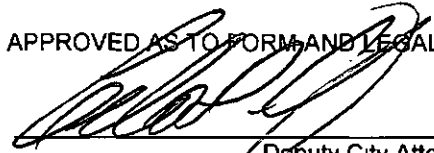


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APPROVED AS TO FORM AND LEGALITY



Deputy City Attorney

REVISED PER PWA Committee 11/12/2014

OAKLAND CITY COUNCIL

RESOLUTION NO. 85283 C.M.S.

A RESOLUTION APPROVING THE EAST BAY BUS RAPID TRANSIT (BRT) PROJECT BUSINESS IMPACT MITIGATION PLAN FOR ADVANCED UTILITY RELOCATIONS AND THE PARKING AND BRT BUSINESS IMPACT MITIGATION PLANS FOR FRUITVALE BYPASS AND OFF-STREET PARKING LOT CONSTRUCTION IN THE FRUITVALE AND ELMHURST AREAS OF OAKLAND

WHEREAS, on April 25, 2012, the Alameda - Contra Costa County (AC) Transit District Board of Directors adopted Resolution No. 12-018 certifying the Final Environmental Impact Report/Statement (FEIR/FEIS) for the East Bay Bus Rapid Transit Project, and selection of the Downtown Oakland – San Leandro Alternative (DOSL) as the Locally Preferred Alternative for the BRT Project; and

WHEREAS, on July 17, 2012, the Oakland City Council adopted its own CEQA-related findings of AC Transit for the BRT Project; adopted the DOSL as the Locally Preferred Alternative for the BRT Project; and required that the AC Transit append the City Conditions of Approval (COA) to the BRT Project (Resolution No. 84106 C.M.S.); and

WHEREAS, Resolution No. 84570 C.M.S authorized the City Administrator to enter into Master Cooperative Agreement (MCA) with AC Transit for Final Design and Construction of the BRT Project, and the MCA attaches COA Standards and Cost Estimates; and

WHEREAS, the COA Standards require that AC Transit submit a draft Business Impact Mitigation Plan and a corresponding draft Parking Impact Mitigation Plan for the Oakland City Council review on or before the completion of the 65% Design Phase, and return to Council with an update on or before completion of Final Design of the BRT Project; and

WHEREAS, the BRT Project will be constructed in two phases; Phase I will include Advanced Utility Relocations, Fruitvale Bypass, and Off-Street Parking lot construction and commence in November 2014 and Phase II will include the Major Roadway Project and is scheduled to commence in August 2015; and

WHEREAS, Phase I construction consists of advance mitigations required by the FEIR/FEIS and will result in no permanent reduction in the number of on-street parking spaces;

WHEREAS, Oakland Public Works Department approved the 100% plans, specifications, and estimates (PSE) for Construction Bid Package #1: Advanced Utility Relocations in September 2014 and these 100% PSE when packaged with City Council approved Business Impact Mitigation Plans will constitute the complete permit package; and

WHEREAS, the completion of Bid Package #1 construction will result in a significantly improved sanitary sewer infrastructure system, including but not limited to 51 private sewer lateral upgrades within 20 city blocks in Oakland; these improvements will complement other city initiatives to enhance sewer infrastructure; and no net on-street parking loss or adverse infrastructure impacts are associated with Bid Package #1; and

WHEREAS, Oakland Public Works Department approved the 100% plans, specifications, and estimates (PSE) for Construction Bid Package #2: Fruitvale Bypass and Off-Street Parking Lots in October 2014 and these 100% PSE when packaged with City Council approved Business Impact Mitigation Plans will constitute the complete permit package; and

WHEREAS, the permanent improvements resulting from the completion of Bid Package #2 construction will be off-street parking lots to mitigate the displacement of parking spaces in the Fruitvale and Elmhurst sectors of the corridor and modernization of the Fruitvale Bypass route that results in a net increase of on-street parking on that route; and

WHEREAS, significant benefits that will be derived from Bid Package #2 construction, including the alleviation of congestion and rerouting of traffic at the 12th St-Fruitvale Avenue intersection to the Fruitvale-10th Street intersection, fiber optic cable upgrade to traffic signals, the addition of new sidewalks, curbs and gutters along 10th Street, and newly paved and striped streets; and

WHEREAS, Resolution No. 84570 C.M.S. urges AC Transit to consult with and include stakeholder representatives with neighborhood expertise from the Unity Council, Allen Temple, and East Bay Asian Youth Center, and AC Transit subsequently formed a Community Outreach Working Group (COWG) in the development of the P/BIM-P, the expanded group includes the East Bay Asian Local Development Corporation, Downtown Oakland and Uptown Lake Merritt District Associations, OCCUR and Transform;

WHEREAS, AC Transit and City staffers, along with COWG partners, conducted extensive community engagement to inform stakeholders about planned construction and to gather feedback on the draft Business Impact Mitigation Plan for Advanced Utility Relocations and the Parking and Business Impact Mitigation Plans for Fruitvale Bypass and Off-Street Parking Lot Construction in the Fruitvale and Elmhurst Areas of Oakland; now, therefore be it

RESOLVED: That the Oakland City Council hereby approves the Business Impact Mitigation Plan for Advanced Utility Relocations (Bid Package #1) dated November 20, 2014 and the Parking and Business Impact Mitigation Plans for Fruitvale Bypass and Off-Street Parking Lots Construction (Bid Package #2) dated September 30, 2014, and authorizes the City Administrator to approve necessary updates and amendments to these plans; and

RESOLVED: That the proposed BRT stop on 5th Avenue is not approved by this action, and further work with stakeholders will be conducted to determine the specific location.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 18 2014

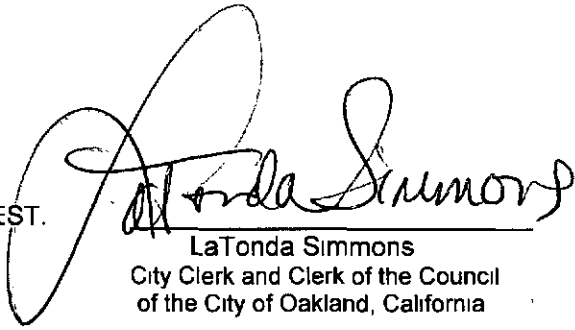
PASSED BY THE FOLLOWING VOTE.

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF
AND PRESIDENT KERNIGHAN - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST. 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California