



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, DOT

SUBJECT: Accept Irrevocable Offer Dedication
255 and 258 8th Avenue

DATE: August 12, 2020

City Administrator Approval

Date: Sep 25, 2020

RECOMMENDATION

Staff Recommends That The City Council Adopt:

A Resolution Accepting An Irrevocable Offer Of Dedication For Public Utility Purposes From The City Of Oakland And The Housing Authority of Oakland Collectively The Parcel F Owners Of 255 And 258 8th Avenue.

EXECUTIVE SUMMARY

The City of Oakland, a municipal corporation, and the Housing Authority of the City of Oakland, California, a public body corporate and politic, collectively the "Parcel F Owners" of the property located at 255 and 258 8th Avenue, identified by Assessor's Parcel Numbers 018-0465-002 and 018-0465-002-20, and as Parcel F on Tract Map 7621. Each owner has an undivided fifty percent interest in the real property. The Parcel F Owners recorded an Irrevocable Offer of Dedication for Public Utility Purposes (Parcel F) on July 20, 2020, Alameda County Recorder Series Number 2020170174. Accepting the Irrevocable Offer of Dedication and directing the City Engineer to record the resolution with the Alameda County Recorder will allow PG&E and other utility service providers to operate and maintain their services within the public utility easement

BACKGROUND/ LEGISLATIVE HISTORY

Development of the Brooklyn Basin project and subdivision improvements for Tract Map 7621 requires major infrastructure improvements along Embarcadero roadway. A new gas service line was constructed by Pacific Gas and Electric Company (PG&E) within Embarcadero and placed at a different location than the original plans submitted to the Subdivider. The final location of PG&E's gas line resulted in the Subdivider constructing PG&E and other utilities within portions of Parcels A, F and G of Tract Map 7621 along the frontage of Embarcadero.

The Brooklyn Basin project Subdivider provided the design, construction, documentation and permitting necessary for their utility construction and recording of the public utility easement for Parcel F. The new public utility easement on the other affected parcels are being processed separately. The new public utilities easement on Parcel F, at 255 and 258 8th Avenue, measures

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approximately 3,783 square feet and is along the northern property line adjacent to Embarcadero roadway. The utilities include PG&E and other service providers.

ANALYSIS AND POLICY ALTERNATIVES

As set forth in the California Government Code section 7050 (Dedication of Real Property for Public Purposes) provides for owners to dedicate real property for any public purpose, including utility easements. The City Council may accept an offer by adopting a resolution or ordinance or reject an offer by summary vacation (Streets and Highways Code section 8300). The City Council has previously approved similar dedications throughout Oakland.

Accepting the Irrevocable Offer of Dedication and directing the City Engineer to record the resolution with the Alameda County Recorder will allow PG&E and other utility service providers to operate and maintain their services within the public utility easement.

FISCAL IMPACT

Staff cost for processing the Irrevocable Offer of Dedication is covered by the Master Fee Schedule (permit number PPE2000053) and paid for by the Subdivider for the Brooklyn Basin project.

PUBLIC OUTREACH/ INTEREST

The adjoining property owners were notified of the Brooklyn Basin project and related utilities as part of the initial Tentative Tract Map and Final Map approval process.

COORDINATION

The Office of the City Attorney has reviewed the resolution for form and legality, and the Budget Bureau has reviewed this agenda report.

SUSTAINABLE OPPORTUNITIES

Economic: The development on 255 and 258 8th Avenue provides additional affordable housing in Oakland.

Environmental: Construction permits for public infrastructure improvements require that the permittee comply with City ordinances and regional Best Management Practices for reducing nuisance noise, fugitive dust, construction debris disposal, and storm drainage pollutant runoff.

Race and Equity: The development will increase living space and housing opportunities, improving economic vitality in Oakland for Oakland residents.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This project is exempt under the California Environmental Quality Act ("CEQA"), under CEQA Guidelines Sections 15301 (existing facilities) and 15332 (infill projects) since accepting the offer of dedication would lead to minor alternation of existing facilities and minor changes to a fully entitled project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt Resolution Accepting Irrevocable Offer Of Dedication For Public Utility Purposes From The City Of Oakland And The Housing Authority of Oakland, Collectively The Parcel F Owners, Of 255 And 258 8th Avenue.

For questions regarding this report, please contact Chong Hong, Acting Supervising Civil Engineer at (510) 238-3892.

Respectfully submitted,



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Director, Department of Transportation

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