

Approved as to Form and Legality



City Attorney's Office

**FILED**  
OFFICE OF THE CITY CLERK  
OAKLAND  
2020 DEC 10 AM 11:19

OAKLAND CITY COUNCIL

RESOLUTION NO. 88392 C.M.S.

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**RESOLUTION AUTHORIZING AN AGREEMENT WITH JACK LONDON SQUARE EXISTING (OAKLAND) OWNER, LLC TO CONTRIBUTE TO THE CITY OF OAKLAND BROADWAY SHUTTLE, INCLUDING OPERATIONS, SIGNAGE, VEHICLE WRAPS, EDUCATIONAL BROCHURES, ADVERTISING, PROJECT MANAGEMENT STAFF COSTS, AND FEASIBILITY ANALYSIS BETWEEN JANUARY 1, 2019 TO JUNE 30, 2022**

**WHEREAS**, the City of Oakland Broadway Shuttle ("Shuttle") began operating on July 28, 2010 and provides daily service to Oakland residents; and

**WHEREAS**, the Shuttle provides Oakland residents with a vital connection to major transit hubs, including BART, Amtrak, the San Francisco Bay Ferry, and AC Transit, and promotes economic development activity by connecting residents to office buildings, local businesses and other final destinations; and

**WHEREAS**, in 2010, the City Council approved a resolution authorizing the City Administrator to enter into an agreement with the Alameda-Contra Costa Transit District ("AC Transit") to operate the Shuttle for the project's first two years; and

**WHEREAS**, in 2012 and 2014, respectively, the City Council approved resolutions to extend the Broadway Shuttle AC Transit agreement for two additional years per approval; and

**WHEREAS**, On April 24, 2019, the City and District executed an executed a 6-month extension of the 2016 agreement to December 31, 2019; and

**WHEREAS**, on March 3, 2020, the City adopted a resolution authorizing an agreement with AC Transit to continue operating the City Of Oakland Broadway Shuttle between July 1, 2020 and June 30, 2022, at an initial cost not to exceed Two Million Three Hundred Sixty-Seven Thousand Eight Hundred Eighty-Five dollars (\$2,367,885), and authorizing the City Administrator to increase this agreement amount for expanded shuttle hours or frequency of service using any additional public and private grants and financial support secured within the term of the agreement; and

**WHEREAS**, the 2004 Jack London Square Redevelopment Final Environmental Impact Report ("EIR") Mitigation, Monitoring and Reporting Program Item C.2g ("Mitigation C.2g") required "the project sponsor (to) provide shuttle service for employees of, and visitors to, the project site between the project site and the 12th Street BART station during peak traffic hours (page III-26); and

**WHEREAS**, On November 15, 2010, the City and the Sponsor's predecessor-in-interest, Jack London Square Ventures LLC ("Original Sponsor"), entered into an agreement for the Original Sponsor to contribute Two Hundred Thousand dollars (\$200,000) to subsidize Shuttle operations between July 27, 2010, and July 26, 2012; and

**WHEREAS**, on November 5, 2012, Original Sponsor and the City entered into an agreement for the Original Sponsor to contribute Two Hundred Sixty-Four Thousand One Hundred Sixty dollars (\$264,160) to subsidize Shuttle operations between July 27, 2012, and July 26, 2014; and

**WHEREAS**, on March 20, 2014, Original Sponsor and the City entered into an agreement for the Original Sponsor to contribute Three Hundred Twenty-One Thousand Three Hundred Thirty-Four dollars (\$321,334) to subsidize Shuttle operations between July 27, 2014, and December 31, 2016; and

**WHEREAS**, Sponsor succeeded to the interest of Original Sponsor on March 10, 2016, and on February 28, 2017, Sponsor and the City entered into an agreement for the Original Sponsor to contribute Two Hundred Eighty Thousand Two Hundred Fifty-Six dollars (\$280,256) to subsidize Shuttle operations between January 1, 2017 to December 31, 2018; and

**WHEREAS**, the City has also received funding commitments towards the operations of the Shuttle from the Downtown Community Business District, Lake Merritt-Uptown Community Business District, and Jack London Improvement District; and

**WHEREAS**, Sponsor and the City wish to continue Sponsor's funding of the Shuttle for another thirty months from January 1, 2019 to June 30, 2022; now therefore be it

**RESOLVED**, that the Council Authorizes the City Administrator or designee to enter into an agreement With Jack London Square Existing (Oakland) Owner, LLC To Contribute to The City of Oakland Broadway Shuttle, Including Operations, Signage, Vehicle Wraps, Educational Brochures, Advertising, Project Management Staff Costs, and Feasibility Analysis Between January 1, 2019 to June 30, 2022.

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IN COUNCIL, OAKLAND, CALIFORNIA,

**DEC 01 2020**

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN — 8

NOES — 0

ABSENT — 0

ABSTENTION — 0

ATTEST:



ASHA REED  
Acting City Clerk and Clerk of the  
Council of the City of Oakland,  
California