

CITY OF OAKLAND

AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan
Director, Oakland Department
of Transportation

SUBJECT: Allocation Request for Regional
Measure 3 Goods Movement and
Mitigation Funds

DATE: June 24, 2025

City Administrator Approval


Jestin Johnson (Jul 1, 2025 17:19 PDT)

Date: **Jul 1, 2025**

RECOMMENDATION

Staff Recommends That City Council Adopt The Following Pieces Of Legislation:

- 1) A Resolution Authorizing The City Administrator To Execute And Submit A Funding Allocation Request For The Construction Phase Of The Martin Luther King Jr. Way Streetscape Improvements Project Component Of The Neighborhood And Railroad Safety Improvements Near the Port Of Oakland Project With The Metropolitan Transportation Commission For Regional Measure 3 Goods Movement and Mitigation Programmatic Category Funds In The Amount Of Twenty-Nine Million, Six Hundred and Sixteen Thousand, and Five Dollars (\$29,616,005); And Making California Environmental Quality Act Findings
- 2) A Resolution Authorizing The Acceptance And Appropriation Of Twenty-Nine Million, Six Hundred and Sixteen Thousand, and Five Dollars (\$29,616,005) From The Metropolitan Transportation Commission Regional Measure 3 Goods Movement and Mitigation Programmatic Category To Implement The Martin Luther King Jr. Way Streetscape Improvements Project Component Of The Neighborhood And Railroad Safety Improvements Near the Port Of Oakland Project, Pending Final Allocation Request Approval From The Metropolitan Transportation Commission; And Making California Environmental Quality Act Findings

EXECUTIVE SUMMARY

Approval of the first proposed resolution would fulfill a Regional Measure 3 funding allocation request requirement for implementing agencies to submit a City resolution recording that the City of Oakland authorizes its City Administrator, or their designee, to execute and submit an allocation request for the construction phase of the Martin Luther King Jr. Way Streetscape Improvements project component of the Neighborhood And Railroad Safety Improvements Near the Port Of Oakland with the Metropolitan Transportation Commission (MTC) for Regional

City Council
July 15, 2025

Measure 3 (RM3) funds in the amount of twenty-nine million, six hundred and sixteen thousand, and five dollars (\$29,616,005).

Approval of the second proposed resolution would fulfill routine requirements for the City of Oakland Department of Transportation (OakDOT) to accept and appropriate twenty-nine million, six hundred and sixteen thousand, and five dollars (\$29,616,005) for the implementation of the Martin Luther King Jr. Way Streetscape Improvements project component of the Neighborhood And Railroad Safety Improvements Near the Port Of Oakland project from MTC, pending the final approval of the allocation request approval from MTC. The RM3 funding source from MTC is detailed in the Background/Legislative History section.

The awarded external funds will support OakDOT's delivery of the Martin Luther King Jr. Way Streetscape Improvements, a priority project in the Fiscal Year 2025-2027 Oakland Capital Improvement Program.

These first set of recommendations focuses on the funding allocation request for the Martin Luther King Jr. Way Streetscape Improvements project component of the Neighborhood And Railroad Safety Improvements Near the Port Of Oakland for the amount of twenty-nine million, six hundred and sixteen thousand, and five dollars (\$29,616,005).

It is anticipated that OakDOT will return to City Council by May 2026 to request authorization to 1) execute and submit an allocation request for the construction phase of the Embarcadero West Rail Safety and Access Improvements project component of the Neighborhood and Railroad Safety Improvements Near the Port of Oakland with MTC for RM3 funds and 2) accept and appropriate twenty-five million, three hundred and eighty-three thousand and nine hundred and ninety-six dollars (\$25,383,966) for the implementation the Embarcadero West Rail Safety and Access Improvements project component of the Neighborhood and Railroad Safety Improvements Near the Port of Oakland. Together, these combined actions will support the delivery of two priority projects with a total amount of fifty-five million dollars (\$55,000,000) in RM3 funds.

BACKGROUND / LEGISLATIVE HISTORY

Through the City of Oakland Fiscal Year 2023-25 budget process, the City Council approved Resolution No. [89804 C.M.S.](#), granting authorization to apply for, accept, and appropriate grant funding for identified priority projects in the City's Capital Improvement Program without additional Council action. Additionally, the City Council approved Resolution No. [89519 C.M.S.](#), granting authorization to the City Administrator, or their designee, to negotiate and execute documents and take all other actions necessary to implement commitments from the Memorandum of Understanding executed by the City and Port for the use of California State Transportation Agency grant funds per Assembly Bill 128, related to the Martin Luther King Jr. Way Streetscape Improvements and Embarcadero West Rail Safety and Access Improvements projects. Furthermore, the City Council approved Resolution No. [89039 C.M.S.](#), granting authorization to take all necessary steps to apply for and receive additional funds necessary to meet the matching requirement for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant award with the respect to the implementation the Martin Luther King

Jr. Way Streetscape Improvements project. Adoption of the resolutions proposed in this Agenda Report will fulfill additional grant administration requirements to accept funding in Fiscal Year 2025-26 from MTC's RM3 Goods Movement and Mitigation programmatic category.

