

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY CLERK

2007 MAY 08 PM 3:22

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 8, 2007

RE: **Resolution Approving The Execution Of A Transit Streets Cooperative Agreement With The Alameda-Contra Costa (AC) Transit District**

SUMMARY

A resolution has been prepared recommending execution of a cooperative agreement with the Alameda-Contra Costa (AC) Transit District, subject to review by the City Attorney. A final draft agreement is attached, marked Attachment 'A'. The purpose of the agreement is to memorialize the intent of AC Transit and the City of Oakland to work collaboratively on all projects that may potentially impact either the City or AC Transit. AC Transit is working with all the cities they serve to execute cooperative agreements, and has requested that the City Council of Oakland approve the agreement.

There is no financial impact as the result of executing the agreement, as it is an agreement seeking to formalize cooperation and communication between the parties. Staff has worked closely with AC Transit staff on the agreement and it represents an excellent opportunity to further the respective goals of each entity. Staff recommends approval.

FISCAL IMPACT

There will be minimal staff costs associated with ensuring that City complies with this agreement. These staff costs will be absorbed within the City's operating and capital budgets. This agreement should result in efficiencies in the coordination between AC Transit's and the City of Oakland's projects and programs.

BACKGROUND

AC Transit has in recent years embarked on a number of service improvement programs and projects within the City of Oakland. At the same time, the City, in its normal course of business, has implemented a number of projects on city streets that affect AC Transit's operations. Normally, coordination and communication between AC Transit and the City is effective, and staff collaboration has taken place on numerous projects to the benefit of both parties as well as the general public (See Attachment 'B' for a list of recent projects).

However, for the most part, coordination is on an ad-hoc basis, and AC Transit management has requested that cities within their service area consider the execution of a cooperative Transit Streets Agreement. The goal is to provide and assure the use of a common framework, and

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shared set of expectations for collaborative planning, design, and implementation of roadway projects in Oakland that affect bus transit, and likewise, bus transit projects that affect city streets and sidewalks. As a practical consideration, another main goal of the agreement is to assure that the City and AC Transit are notified of each other's plans and projects in an early, timely, and ongoing manner.

KEY ISSUES AND IMPACTS

Execution of the Transit Streets Agreement will further acknowledge the commitment of the City and its support of multi-modal transportation. This agreement has been reviewed by the Community and Economic Development Agency and Public Works staff. AC Transit and City staff have ensured that the agreement is consistent with the City's Transit First Policy, the Pedestrian Master Plan and the Bicycle Master Plan.

An efficient, dependable and safe bus transit system is vital to the welfare of Oakland and its citizens, and is an integral part of the transportation system. This is increasingly important as the City continues to develop new and infill areas that have been historically underdeveloped, bringing the potential for traffic congestion. The City needs to have policies and procedures in place that will ensure that cooperative, joint planning in the area of transportation takes place. The execution of this agreement is an important step in this regard.

POLICY DESCRIPTION

The Transit Streets Cooperative Agreement will put in place a process for notification and communication between AC Transit and the City of Oakland whenever either party proposes a program or project that potentially impacts the other party.

SUSTAINABLE OPPORTUNITIES

Economic: Many Oakland residents rely on bus service as a means to travel to and from work, school and daily tasks. Improved coordination between AC Transit and the City reinforces and acknowledges the role of transit in sustaining and improving the City's economy.

Environmental: Likewise, improved coordination will afford the opportunities to implement and expand mass transit, including fuel cell buses, signal coordination and transit signal priority, which are environmentally sustainable technologies.

Social Equity: Bus transit is an important and sometimes primary mode of transportation for the elderly and persons with lower incomes; improving the effectiveness of transit by improved coordination of projects and programs between the City and AC Transit will benefit those with the most need.

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DISABILITY AND SENIOR CITIZEN ACCESS

Senior citizens and persons with disabilities rely on transit service to a greater degree than other users of transportation, and thus will benefit from improved coordination of projects, programs and policies.

