



Celso Ortiz (May 2, 2022 15:11 PDT)

City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING AN AMENDMENT AND EXTENSION OF A COOPERATIVE AGREEMENT WITH THE BAY AREA RAPID TRANSIT DISTRICT (BART) FOR SUPPORT OF THE OPERATIONS AND MANAGEMENT OF THE UPTOWN BIKE STATION AND APPROVING A CONTRIBUTION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$195,000.00) IN MEASURE BB BICYCLE AND PEDESTRIAN FUNDS; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

**WHEREAS**, the City of Oakland (City) supports bicycle access to downtown Oakland by improving the safety and security of bicycle storage; and

**WHEREAS**, attended bike stations provide a secure place to store bicycles for extended periods of time; and

**WHEREAS**, the City's 2007 Bicycle Master Plan identified the 19<sup>th</sup> Street BART Station area as an important location for a bike station; and

**WHEREAS**, the Uptown Bike Station (Project) is one of many bike stations subsidized by BART throughout the system, including Fruitvale BART, MacArthur BART, and Downtown Berkeley; and

**WHEREAS**, BART assumes legal responsibility for the Uptown Bike Station location, lease, overall operations of the station, and any cost overruns; and

**WHEREAS**, the Project has been successful since it began operations in February 2015 by a number of measures (prior to the onset of the COVID-19 crisis), including full usage of station bike parking daily, high user satisfaction with the services provided, and high percentage (87%) of users taking BART in conjunction with their use of the bike station; and

**WHEREAS**, the City has partnered with the Bay Area Rapid Transit District (BART) for the last eight years to contribute funds for the operations and management of the Uptown Bike Station; and

**WHEREAS**, the initial lease term was five years from 2014 to 2019, and the Council approved Resolution No. 87652 C.M.S. in March 2019 to extend the lease term for an additional three years;

**WHEREAS**, the current three-year lease for the Uptown Bike Station expires on June 30, 2022; and

**WHEREAS**, in order to extend the Project until a new bike station adjacent to the Paramount Theater on Broadway is completed, BART and the City desire to renew their Cooperative Agreement outlining their responsibilities for the operations of the Project for an additional period of three years; and

**WHEREAS**, BART is requesting a maximum contribution from the City of One Hundred and Ninety-Five Thousand Dollars (\$195,000.00) over a three-year period, which will be divided into contributions of Sixty-Five Thousand Dollars (\$65,000.00) each year of the lease term; and

**WHEREAS**, funds are proposed for funding from Measure BB Bicycle and Pedestrian Funds (2219) in the FY 2021-23 biennial budget, and will also be proposed in the FY 2023-25 biennial budget for the final funding year; and

**WHEREAS**, Measure BB Bicycle and Pedestrian pass-through funds to support the operational costs of the Uptown Bike Station is an allowable use of these funds; and

**WHEREAS**, per California Environmental Quality Act (CEQA) Guidelines Sections 15301 – 15332, this project is categorically exempt under CEQA as a Class I: Existing Facilities exemption; now, therefore, be it

**RESOLVED**, That the Council authorizes the amendment of the existing Cooperative Agreement with BART to extend it for three additional years, and instructs the City Administrator or her designee to finalize and sign this agreement for a term beginning July 1, 2022 through June 30, 2025; and be it

**FURTHER RESOLVED**, That the City provides funding to support bike station operations during the next three years of operation of the Project in an amount not to exceed One Hundred and Ninety-Five Thousand Dollars (\$195,000.00) from Measure BB Bicycle and Pedestrian Funds; Fund (2219), which will be divided into contributions of Sixty-Five Thousand Dollars (\$65,000.00) each year of the lease term; and be it

**FURTHER RESOLVED**, That funding for each year, from Fiscal Year 2023-24 to Fiscal Year 2024-25, will be contingent upon the allocation in the adopted budget by the Council; and

**FURTHER RESOLVED**, That all proposed funding shall be allocated in the Measure BB Bicycle and Pedestrian pass-through Fund (2219); Mobility Management Organization (35247); Bicycle Plan Implementation Project (1005415); and be it

**FURTHER RESOLVED**, That the proposal is exempt from CEQA as a Class I: Existing Facilities; and be it

**FURTHER RESOLVED**: That The City Council directs the City's Environmental Review Officer to file a Notice of Exemption; and be it

**FURTHER RESOLVED**, That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the proposed cooperation agreement, except for any additional increase(s) in the agreement costs; and be it

**FURTHER RESOLVED**, That the City Attorney shall review and approve the proposed agreement(s) as to form and legality, and copies of the agreement(s) 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






# 3. Reso - Uptown Bike Station\_v2bl

Final Audit Report

2022-05-02

Created:	2022-05-02
By:	Adriana Mitchell (amitchell@oaklandca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAC3c-VBV7TuHDSjJjDgbDsu_J8yRj6ri

## "3. Reso - Uptown Bike Station\_v2bl" History

-  Document created by Adriana Mitchell (amitchell@oaklandca.gov)  
2022-05-02 - 9:24:29 PM GMT- IP address: 209.232.103.117
-  Document emailed to Celso Ortiz (cortiz@oaklandcityattorney.org) for signature  
2022-05-02 - 9:24:56 PM GMT
-  Email viewed by Celso Ortiz (cortiz@oaklandcityattorney.org)  
2022-05-02 - 9:33:13 PM GMT- IP address: 13.57.238.31
-  Document e-signed by Celso Ortiz (cortiz@oaklandcityattorney.org)  
Signature Date: 2022-05-02 - 10:11:12 PM GMT - Time Source: server- IP address: 73.241.227.236
-  Agreement completed.  
2022-05-02 - 10:11:12 PM GMT

