

CITY OF OAKLAND

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OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV -1 PM 2: 35

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Ryan Russo
Director, OakDOT

SUBJECT: GoPort Program Reimbursement
Agreement

DATE: October 2, 2018

City Administrator Approval

Date:

11/11/18

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate A Reimbursement Agreement With The Alameda County Transportation Commission (ACTC) And Accept And Appropriate Up To \$1 Million In Funding From The ACTC For City Staff And Consulting Services Related To Global Opportunities At The Port Of Oakland (GoPort) Program.

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator, or designee, to negotiate and execute a reimbursement agreement in an amount up to \$1 Million from the Alameda County Transportation Commission for the costs associated with City staff and consultant support for the Global Opportunities at the Port of Oakland (GoPort) Program. The funding will be used to reimburse the cost of staff and consultants to collaboratively advise, review and potentially approve design documents, and to negotiate transfers of easements and real property with various property owners, including the Union Pacific Railroad and the Port of Oakland. The GoPort program is in Council District 3 as shown in (**Attachment A**).

BACKGROUND / LEGISLATIVE HISTORY

The Global Opportunities at the Port of Oakland (GoPort) is a collection of projects that are intended to improve truck and rail access to the Port of Oakland. These are high value projects that are of benefit to the Port of Oakland as well as the West Oakland community. This program represents more than half a billion dollars in investment in the Port and West Oakland area.

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There are four components to the GoPort program:

- 7th Street Grade Separation West (7SGSW), realign and separate the intersection of 7th Street and Maritime Street and construct a rail spur underneath to improve access and minimize conflicts between rail, vehicles, cyclists and pedestrians.
- 7th Street Grade Separation East (7SGSE), replace the existing railroad underpass between I-880 and Maritime Street to increase safety, clearance for trucks and create a new multiuse (bicycle/pedestrian) pathway.
- Freight Intelligent Transportation Systems (FITS) and Technology Master Plan, to install intelligent transportation systems (ITS) along West Grand Avenue, Maritime Street, 7th Street and Middle Harbor Road and integrate other technologies to cost-effectively manage truck arrivals, decrease truck idling and truck backups onto the freeway ramps and into West Oakland. Most elements of the FITS projects will actually be owned, operated and maintained by the Port of Oakland, though some elements will feature shared infrastructure and joint operations (e.g., signals and communications backbone).
- Port Utility Relocation (PUR), to relocate and upgrade utilities in support of the Oakland Army Base redevelopment and the various roadway improvements included in the 7th Street Grade Separation projects and Maritime Street.

ANALYSIS AND POLICY ALTERNATIVES

The ACTC has taken the lead in securing funding to complete these projects. A more detailed description of the program, as well as funding, can be found in **Attachment A**.

ACTC approached the City of Oakland to enter a partnership in managing and delivering these projects. These projects are critically needed improvements to Oakland's infrastructure and have strong benefits to the greater West Oakland community through decreased truck traffic and congestion, and many elements, once constructed, will replace existing City assets that are well beyond their respective design life. Since the City does not currently have resources needed to effectively contribute to the design, review and eventual approval of this major investment, the ACTC has offered to enter a reimbursement agreement with the City to compensate for these costs.

The City has prepared a plan for this support which includes internal staff and on-call consultants who will provide needed technical expertise. Preliminary discussions with ACTC have been held, and a framework for a reimbursement agreement has been developed.

Work pursuant to the GoPort Projects must be done in compliance with the environmental documents that were prepared for the Oakland Army Base Area Redevelopment Plan in 2002 ("the 2002 Environmental Impact Report, EIR") and the subsequent addenda. The action to negotiate and execute a reimbursement agreement is not in and of itself a "Project" as defined by the California Environmental Quality Act, (CEQA) California Public Resources Code Section 21000 *et seq* ("CEQA") since it does not result in a physical change in the environment, but is part of a larger "Project" that will be subject to environmental review in accordance with CEQA at "the earliest feasible time" prior to "approval" consistent with CEQA Guidelines Sections 15004 and 15352. The larger "Project" is the GoPort program, and the Port of Oakland, acting

as Lead Agency for purposes of CEQA, plans to bring back an addendum to the 2002 EIR and its addenda prior to any discretionary project approvals.

The GoPort projects represent a \$515,000,000 investment in the Port of Oakland and West Oakland area. They will have immediate benefits in several areas, including replacement of failing infrastructure, reductions in truck traffic and truck idling and delays, and improvements in bicycle and pedestrian safety and circulation. The funding requires no City contribution.

Staff affirms that this is a set of projects with highly valued benefits to both the Port of Oakland and to the adjacent West Oakland community. ACTC has secured funding from various sources that will allow long-anticipated improvements to complete design and enter construction.

