

APPROVED AS TO FORM AND LEGALITY

**DRAFT**

CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE ALAMEDA COUNTY TRANSPORTATION COMMISSION TO DOCUMENT A DONATION OF FUNDS TO THE OAKLAND FAÇADE IMPROVEMENT PROGRAM; AND ACCEPT AND APPROPRIATE DONATED FUNDS DOCUMENTED IN THE MEMORANDUM OF UNDERSTANDING WITH THE ALAMEDA COUNTY TRANSPORTATION COMMISSION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) TO FUND FAÇADE IMPROVEMENTS IN THE OAKLAND WATERFRONT WAREHOUSE DISTRICT**

**WHEREAS**, the California Department of Transportation (Caltrans) has collaborated with the Alameda County Transportation Commission (ACTC), the project sponsor, and the City of Oakland (City) on the design of the Oakland Alameda Access Project (OAAP); and

**WHEREAS**, the OAAP's improvements will simplify State Highway Route 880 (I-880) freeway access; better connect the cities of Oakland and Alameda; and improve safety and reduce vehicle traffic on local streets in Chinatown, Jack London District, and Downtown; and

**WHEREAS**, the OAAP's improvements will change the ramp terminus for the Northbound I-880 Jackson Street on-ramp with the construction of a horseshoe connector between Posey Tube and Jackson Street, a widening of the Northbound I-880 Oak Street off-ramp, and removal of Northbound I-880 Broadway off-ramp; and

**WHEREAS**, the OAAP's improvements are recommended in the Oakland Downtown Transportation & Parking Plan (2016), Let's Bike Oakland Plan (2019), and the Final Draft Downtown Oakland Specific Plan (2024); and

**WHEREAS**, Caltrans and ACTC have determined that the OAAP, if constructed will have an adverse effect on the George A. Posey Tube (Posey Tube); and

**WHEREAS**, the OAAP, if constructed, would remove portions of the eastern and western balustrades and western staircase to install operationally necessary vehicle and pedestrian improvements; and

**WHEREAS**, the OAAP, if constructed, would not modify or alter any portion of the Portal Building; and

**WHEREAS**, the Posey Tube is individually eligible for a listing on the National Register of Historic Places and is listed on the California Register of Historic Resources; and

**WHEREAS**, the Posey Tube is also a contributing property to the Oakland Waterfront Warehouse District, itself a National Register Historic District and listed on the California Register of Historic Resources; and

**WHEREAS**, the OAAP, if constructed, would not degrade the integrity of the Posey Tube or undermine its eligibility for the National Register of Historic Places; and

**WHEREAS**, to resolve the adverse impacts to the Posey Tube, Caltrans and ACTC held stakeholder working group meetings to develop mitigation measures that are designed for public benefit and are directly tied to the historical significance of the Posey Tube and the Oakland Waterfront Warehouse District; and

**WHEREAS**, the mitigation measures are documented in a Memorandum of Agreement (MOA) between Caltrans and the California State Historic Preservation Officer, in compliance with Section 106 of the National Historic Preservation Act; and

**WHEREAS**, the MOA, in compliance with Section 106 of the National Historic Preservation Act, outlines the requirements for fulfilling the OAAP's Final Environmental Impact Report mitigation measure, MM-CUL-3, for a Façade Contribution, including the dollar amount of one hundred thousand dollars (\$100,000), the limits of the funds to be used within the Oakland Waterfront Warehouse District, the responsibility of the City to ensure the distribution of funds to eligible entities, and for any follow-up actions regarding the completion of improvement's consistent with the City's Façade Improvement Program, and will ensure that the project activities meet Secretary of the Interior's Standards as interpreted by the City and City's Landmarks Preservation Advisory Board; and

**WHEREAS**, approval of this resolution allows the City to participate in ensuring the potential OAAP addresses impacts to the Posey Tube, should the OAAP be constructed; and

**WHEREAS**, approval of this resolution authorizes the City Administrator or their designee to enter into a Memorandum of Understanding with ACTC to document the donation to the Oakland Façade Improvement Program and its conditions; now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to enter into a Memorandum of Understanding with ACTC, in compliance with Section 106 of the National Historic Preservation Act to document the donation to the Oakland Façade Improvement Program and its conditions; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to accept and appropriate donated funds from the ACTC in an amount not to exceed one hundred thousand dollars (\$100,000) to fund facade improvements in the Oakland Waterfront Warehouse District in the Miscellaneous Grants Fund (2999), Economic Development Organization (85411), Business Creation Attraction, Retention, & Expansion Program (SC11), Project To Be Determined; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to complete all negotiations and complete all contracts, amendments, modifications and extensions consistent with this resolution and its basic purposes for the donated funds.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, and  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California