


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE MAINTENANCE AGREEMENT BETWEEN THE CITY AND CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE LAUREL ACCESS TO MILLS, MAXWELL PARK AND SEMINARY (LAMMPS) PROJECT AS PART OF THE TERMS OF THE CALTRANS ENCROACHMENT PERMIT NO. 0416-NMC 1563 REQUIRED FOR CONSTRUCTION UNDERNEATH THE MACARTHUR BOULEVARD UNDERCROSSING (BRIDGE NO. 33-316)

WHEREAS, the Laurel Access to Mills, Maxwell Park And Seminary (LAMMPS) Streetscape Project has completed construction of all improvements described in the bid set as of April 1, 2021; and

WHEREAS, the City formally closed this project and filed Notice of Completion (NOC) on April 1, 2021; and

WHEREAS, the City obtained an encroachment permit from Caltrans to perform capital improvements in Caltrans Right-of-Way underneath the MacArthur Boulevard undercrossing (Bridge No. 33-316) (Caltrans Encroachment Permit No. 0416-NMC 1563), which permit required a fully executed maintenance agreement between the City and Caltrans; and

WHEREAS, the proposed maintenance agreement attached as Exhibit A in the Maintenance Agreement describes the responsible parties for maintenance of improvements and existing conditions for the MacArthur Boulevard undercrossing at Interstate 580 (Bridge No. 33-316); and

WHEREAS, the proposed maintenance agreement is an amendment to an existing freeway agreement dated November 24, 1964; now therefore be it

RESOLVED: that the City Administrator is hereby authorized to finalize and execute the maintenance agreement between the City and Caltrans for the LAMMPS Project; and be it

FURTHER RESOLVED: that the City Administrator is hereby authorized to approve any subsequent amendments of the maintenance agreement for the LAMMPS project provided that such amendments shall be approved by the City Attorney's Office and shall be filed with the Office of 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