RECOMMENDATION(S) AND RATIONALE

Staff recommends that the Council authorize the City Administrator, or her designee, to execute a Transit Streets Cooperative Agreement with the Alameda-Contra Costa (AC) Transit District, subject to review by the City Attorney.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

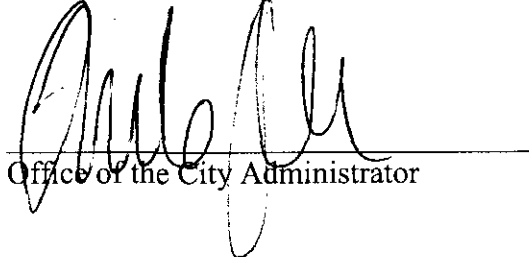


Raul Godinez II, P.E.
Director, Public Works Agency

Reviewed by:
Michael J. Neary, P.E.
Assistant Director, Public Works Agency

Prepared by:
Wladimir Wlassowsky, Manager
Transportation Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

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**TRANSIT STREETS COOPERATIVE AGREEMENT
March 2007, Final DRAFT**

Transit Streets Cooperative Agreement between the City of Oakland (City) and the Alameda-Contra Costa Transit District (AC Transit)

SECTION 1 - FINDINGS SUPPORTING AGREEMENT

The City of Oakland and AC Transit jointly find and determine as follows:

- That a well-functioning bus transit system is vital to the welfare of Oakland and its citizens;
- That tens of thousands of people traveling to or within Oakland use AC Transit bus transit service more than any other public transit mode;
- That both AC Transit and the City of Oakland seek to increase the number of people riding buses and other transit modes, and to have transit carry an increasing proportion of trips in Oakland;
- That the City of Oakland recognizes the importance of transit and bus transportation by its enactment of a Transit First policy, General Plan policies, and transit street network, and by establishment of other supporting policies;
- That, as part of its efforts to support non-automotive travel--the City of Oakland adopted the Pedestrian Plan and is preparing a revised Bicycle Plan to improve conditions for pedestrians and bicyclists;
- That, as part of its efforts to support non-automotive travel--the City of Oakland has implemented numerous projects to facilitate and improve pedestrian and bicycle travel in Oakland;
- That operation and improvement of the bus transportation system requires continuous collaborative communication between the City and AC Transit;
- That it is desirable for one agency to provide ample opportunity for another agency to comment on its plans in order to reach consensus on mutually acceptable alternatives;
- That dependable, on-time and safe bus service is a vital element of operating and improving the bus system;
- That AC Transit's bus travel times have increased, due to growth, congestion and changes to the street network - degrading service to passengers and increasing operating costs to AC Transit - and that bus travel times should be decreased for the benefit of the riders;
- That mobility, as well as convenient access, including frequent stops and shelters, must be coordinated in order to provide attractive bus service to Oakland;
- That the City of Oakland manages and maintains the network of surface roadways in Oakland (exclusive of state highways) for multiple modes of transportation and must strive to balance the needs of all roadway users, including buses, other motor vehicles, bicyclists, pedestrians and persons with mobility impairments;
- That effective, efficient bus operations can be achieved in Oakland when roadways - particularly those with frequent transit service - are managed in a transit-supportive manner;

SECTION 2 - PURPOSES OF AGREEMENT

The City and AC Transit have entered into this Agreement for the following reasons:

1. To recognize the findings in Section One, and incorporate them into the process of planning roadways and bus transit in Oakland;
2. To provide and assure the use of a common framework, and shared set of expectations for collaborative planning, design, and implementation of roadway projects in Oakland that affect bus transit, and bus transit projects that affect city streets and sidewalks;
3. To assure that the City and AC Transit are notified of each other's plans and projects in an early, timely, and ongoing manner;
4. To memorialize and record the best practices used by the City and AC Transit--practices which respect both the City's and AC Transit's needs--in this collaborative planning effort, and to assure that these practices are used in the future;
5. To assure that the roadway system in Oakland, particularly those roadways with frequent transit service -- are managed in a manner that supports transit operations, and improvements to transit service with the goal of increasing transit ridership; and
6. To create a balanced transportation network throughout the City of Oakland that encourages transit ridership, as well as bicycling and walking to transit, and addresses community needs for traffic calming and neighborhood livability.

SECTION 3 - PROJECT DEVELOPMENT AND NOTIFICATION PROCESS

A. Notices

1. Documents and notices provided to the City of Oakland under this agreement shall be provided to the Director of Public Works or the Director's designee; documents and notices provided to AC Transit shall be provided to the Deputy General Manager for Service Development or designee.
2. This Agreement is intended to increase communication between the City of Oakland and AC Transit, and nothing in it should be construed as intending to eliminate or reduce information flow and discussions that are occurring in any forum, such as Technical Advisory Committees.