FISCAL IMPACT

Approval of this resolution will allow the City Administrator, or Designee, to accept and appropriate up to \$1,000,000 (One Million Dollars) for the support of the development of construction documents for the four projects included in the GoPort Program. Costs associated with supporting these projects during construction will be the subject to subsequent and similar reimbursement agreements. Upon execution of the Reimbursement Agreement, funds will be deposited and appropriated into Award No. 23513 - 2214 Alameda County Transportation Commission Reimbursable Grant, Organization 35211 Great Streets Delivery Administration, Account 46319 County Grant Revenues, and in a project number to be determined.

PUBLIC OUTREACH / INTEREST

Public outreach has been conducted for various programs and efforts that have led to or are associated with the GoPort Projects. These include public involvement during the preparation of the 2002 Oakland Army Base Environmental Impact Report. More recently, ACTC and the Metropolitan Transportation Commission jointly lead a Bay Area Goods Movements Collaborative which included public outreach and engagement and a series of round-table meetings. The Port of Oakland has participated in several stakeholder outreach forums, including the West Oakland Community Advisory Group, West Oakland Environmental Indicators Project, Maritime Air Quality Improvement Plan Task Force meetings, and Truck Management efforts. a formal public outreach program is being developed at this time, and meetings are scheduled in the near future as refined design of these projects begins. As ACTC is the lead in these projects, they are also taking the lead in public outreach. The City will assist in identifying community-based organizations, neighborhood and business groups as well as successful outreach methods for reaching the West Oakland community.

COORDINATION

ACTC has coordinated the work under the GoPort project with various City of Oakland departments such as Planning and Building, the Office of the City Attorney and the Department

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of Transportation; the Port of Oakland, Union Pacific Railroad, Burlington Northern Santa Fe Railway, (BNSF Railway), the San Francisco Bay Area Rapid Transit District (BART),

Metropolitan Transportation Commission (MTC), the East Bay Municipal Utilities District, and several other private utilities. In addition, the Office of City Attorney and the Budget Bureau were consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: Approval of this resolution will allow the City to negotiate and execute a reimbursement agreement that will fully reimburse the City for staff and consultant costs in supporting the GoPort Projects. These projects have direct economic benefits to the Port of Oakland, one of the top ten busiest ports in the United States. Additionally, the FITS project will result in less idling and delay time for truckers, with ancillary economic benefits to that industry.

Environmental: The proposed improvements will reduce truck queues and delays with commensurate reductions in diesel exhaust in the West Oakland area. Additionally, the project will help divert more freight traffic to rail, a more efficient form of transportation with less impact on the local community. New bridge, roadway and storm drainage infrastructure will reduce maintenance costs that are being incurred for the existing bridges and roadway.

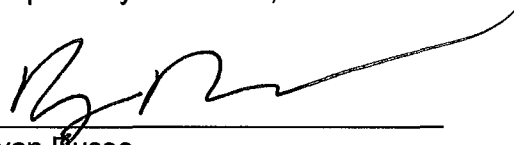
Social Equity: The proposed improvements will reduce truck wait times, manage truck congestion and improve traffic circulation, resulting in reductions in harmful pollutants in the West Oakland community. New multi-use paths will improve bicycle and pedestrian safety and improve the linkages of the existing bicycle network in the area.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, to Negotiate A Reimbursement Agreement with the Alameda County Transportation Commission (ACTC) and Accept and Appropriate up to \$1 Million in Funding from the Alameda County Transportation Commission (ACTC) for City Staff and Consulting Services related to of the Global Opportunities at the Port of Oakland (GoPort) Program.

For questions regarding this report, please contact Michael Neary, P.E., GoPort Program Manager, at (510) 238-6659 or mneary@oaklandca.gov.

Respectfully submitted,



Ryan Russo,
Director
Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E.
Interim Assistant Director
Department of Transportation

