the entitled Lake Merritt BART Transit-Oriented Development that will implement recommendations from the Lake Merritt BART Station Access Study on 8th Street between Fallon Street and Madison Street ("the overlapping City transportation infrastructure improvements with the Oakland Alameda Access Project"); and

WHEREAS, the City intends to continue coordinating on the design and delivery of the OAAP and the overlapping City transportation infrastructure improvements, and to negotiate with the ACTC and other partnering agencies and organizations including, but not limited to, Caltrans, BART and the developers of the Lake Merritt BART Transit Oriented Development as necessary on the funding needed to facilitate the design and delivery of these projects and is expecting to execute follow-on agreements including, but not limited to, a funding agreement outlining the funds shared between the City and ACTC and other partnering agencies and organizations to coordinate on the design and delivery of the overlapping City transportation infrastructure improvements with the OAAP a Freeway Maintenance Agreement following the executed superseding Freeway Agreement, reimbursement agreement, asset transfer agreement, and a construction management agreement; and

WHEREAS, the City Charter Article 504 (l) authorizes the City Administrator to negotiate agreements for joint governmental actions, subject to Council approval; now, therefore, be it

RESOLVED: That, to allow for the transfer of funds to document agreements made between the City, ACTC and other partnering agencies and organizations as necessary to facilitate the successful delivery of the OAAP and overlapping City transportation infrastructure improvements, the City Council hereby authorizes the City Administrator to take all steps necessary to negotiate and enter into agreements to coordinate implementation of the OAAP in the right of way and overlapping City transportation infrastructure improvements consistent with this Resolution; and be it

FURTHER RESOLVED: That should additional funds become available to facilitate the successful delivery of the OAAP and the overlapping City transportation infrastructure improvements, the City Administrator is hereby authorized to transfer funds to ACTC and other partnering agencies and organizations, and is hereby authorized to accept and appropriate the additional funds from Alameda CTC and other partnering agencies and organizations so long as there are no additional costs associated with the City's acceptance or appropriation of the additional funds, or negative impact on the City's General Fund; and be it

FURTHER RESOLVED: That any additional funds from ACTC and other partnering agencies and organization resulting from these agreements will be deposited and appropriated in Grant Fund(s) to be determined, and project number(s) to be determined; and be it

FURTHER RESOLVED: That the City Administrator is authorized on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions consistent with the authorization set forth in this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

MAY 07 2024

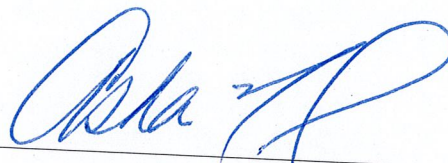
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, and
PRESIDENT FORTUNATO BAS *8*

NOES -

ABSENT -

ABSTENTION -

ATTEST:



ASHA REED

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