B. Meetings

AC Transit and the City of Oakland shall meet to discuss any matters of mutual interest including, but not limited to, the subjects of this Agreement, at least once per calendar quarter. Such meetings may be initiated by either City or AC Transit staff.

C. Process for City to Keep AC Transit Informed of Projects

1. Projects the City Will Inform AC Transit About
 - a. The City will shall make its best efforts to inform AC Transit about all roadway projects that might impact AC Transit service, including all streets where AC Transit operates service.

These projects shall include, but are not limited to: addition of bicycle lanes and/or bicycle routes, creation or modification of pedestrian and/or bus bulbs; additions, removals, or modifications of bus shelters; changes to red curbs for bus stops; addition of or changes to roadway medians; additions of, removals of, or changes to on-street parking; restriping of roadways, "road diets" lane conversions, and other changes to the number and width of vehicle travel lanes; streetscape plans and projects; narrowing, widening or other changes to sidewalks;

addition, removal, or modification of turn lanes and turn pockets, as well as land use planning documents such as General Plan amendments, area plans, Redevelopment Plans, Specific Plans.

- b. The City shall notify AC Transit about any project on the following streets. These streets have been selected because they are where bus lines **will** operate every 15 minutes or more frequently (as of **October 2006**):

- **Bancroft Avenue**, from 73rd Avenue to the San Leandro border (line 40)
- **Broadway**, from Embarcadero to College Avenue (Line 72, Embarcadero—20th St., line 1, 7th St.—College Avenue; other lines Downtown)
- **Campus Drive** from Redwood Road to Skypoint Court (line 54)
- **College Avenue**, Broadway to Berkeley border (line 51)
- **Foothill Boulevard**, 1st Avenue to 73rd Avenue (line 40 and 43)
- **Fruitvale Avenue**, San Leandro Boulevard to Macarthur Boulevard (line 53)
- **Grand Avenue**, Lake Park Avenue to Harrison St. and West Grand Avenue, San Pablo Avenue to Interstate 80 (line NL)
- **Hegenberger Road**, from Doolittle Drive to San Leandro Blvd. (line 50)
- **International Boulevard**, from 1st Avenue to the San Leandro border (line 1/1R)
- **Macarthur Boulevard**, Broadway to the San Leandro border (line 57, Broadway to 73rd Ave., line NL, Grand Avenue to 73rd Avenue, line 50 73rd Ave. to San Leandro border)
- **Martin Luther King Junior Way**, from San Pablo Avenue to the Berkeley border ~~40th Street~~ (line 18)
- **Park Boulevard** from East 20th St. to Mountain Boulevard (line 18 whole length, line V from Interstate 580 to Mountain Boulevard)
- **Redwood Road** from 35th Avenue to Campus Drive (line 54)
- **San Pablo Avenue**, segments in Oakland from 20th St. to Berkeley border (lines 72/72M, 72R)
- **Shattuck Avenue**, from Telegraph Avenue to the Berkeley border (line 43)
- **Telegraph Avenue**, from 20th St. to the Berkeley border (line 1/1R)
- **11th Street and 12th Street from Martin Luther King Junior Way to 1st Avenue** (line 1/1R other routes)
- **20th St. (Thomas Berkley Way)** from San Pablo Avenue to Harrison Street (multiple routes, transit center)
- **35th Avenue** from San Leandro Boulevard to Redwood Road (line 54)
- **40th Street** from Broadway to the Emeryville border (line 57, line C, line 14)
- **73rd Avenue** from International Boulevard to Macarthur Boulevard (line 50)

- c. If AC Transit reduces the frequency of service on any street listed in paragraph 1 above to less than every 15 minutes, it shall notify the City, and the street shall be removed from the above list. If AC Transit increases the frequency of service--on a street which currently has less frequent or no service - to every 15 minutes or more, AC Transit shall notify the City of Oakland and the street shall be added to the list above.

2. City Provision of Information to AC Transit

- a. The City shall provide information to AC Transit sufficiently in advance of any proposed action to allow AC Transit to review the proposed action and to provide comments and feedback to the City if AC Transit wishes to do so. This notification shall occur at each of the steps outlined in Paragraph D below, and at any other time necessary for AC Transit to make timely and informed decisions.

