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OAKLAND

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REVISED BY THE CITY COUNCIL, APRIL 20, 2010

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 82690 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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### RESOLUTION ADOPTING OAKLAND'S "LOCALLY PREFERRED ALTERNATIVE" TO BE INCLUDED AND ANALYZED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR THE AC TRANSIT EAST BAY BUS RAPID TRANSIT PROJECT

**WHEREAS**, in 1998 the AC Transit District ("AC") initiated work on the "Major Investment Study" to closely examine alternatives for transit service on several transit corridors in their service area; and

**WHEREAS**, in 2000 a Major Investment Study Policy Steering Committee comprised of membership from all affected jurisdictions, including the City of Oakland ("City") was convened to provide guidance to the study from a corridor-wide perspective; and

**WHEREAS**, in 2001 the Policy Steering Committee recommended a preferred route or "Locally Preferred Alternative" (LPA) for a Bus Rapid Transit project that specified the corridor alignment of Telegraph Avenue to International Boulevard/East 14<sup>th</sup> Street in the cities of Berkeley, Oakland, and San Leandro; and

**WHEREAS**, Bus Rapid Transit is a mode of transit service that has some or all of the following characteristics: Dedicated Travel Lanes; Level Boarding Platforms; Off-Board Fare Collection; and Real-Time Arrival Signs; and,

**WHEREAS**, in May 2007, AC Transit, in collaboration with the Federal Transit Administration released a Draft Environmental Impact Statement/Report for the continued development of the East Bay Bus Rapid Transit Project (Project); and

**WHEREAS**, in July 2007 the City of Oakland formally submitted comments in response to the Draft Statement/Report, which comments focused on route alignment, traffic, parking, economic, construction, roadway maintenance and operational impacts, among other concerns; and,

**WHEREAS**, AC Transit wishes to complete a Final Environmental Impact Statement/Report for the Project in order to compete for Federal Transit Administration "Small Starts" Funding; and

**WHEREAS**, According to Federal Transit Authority rules, AC Transit requires the City to identify a “Locally Preferred Alternative” to be analyzed in the Final Environmental Impact Statement/Report for the Project; and

**WHEREAS**, the City of Oakland’s General Plan *Policy T3.6 Encouraging Transit* calls to “encourage and promote use of public transit... on designated “transit streets”, and *Policy T3.7 Resolving Transportation Conflicts* call for the City to “resolve any conflicts between public transit and single occupant vehicles in favor of the transportation mode that has the potential to provide the greatest mobility and access for people...”; and

**WHEREAS**, City staff has worked with AC Transit staff to refine the Project design to the extent possible, to meet City goals and to implement a project incorporating transit, bicycle, pedestrian and vehicle improvement; and

**WHEREAS**, the City of Oakland adopted a Bicycle Master Plan in 2007 that identifies planned bicycle facilities on section of the proposed Bus Rapid Transit route; and

**WHEREAS**, City staff has worked with AC Transit staff to refine the Project design to the extent possible, to meet City goals and to implement a project incorporating transit, bicycle, pedestrian and vehicle improvement; and

**WHEREAS**, in January, 2010, City staff presented a draft “Locally Preferred Alternative” to the community in a series of public meetings, and in February, 2010, City staff presented the draft “Locally Preferred Alternative” to the Planning Commission for review and comment; and

**WHEREAS**, City staff carefully reviewed public comment and concerns and proposed refinements to the proposed design of the Project; and

**WHEREAS**, the City’s adoption of a “Locally Preferred Alternative” for inclusion and analysis in the Project Final Environmental Impact Statement/Report, is exempt from the California Environmental Quality Act pursuant to, without limitation, CEQA Guidelines section 15262; now, therefore, be it

**RESOLVED:** That the City adopts as its “Locally Preferred Alternative” to be included and analyzed in the Project Final Environmental Impact Statement/Report the draft design option presented to the public in January and February, 2010, as modified by staff in March 2010, and attached hereto as “Exhibit A”; and be it

**FURTHER RESOLVED:** The City requests that AC Transit investigate including left-door loading vehicles in the Project in order to minimize parking impacts associated with construction of stations, especially in Fruitvale and East Oakland; and be it

**FURTHER RESOLVED:** The City requests that AC Transit include in the Final Environmental Impact Statement/Report a full analysis of: parking losses and potential mitigations, the impacts of loss of local service on the elderly and disabled, security issues related to off-bus cash payment and increased walk distance to stops, and economic impacts to local businesses during and post-construction; and be it

**FURTHER RESOLVED:** That the City, in addition to adopting said “Locally Preferred Alternative”, request that AC Transit fully analyze a “Rapid Bus Plus” option that includes all of the facilities of Bus Rapid Transit but without dedicated bus-only lanes; and be it

**FURTHER RESOLVED:** The City reserves the right to make changes to the Project at the conclusion of the Final Environmental Impact Statement/Report, based on the studied impacts and the adequacy of proposed mitigations of these impacts; and be it-

**FURTHER RESOLVED:** That staff shall return to the City Council upon AC Transit’s completion of the Final Environmental Impact Statement/Report with a project proposal for the Council’s consideration that includes mitigations for traffic, and parking impacts, prior to entering into any agreements with AC Transit.

APR 20 2010

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

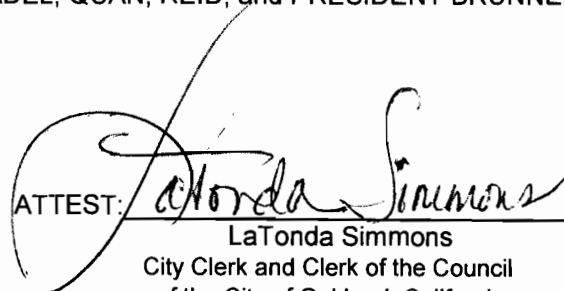
AYES - ~~4~~; DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER — 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

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