In 2018, Bay Area voters approved RM3, a phased three-dollar toll increase for vehicles traveling on state-owned bridges in the San Francisco Bay Area. In October 2022, the Port of Oakland sent a Letter of Support for the programming of \$55,000,000 of RM3 Goods Movement and Mitigation funds for the implementation of the Neighborhood and Railroad Safety Improvements Near the Port of Oakland that will contribute to community impact reductions related to freight and create opportunities for transportation efficiency and safety upgrades in and around the Oakland seaport. In November 2022, both the Alameda County Transportation Commission and MTC approved amendments to the RM3 Goods Movement and Mitigation programmatic category and the programming of \$55,000,000 for the implementation of the Neighborhood and Railroad Safety Improvements Near the Port of Oakland. The proposed resolutions will support the requests for allocation of funding to implement the projects and will also support the acceptance and appropriation of up to \$55,000,000 to the City for the implementation of the projects.

ANALYSIS AND POLICY ALTERNATIVES

This funding will support the implementation of the City's Capital Improvement Program and promote equitable and safe transportation. The RM3 grant funding will be used to construct the Martin Luther King Jr. Way Streetscape Improvements and Embarcadero West Rail Safety and Access Improvements projects:

A. Martin Luther King Jr. Way Streetscape Improvements

On Martin Luther King Jr. Way between 2nd Street and 14th Street, this project will construct a cycle track on Martin Luther King Jr. Way to separate people on bikes/scooters from motor vehicle traffic, in particular truck traffic, and include improvements for pedestrians at all intersections. This project is anticipated to start construction in early 2026.

B. Embarcadero West Rail Safety and Access Improvements

This project will install a suite of rail safety enhancements on Embarcadero West, between Middle Harbor Road and Oak Street, including fencing, new railroad gate arms and other intersection safety improvements at at-grade crossings from Market Street to Oak Street and upgrade the overweight truck route from Middle Harbor Road to Market Street to move overweight trucks from a temporary route along 7th Street in the West Oakland community back to their original route. This project is anticipated to start construction by the end of 2026.

Construction of bicycle and pedestrian facilities, improvements to rail corridor safety and access, and promoting the co-existence of people and goods movement is consistent with the goals of the City's General Plan, Bicycle Plan, Pedestrian Plan, and the Citywide Capital Improvement Program. The selection of projects is also consistent with the Council-adopted criteria set forth in Resolution No. [87376 C.M.S.](#), adopted September 20, 2018. This year,

projects/programs were prioritized for funding based on [OakDOT's Geographic Equity Toolbox](#), readiness for implementation, funding needs, and staff's ability to timely deliver.

By maintaining City streets and sidewalks in a state of good repair, supporting essential operations of City street lighting and traffic control devices, and implementing traffic safety and goods movement capital improvements, the proposed projects will help advance the following Citywide priorities: holistic community safety and vibrant, sustainable infrastructure.

FISCAL IMPACT

Acceptance of the external funding will help the City fill funding gaps in its capital budget, and more specifically, will support the implementation of the Martin Luther King Jr. Way Streetscape Improvements and Embarcadero West Rail Safety and Access Improvements projects. Maintenance responsibilities of the capital improvements are expected to be similar to today's conditions, as standard, and are not expected to significantly increase maintenance costs.

Adoption of the proposed resolutions will authorize the appropriation of twenty-nine million, six hundred and sixteen thousand, and five dollars (\$29,616,005) for the construction of the Neighborhood and Railroad Safety Improvements Near the Port of Oakland project components including the Martin Luther King Jr. Way Streetscape Improvements (1006954) and Embarcadero West Rail Safety and Access Improvements (1007091) into MTC Reimbursable Program Grants Fund (2163).

The total of grant funding and other grant funds secured by the project is shown in **Table 1**. A local match is not required for RM3 grant funds. Other grant funding secured is summarized in **Table 2**.