- b. The City shall attempt to provide AC Transit with at least two calendar weeks notice of proposed actions.
- c. The City shall provide information to AC Transit that is sufficient for AC Transit to understand in detail the action being proposed, what decisions (if any) on the project are pending at that time, and the project's potential impact on bus service.

Depending on the nature of the action being proposed, this information may include: project plans or other plans; engineering drawings, traffic engineering diagrams, feasibility studies, other studies; reports on the project to City commissions, the City Council and its committees; other reports on the project, and any other material that is important to understanding the project.

- d. The City shall notify AC Transit at key points in the project development process. It shall notify AC Transit at the following points and may notify AC Transit at any other points as needed to convey information in a timely manner:
 - The initiation of a project as a result of direction by the City Council or as a result of staff action
 - Application for funding for a project
 - Award of funding for a project
 - Receipt of initial funding for a project (this seems redundant of preceding bullet)
 - Requests for review or approval by city Commissions, the City Council the Redevelopment Agency, or a City Council Committee
 - Preparation of planning-level designs or studies for a project
 - Preparation of conceptual engineering plans or drawings for a project
 - Preparation of partial engineering plans or drawings for a project (e.g. "35% plans)
 - Preparation of final or construction drawings
 - Requests for bids on a construction project
 - Notice to Proceed with a construction project
 - Any point when the proposed project is altered in such a manner that could impact bus travel
 - Inclusion or proposed inclusion of a project in a neighborhood plan, redevelopment plan, streetscape plan, or other area plan

3. Feedback from AC Transit and City Response

- a. The City of Oakland shall review, carefully consider, and - to the extent feasible - incorporate AC Transit comments and requests for modifications concerning proposed projects.
- b. The City of Oakland may request that AC Transit provide feedback on a project by a certain date.
- c. AC Transit shall provide any feedback by the date requested if AC Transit has at least two calendar weeks to review the proposal.
- d. If AC Transit requests a meeting concerning a project proposal, the City will make every effort to meet with AC representatives before any pending actions are finalized.
- e. If AC Transit does not feel that its concerns have been adequately addressed, it may request—and the City of Oakland shall provide—a letter explaining the City's actions and why AC Transit's requests were not fully incorporated into the project.

D. Process for AC Transit to Inform City of Service Changes**1. Projects that AC Transit Will Inform the City About**

- a. AC Transit shall make its best efforts to inform the City of Oakland about any proposed changes to bus service in the City of Oakland.
- b. AC Transit shall notify the City of Oakland about proposed changes in service that could result in any of the following:
 1. A change in hours of service provided of twenty five percent (25%) or more in the city of Oakland and/or a change of 25% or more in Oakland in weekday daytime service hours and/or evening/night service hours and/or weekend service hours.
 2. A change in frequency of service of 5 minutes or more in Oakland
 3. Any change in routing of buses in Oakland
 4. Any change in the location of bus stops in Oakland
 5. Any proposal for construction of bus facilities in Oakland, whether on the public right-of-way or off it
- c. AC Transit shall notify the City of Oakland of any long range plans, such as service plans and service deployment plans that could ultimately affect bus service in Oakland.

2. AC Transit Provision of Information to the City

- a. AC Transit shall provide information to the City sufficiently in advance of any proposed action to allow the City to review the proposed action and to provide comments and feedbacks to AC Transit if the City wishes to do so. This notification shall occur at each of the steps outlined in Paragraph D below, and at any other time necessary for the City of Oakland to make timely and informed decisions.
- b. AC Transit shall attempt to provide the City at least two calendar weeks notice of proposed actions.
- c. AC Transit shall provide information to the City that is sufficient for the City to understand in detail the action being proposed, what decisions (if any) on the project are pending at that time, and the project's potential impact on transportation in Oakland.

Depending on the nature of the action being proposed this information may include: proposed route maps, schedules, service plans, corridor plans, stop location maps, feasibility studies, other studies; reports on the project to AC Transit advisory committees, reports to the Board of Directors and Board committees; other reports on the project; and any other material which is important to understanding the project.