Prepared by:
Michael Neary, P.E.
Department of Transportation

*Attachment (1):
A: GoPort Overview Page with Location Maps*



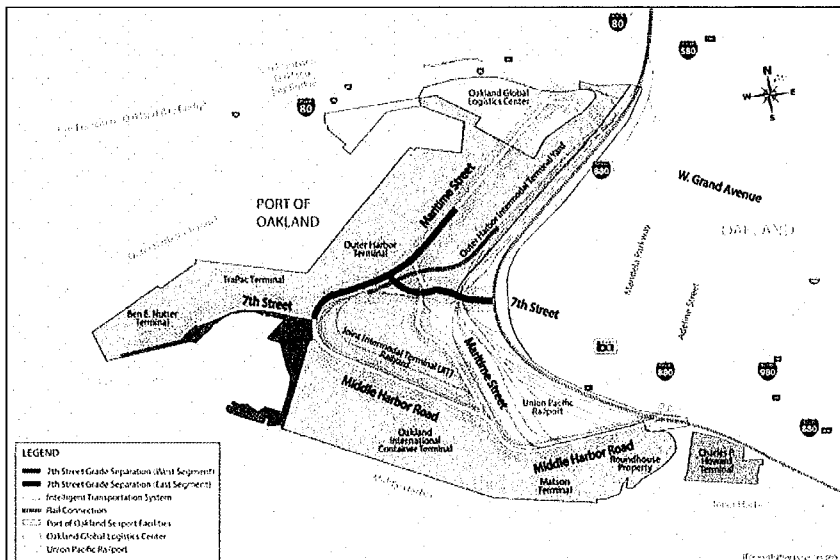
Global Opportunities at the Port of Oakland (GoPort)

AUGUST 2018

PROGRAM OVERVIEW

GoPort is a program of projects to improve truck and rail access to the Port of Oakland, one of the nation's most vital seaports. It consists of four components:

- 7th Street Grade Separation West Segment (7SGSW):**
 Realign and grade separate the intersection of 7th Street and Maritime Street and construct a rail spur underneath to improve the access and minimize conflicts between rail, vehicles, pedestrians and bicyclists.
- 7th Street Grade Separation East Segment (7SGSE):**
 Replace existing railroad underpass between I-880 and Maritime Street to increase clearance for trucks and improve shared pedestrian/bicycle pathway.
- Freight Intelligent Transportation Systems (FITS) and Technology Master Plan:**
 Apply ITS, signal systems along W. Grand Avenue, Maritime Street, 7th Street, and Middle Harbor Road, and other technologies to cost-effectively manage truck arrivals and improve incident response.
- Port Utility Relocation (PUR):**
 Relocate and upgrade utilities in support of the Oakland Army Base Master Plan development and the roadway improvement along 7th Street and Maritime Street.

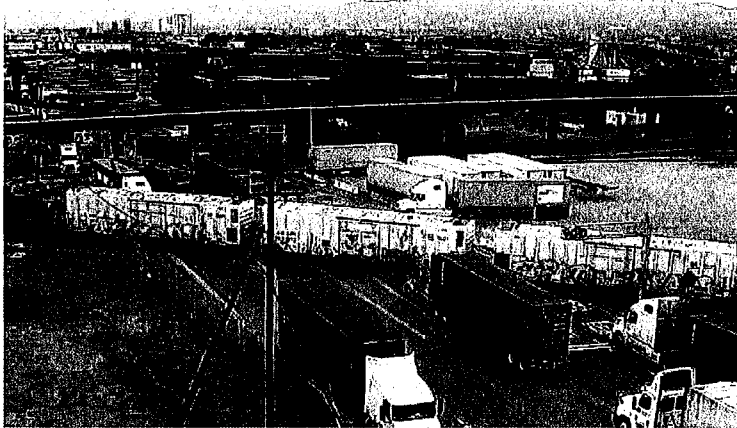


PROGRAM NEED

- The Port of Oakland (Port) is one of the top 10 busiest container ports in the U.S., handling 99% of regional containerized goods in Northern California.
- The Port has capacity to support increased freight demands, but severe landside access inefficiencies constrain growth potential.
- Significant traffic congestion occurs within the Port, particularly along Maritime Street, 7th Street, and Middle Harbor Road, due to substantial gate down time required for train crossings at major intersections. Truck queues can take more than one hour and 45 minutes to clear.
- Lengthy queues on the streets with as many as 50 trucks have wait times of up to three hours to enter into marine terminals.
- Idling trucks in long queues cause growing local and regional concerns regarding air quality and greenhouse gas emissions.
- There is limited multimodal access to commercial developments and recreational facilities adjacent to the San Francisco Bay.

PROGRAM BENEFITS

- Congestion relief:** Upgrade technology and infrastructure to minimize and manage truck wait times, manage truck congestion, and improve traffic circulation
- Efficiency:** Improve Port and Rail Yard efficiencies, intermodal yard connectivity, and expand near-dock use of rail and intermodal facilities
- Sustainability:** Reconstruct Bay Trail segment on 7th Street and Maritime Street and reduce emissions/carbon footprint
- Economic stimulation:** Reduce shipping costs, improve Port competitiveness and create jobs



Maritime Street at-grade rail crossing south of 7th Street, March 2016.



Aerial view of the Port of Oakland, March 2016.