Table 1. Project Funding Summary

Project Title	Project Number	Total Project Cost	Proposed RM3 Award	Other Grant Funds Secured
Martin Luther King Jr. Way Streetscape Improvements	1006954	\$59,232,009	\$29,616,005	\$29,616,004
Embarcadero West Rail Safety and Access Improvements	1007091	\$170,798,048	\$25,383,995	\$145,414,053
Sub-Total		\$230,030,057	\$55,000,000	\$175,030,057

Table 2. Other Grant Funding Secured Summary

Project Title	CalSTA	Transit Corridor Enhancement Program	Transit and Intercity Rail Capital Program	Developer Contribution (Brooklyn Basin)	Other Grant Funds Secured Total
Martin Luther King Jr. Way Streetscape Improvements	\$29,616,004	\$0	\$0	\$0	\$29,616,004
Embarcadero West Rail Safety and Access Improvements	\$114,383,477	\$30,200,000	\$100,000	\$730,576	\$145,414,053
Sub-Total	\$143,999,481	\$30,200,000	\$100,000	\$730,576	\$175,030,057

PUBLIC OUTREACH / INTEREST

Martin Luther King Jr. Way Streetscape Improvements

Prior engagement about improvements to the Martin Luther King Jr. Way corridor through Jack London and Old Oakland was completed through the City's Bike Plan, 2020 Draft Transportation Plan for the previously proposed development at the Howard Terminal site, and the 2024 Downtown Oakland Specific Plan. Building on this engagement, OakDOT picked engagement back up in 2023 and in 2024 to ensure that the project scope was in line with current stakeholder needs and to inform early designs. Stakeholders included residents, visitors, business, modal and neighborhood related advocacy groups, maritime stakeholders, the Bay Area Rapid Transit (BART), the Alameda Contra-Costa Transit District (AC Transit), and the Port of Oakland. Feedback was collected through multiple channels, including a citywide open house, pop-up events, stakeholder meetings, public presentations, emails, corridor walks with local businesses, and survey responses. A summary of the 2023-2024 engagement is available on the project's webpage here: <https://www.oaklandca.gov/projects/martin-luther-king-jr-way-streetscape-improvements>. Key priorities that resonated with the community include pedestrian safety, bicycle access and safety, and traffic calming, such as designing improvements to reduce the speed of cars. Community feedback has informed the project designs for improvements and enhancements. The project's design phase is nearly complete, and the project anticipates advertising the opportunity to bid on the construction contract in Summer 2025 and start construction in the first quarter of 2026. The next phase of engagement will begin this summer and focus on preparing the community for contracting opportunities and construction.

Embarcadero West Rail Safety and Access Improvements (EWRSAI)

In Spring and Summer 2024, OakDOT launched a comprehensive community engagement initiative to guide the early draft design of Embarcadero West Rail Safety and Access Improvements. The engagement process was designed to foster meaningful dialogue and capture a diverse range of perspectives. Stakeholders included residents, visitors, business, modal and neighborhood related advocacy groups, maritime stakeholders, the Alameda Contra-Costa Transit District (AC Transit), the Port of Oakland, California Public Utilities Company, and Union Pacific Railroad. Feedback was collected through multiple channels, including a Community Design Workshop, pop-up events, stakeholder meetings, public presentations, emails, corridor walks with local businesses, and survey responses. Approximately 600 individuals were engaged, 231 surveys were submitted, and 885 comments were recorded, analyzed, and summarized in the EWRSAI Spring & Summer 2024 Community Engagement Report found at <https://www.oaklandca.gov/projects/embarcadero-railroad-safety-project>. Key priorities that resonated with the community include safe bike connections, establishing a quiet zone, landscaping and green space, public art, and pedestrian safety and accessibility. Community feedback has informed the project designs for improvements and enhancements for the mile long Embarcadero West corridor that are currently between 35% and 65% complete. The next phase of engagement is starting up in early Summer 2025 and will continue through the end of the year.

COORDINATION

Implementation of these projects will be coordinated with internal departments, community stakeholders, utility partners, and partner agencies, including AC Transit, ACTC, Caltrans, BART, the California Public Utilities Commission, and Union Pacific Railroad. The Office of the City Attorney and Budget Bureau were also consulted in the preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: Making walking, biking, and goods movement, and transit service safer, more accessible, and more reliable through investments in capital improvements and improved traffic management can improve Oaklanders' access to jobs and other economic opportunities.

Environmental: Walking and biking are energy efficient, zero emission forms of transportation. Accessible pedestrian infrastructure and increased active transportation options support the City's goal to reduce greenhouse gas emissions and support climate equity. Increased transit use can also reduce emissions and improve air quality when substituted for drive-alone vehicle trips.