- d. AC Transit shall notify the City at key points in the service development process. It shall notify the City at the following points and may notify the City at any other points as needed to convey information in a timely manner:
 - Application for funding for new or changed service or other covered project
 - Award of funding for new or changed service or other covered project
 - Receipt of funding for new or changed service or other covered project
 - Prior to the General Manager's approval of a covered service change or service plan
 - Prior to a community meeting on service changes or a service plan
 - Prior to a Board Public Hearing on a service change or a service plan
 - At any point where the proposed service change, service plan or project is altered in a manner that is of material interest to the City of Oakland.

3. Feedback from City and AC Transit Response

- a. AC Transit shall review, carefully consider, and - to the greatest extent feasible - incorporate City of Oakland comments and requests for modifications concerning proposed service changes or projects.
- b. AC Transit may request that the City of Oakland provide feedback on a service change or project by a certain date.
- c. The City of Oakland shall provide any feedback by the date requested if the City has at least two calendar weeks to review the proposal.
- d. If the City of Oakland requests a meeting concerning a project proposal, AC will make every effort to meet with City representatives before any pending actions are finalized;
- e. If the City does not believe that its concerns have been adequately addressed, it may request - and AC Transit shall provide - a letter explaining AC Transit's actions and why Oakland's requests were not incorporated into the project.

ATTACHMENT B

AC TRANSIT LIST OF JOINT EFFORTS

- Convened quarterly coordination meetings with AC staff
- Invited AC staff to participate on Bike Plan Update Technical Advisory Committee
- Invited AC staff to Oakland's Bicycle/Pedestrian Advisory Committee (BPAC) meetings
- Bike Lane feasibility studies include analysis of impact on AC Transit operations
- BART Strike: Collaboration on West Grand Ave. Ramp Restrictions
- Accelerated response for Rapid Bus Phase I Implementation resulted in \$750K RM2 bonus to AC Operations: (relocated bus shelters, bus stops, bike racks, new red curbs painted)
- Collaboration on design of 20th St. Transit Center -- and coordinated with Uptown and Telegraph Ave. development projects
- Withdrew SR2T capital grant for bike lanes on 40th St. (substituted planning grant)
- Sponsored \$300K grant with CMA to fund undergrounding shortfall on San Leandro St. as part of Coliseum BART Transit Hub
- Sponsored \$192K TFCA grant (at AC Transit's request) for new pedestrian signal at Coliseum BART

OFFICE OF THE CLERK OF THE CITY OF OAKLAND
OAKLAND CITY COUNCIL

Patrick Tany
City Attorney

2007 APR 26 PM 3:22

RESOLUTION NO. _____ **C.M.S.**

Introduced by Councilmember _____

RESOLUTION APPROVING THE EXECUTION OF A TRANSIT STREETS COOPERATIVE AGREEMENT WITH THE ALAMEDA-CONTRA COSTA (AC) TRANSIT DISTRICT

WHEREAS, the City of Oakland and its citizens are served by the Alameda-Contra Costa Transit District ("AC Transit"); and

WHEREAS, a well-functioning bus transit system is vital to the welfare of Oakland and its citizens; and

WHEREAS, the City of Oakland recognizes the importance of transit and bus transportation by its enactment of a Transit First policy, General Plan policies, and by establishment of other supporting policies; and

WHEREAS, as part of its efforts to support non-automotive travel, the City of Oakland has also adopted the Pedestrian Master Plan and is preparing a revised Bicycle Master Plan to further support and improve conditions for pedestrians and bicyclists; and

WHEREAS, operation and improvement of the bus transportation system requires continuous collaborative communication between AC Transit and the City of Oakland; and

WHEREAS, it is desirable for one agency to provide ample opportunity for another agency to comment on its plans in order to reach consensus on mutually acceptable alternatives; and

WHEREAS, the City of Oakland manages and maintains the network of surface roadways in Oakland (exclusive of state highways) for multiple modes of transportation and must strive to balance the needs of all roadway users, including buses, other motor vehicles, bicyclists, pedestrians and persons with mobility impairments; now, therefore be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a Transit Streets Cooperative Agreement with AC Transit, subject to review by the City Attorney; and be it

FURTHER RESOLVED: That the agreement shall be reviewed and approved for form and legality by the City Attorney, and a copy of the agreement, once executed, shall be kept on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

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