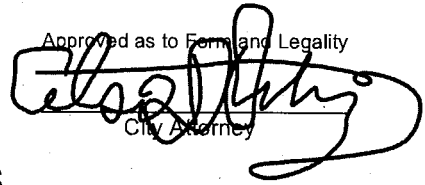


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

OAKLAND CITY COUNCIL

21 OCT 14 PM 12:14

Approved as to Form and Legality



City Attorney

RESOLUTION No. 88858 C.M.S.

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO FINALIZE AND EXECUTE AN AMENDMENT TO THE MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR INTERSTATE-880 AT HIGH STREET AND FRUITVALE AVENUE AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

**WHEREAS**, the State of California, Department of Transportation (Caltrans) has worked closely with the Metropolitan Transportation Commission (MTC), the project sponsor, and the City of Oakland (City) over the past four years on the design and construction of two new park-and-ride commuter parking facilities at I-880/High Street and I-880/Fruitvale Avenue under Interstate-880 (I-880); and

**WHEREAS**, MTC previously approved \$40 million in funding, which includes \$19 million in federal FAST Act funds, for MTC to deliver a suite of operational, transit and shared mobility improvements such as the commuter parking facilities, to move more people into fewer cars across the San Francisco-Oakland Bay Bridge, and to reduce traffic congestion, transit crowding and greenhouse gas emissions; and

**WHEREAS**, the MTC project to operate commuter parking facilities at the I-880/High Street and I-880/Fruitvale Avenue interchanges will pilot new interagency coordination, new technologies, and create new opportunities for people to take transit and access shared ride mobility and carpools; and

**WHEREAS**, MTC and Caltrans entered into a Master Operation and Maintenance Agreement in 2017 to plan, construct, operate and maintain commuter parking/transit hub facilities within State highway right of way at I-880/High Street and I-880/Fruitvale Avenue in Oakland; and

**WHEREAS**, Caltrans owns the right-of-way in the City under I-880 and is responsible to maintain freeway undercrossings, and provide efficient operation of freeway interchanges, including ramp connections to local streets and roads; and

**WHEREAS**, the original maintenance agreement between Caltrans and the City was executed 1949 and amended in 1958, 1980, 2008 and 2013 to address the maintenance needs of project-specific improvements; and

**WHEREAS**, staff has determined the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (minor alteration of existing facilities) and 15061 (b)(3) (common sense exemption) the only

potential physical effect on the environment that could foreseeably result from their implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to, traffic congestion and greenhouse gas emissions; and

**WHEREAS**, The MTC filed a Notice of Exemption to the Alameda County Clerk on December 21, 2017, which had determined that there is a need to reduce the number of cars on the road and increase person throughput by promoting carpooling, vanpooling, and express bus ridership through commuter parking facilities; and

**WHEREAS**, The project will potentially also promote the use of carpooling apps and express buses to bring commuters to their destinations via High-Occupancy Vehicle (HOV) lanes, thus moving large numbers of people through congested urban areas; and

**WHEREAS**, The project is exempt from the environmental analysis requirements of CEQA under CEQA Guidelines section 15061 (b)(3) (Common Sense Exemption) because the only potential physical effect on the environment that could foreseeably result from their implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to, traffic congestion and greenhouse gas emissions; and

**WHEREAS** The project would have no potential to have significant environmental effects. Avoidance and minimization measures have been incorporated into the project to inhibit environmental impacts from occurring as a result of the project; and

**WHEREAS**, The project is exempt under CEQA Guidelines section 15301 (c), which exempts operation, repair, or minor alteration of existing facilities.

**WHEREAS**, Caltrans has requested that the City execute an amended maintenance agreement that takes into consideration the improvements made for the Commuter Parking Facilities (see Exhibit A and Exhibit B attached), with the City maintaining, or continuing to maintain, City roadway sections, including the traveled way, shoulders, curbs, sidewalks, landscaped areas, wall surfaces, drainage installations, lighting installations and traffic service facilities; therefore, be it

**RESOLVED**: That the City Administrator is authorized to finalize and execute an amendment (see Exhibit A and Exhibit B) to the Maintenance Agreement with the State of California, Department of Transportation (Caltrans) that recognizes the improvements made at I-880/High Street and I-880/Fruitvale Avenue and in support of the MTC park-n-ride project; and be it

**FURTHER RESOLVED**: That the Council finds and determines that the project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15301, 15302, and 15304, as these projects consist of: (Class 1) the operation, repair, and minor alternation to existing public facilities, (Class 2) replacement or reconstruction of existing structures and facilities, and (Class 4) minor alternations to land, including landscaping and striping, and 15061 (b)(3) (common sense exemption) and because the only potential physical effect on the environment that could foreseeably result from their implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to; traffic congestion and greenhouse gas emissions, and that the City Administrator or designee is authorized to file a Notice of Determination/Notice of Exemption for the project.

**FURTHER RESOLVED**, that the amended Agreement will be reviewed for form and legality by the City Attorney and a copy of the Agreement and of this resolution will be placed on file with the City Clerk without returning to Council.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 19 2021

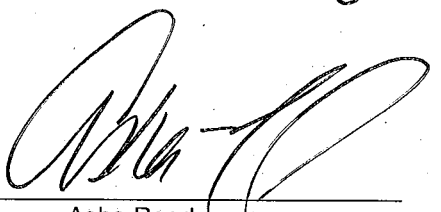
**PASSED BY THE FOLLOWING VOTE:**

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO and PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
Asha Reed  
City Clerk and Clerk of the Council  
of the City of Oakland, California