Race & Equity: The funded projects will provide accessibility and safety benefits for all road users, but with an emphasis on pedestrians, bicyclists, and transit users experiencing the most disparate outcomes.

Martin Luther King Jr. Way Streetscape Improvements

The MLK Jr. Way Streetscape Improvements project aims to improve safety for all road users and promote equity. The project will help to improve connections between West Oakland, Old Oakland, and the Jack London district. The project team conducted a Racial Equity Impact Analysis (REIA) on the MLK Jr. Way project. This REIA outlines how history has shaped the project area communities. The REIA describes the existing disparities and how the project addresses these disparities. The REIA for this project can be found on the project's web page at <https://www.oaklandca.gov/projects/martin-luther-king-jr-way-streetscape-improvements>.

Embarcadero West Rail Safety and Access Improvements (EWRSAI)

The EWRSAI project is consistent with several ongoing City efforts to support public safety and health citywide and in the Jack London and West Oakland neighborhoods. The project corridor had experienced nearly 500 reported incidents, all between 2016 and 2024. Incidents can result in injuries, deaths, property damage, and/or hours of delay to system-wide passenger and freight rail. Of note, 11 of the incidents were crashes that resulted in injuries. In addition to these crashes, there were 435 incidents. The project lies in a census tract that has a 55% CalEnviroScreen 4.0 percentile rating and a 72% pollution burden percentile rating, which indicates that people living and working in the project area are disproportionately burdened by multiple sources of pollution and have population characteristics that make them more vulnerable to the negative impacts of pollution. The project would support public health objectives to reduce emissions from motor vehicles by designing for more controlled access and safer vehicle speeds on the corridor and slower. Once completed project's development of the overweight vehicle corridor on Embarcadero West between Middle Harbor Road to

Market Street will reroute heavy trucks and their emissions away from residential neighborhoods along 7th Street where overweight trucks are temporarily routed today.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The MLK Jr. Way Streetscape Improvements project is exempt under CEQA on the basis of the following exemptions: Public Resources Code Section 21080.25(b) (Pedestrian and Bicycle), 15301(c) (Existing Facilities, Highways and Streets), 15302(c) (Replacement or Reconstruction), 15303(d) (Small Structures), and 15304(h) (minor alterations to land). Each of the above exemptions provides a separate and independent basis for CEQA compliance. The City filed a Notice of Exemption with Alameda County and the Office of Planning and Research's State Clearing House on March 8, 2024, for the MLK Jr. Way Streetscape Improvements.

The Embarcadero West Rail Safety and Access Improvements project is exempt under CEQA on the basis of the following exemptions: Public Resources Code Section 21080.25(b)(1) (Pedestrian and bicycle facilities, including new facilities); Public Resources Code Section 21080.20 (bicycle, pedestrian, and transit facilities); CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning); CEQA Guidelines Section 15301(c) (Existing Facilities, Highways and Streets); CEQA Guidelines Section 15302 (Replacement or Reconstruction); CEQA Guidelines Section 15303 (Small Structures), CEQA Guidelines Section 15304(h) (minor alterations to land); and/or CEQA Guidelines Section 15061(b)(3) (No Significant Effect on the Environment).

In addition, the projects were analyzed in previous environmental review documents under CEQA including: the West Oakland Specific Plan Environmental Impact Report ("EIR") (2014); the Land Use and Transportation Element of the General Plan EIR (1998); the Oakland Master Bicycle Plan EIR (2007); the updated Let's Bike Oakland Bicycle Plan Addendum (2019); and the Oakland Waterfront Ballpark District at Howard Terminal EIR (2022). Under Public Resources Code section 21166 and CEQA Guidelines Sections 15162, 15163, and 15164, no new significant information or possibility for impacts exists that were not already studied by the aforementioned documents.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That City Council Adopt The Following Pieces Of Legislation:

- 1) A Resolution Authorizing The City Administrator To Execute And Submit A Funding Allocation Request For The Construction Phase Of The Martin Luther King Jr. Way Streetscape Improvements Project Component Of The Neighborhood And Railroad Safety Improvements Near the Port Of Oakland Project With The Metropolitan Transportation Commission For Regional Measure 3 Goods Movement and Mitigation Programmatic Category Funds In The Amount Of Twenty-Nine Million, Six Hundred and Sixteen Thousand, and Five Dollars (\$29,616,005); And Making California Environmental Quality Act Findings

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For questions regarding this report, please contact Audrey Harris, Major Projects Division Planning Manager, at aharris2@oaklandca.gov.

Respectfully submitted,



Josh Rowan (Jun 30, 2025 18:43 PDT)

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