

2015 DEC 29 PM 5:08

# OAKLAND CITY COUNCIL

RESOLUTION No. 85965 C.M.S.

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

Approved as to Form and Legality

City Attorney

## RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ACCEPT AND APPROPRIATE ANTICIPATED SHARED REVENUE AND ANY LIQUIDATED DAMAGES FROM THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE BIKE SHARE PROGRAM

**WHEREAS**, the City of Oakland recognizes the practice of bike sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland's residents; and

**WHEREAS**, the Energy and Climate Action Plan (Resolution No. 84126 C.M.S.) calls for a 36% reduction in greenhouse gas emissions and 20% reduction in vehicle-miles traveled from 2005 levels by 2020; and

**WHEREAS**, the City of Oakland, through its "Alternative Modes Policy" (Resolution No. 73036 C.M.S.) supports transportation alternatives to private, single-occupant vehicles; and

**WHEREAS**, the City of Oakland applied for Transportation Fund for Clean Air funding and received \$660,616.00 for the Oakland bike share program; and

**WHEREAS**, the City of Oakland adopted a Bike Sharing Policy (Resolution No. 85715 C.M.S.) which calls for the implementation of a bike sharing program that facilitates the "last mile" of transit trips and non-auto short trips; and

**WHEREAS**, the City of Oakland approved resolution (No. 85715 C.M.S.) to adopt a Bike Sharing Policy and authorize the city administrator to negotiate and enter into an Intergovernmental Agreement ("Coordination Agreement") with the Metropolitan Transportation Commission ("MTC") consistent with the Bike Sharing Policy; and

**WHEREAS**, this Coordination Agreement has been negotiated and entered into between the MTC and the cities of Berkeley, Emeryville, Oakland, San Francisco, and San Jose; and

**WHEREAS**, the regional bike share project manager, the MTC, approved a sole source agreement for expansion with Bay Area Motivate, LLC. ("Motivate"), the largest bike share vendor and operator in the U.S.; and

**WHEREAS**, the shared revenue section of the Coordination Agreement states that if MTC receives revenue from Motivate in a given Contract Year, MTC will distribute the shared revenue

according to the following: 20% to MTC for administration of the program, 80% to be split between the Participating Cities; and

**WHEREAS**, the Participating Cities will share revenue according to the formula: The share of Docks in each Participating City will count for 70% of the allocation, and the share of Trips in each Participating City will count for 30% of the allocation; and

**WHEREAS**, any liquidated damages that directly affect a Participating City, MTC will transfer the whole amount of liquidated damages received to the affected Participating Cities.  
Now, therefore be it

**RESOLVED**, that the City Council hereby authorizes acceptance and appropriation of any anticipated shared revenue and any liquidated damages from the Metropolitan Transportation Commission within the contract term FY2015-2017 to be deposited and appropriated into the Bay Area Air Quality Management District Fund (2166), Transportation Planning and Funding Organization (30275), project number to be established;  
and be it

**FURTHER RESOLVED**, that the City Administrator, or designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of these projects.

**JAN 19 2016**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~, AND PRESIDENT GIBSON MCELHANEY - 7

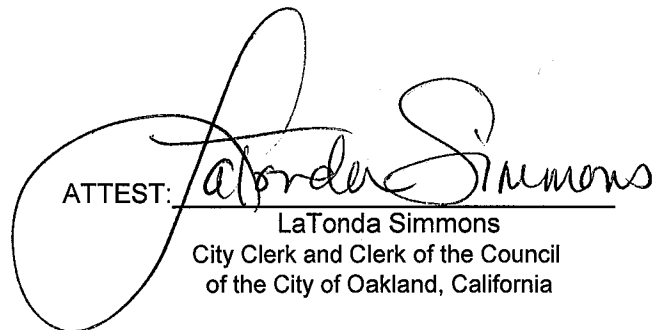
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST: \_\_\_\_\_

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