STATUS

Implementing Agency: Alameda CTC

Current Phase: Environmental

- ~\$53 million has been allocated from the Measure BB funds for the environmental and final design phases of the program.
- The City of Oakland was the California Environmental Quality Act (CEQA) lead agency and the Port was the responsible agency for the 2002 Oakland Army Base (OAB) Redevelopment Environmental Impact Report (EIR) and its subsequent 2012 Initial Study Addendum, in which the GoPort Program was included. The FITS, 7SGSW, and 7SGSE projects are currently pursuing Categorical Exclusions (CE) as part of the National Environmental Policy Act (NEPA) clearance.

PARTNERS AND STAKEHOLDERS

City of Oakland, Port of Oakland, California Department of Transportation, Union Pacific Railroad, BNSF Railway, San Francisco Bay Area Rapid Transit, Metropolitan Transportation Commission and several utility entities

COST ESTIMATE BY PHASE (\$ x 1,000)

PE/Environmental	\$ 15,000
Final Design (PS&E)	\$ 46,000
Right-of-Way	\$ 59,000
Construction	\$ 395,000
Total Expenditures Estimate	\$ 515,000

Note: Estimate basis in 2016 dollars.

FUNDING SOURCES (\$ x 1,000)

Measure BB	\$ 53,020
Federal	\$ 11,570
State	\$ 7,980
Senate Bill 1 (TCEP) ¹	\$ 187,456
TBD	\$ 254,974
Total Revenues To Date	\$ 515,000

¹Trade Corridor Enhancement Program.

SCHEDULE BY PHASE

	Begin	End
PE/Environmental	Fall 2016	2018
CEQA Clearance	-	2012
NEPA Clearance	Fall 2017	Fall 2018
Final Design	Fall 2018	Early 2020
Construction	Spring 2020 ²	Late 2023

²Construction related to utility relocation and FITS may begin in spring 2019.

Note: Information on this fact sheet is subject to periodic updates.

DRAFT

City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2018 NOV -1 PM 2:35

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE ALAMEDA COUNTY TRANSPORTATION COMMISSION (ACTC) FOR THE REIMBURSEMENT OF CITY COSTS INCURRED IN THE REVIEW AND APPROVAL OF DESIGN OF THE GLOBAL OPPORTUNITIES AT THE PORT OF OAKLAND (GOPORT) PROJECTS, AND TO ACCEPT AND APPROPRIATE UP TO ONE MILLION DOLLARS (\$1,000,000) FROM ACTC FOR THOSE COSTS

WHEREAS, The Global Opportunities at the Port of Oakland is a collection of investment in public infrastructure at the Port of Oakland and within the City of Oakland, including the 7th Street Grade Separation West (7SGSW), 7th Street Grade Separation East (7SGSE), Freight Intelligent Transportation System (FITS), and Port Utility Relocation (PUR); and

WHEREAS, the GoPort Projects represent a significant investment in and benefit to the City of Oakland (“the City”) and Port of Oakland (“the Port”); and

WHEREAS, the Alameda County Transportation Commission (ACTC) is the sponsoring agency for delivering these projects on behalf of the City and Port; and

WHEREAS, ACTC has secured lead has secured funding for the design and construction of projects; and

WHEREAS, the assets to be constructed under these projects will, upon completion, be transferred to the City for ownership, operation and maintenance; and

WHEREAS, the City will incur costs in the design, review and approval of the plans for these projects; and

WHEREAS, ACTC has offered to reimburse the City for its direct costs incurred in the design, review and approval of the plans for these projects; and

WHEREAS, the action to negotiate and execute a reimbursement agreement is not in and of itself a “Project” as defined by the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq* (“CEQA”) since it does not result in a physical change in

the environment, but is part of a larger "Project" that will be subject to environmental review in accordance with CEQA at "the earliest feasible time" prior to "approval" consistent with CEQA Guidelines Sections 15004 and 15352. The larger "Project" is the GoPort Projects, and the Port, acting as Lead Agency for purposes of CEQA, plans to bring back an addendum to the City's 2002 Oakland Army base EIR and its addenda prior to any discretionary project approvals; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator, or her Designee, to negotiate and execute a Reimbursement Agreement with ACTC in an amount not to exceed one million dollars (\$1,000,000) for the reimbursement of direct staff and consultant costs incurred in the design, review and approval of construction documents for the GoPort projects; and

BE IT FURTHER RESOLVED, that the City Administrator, or her designee, upon execution of the agreement, is authorized to accept and to appropriate up to one million dollars (\$1,000,000) from ACTC, into the Alameda County Transportation Commission Reimbursable Grant Fund (2214), Great Streets Delivery Administration (35211), and Project To Be Determined; and be it

FURTHER RESOLVED, that should additional funds become available from ACTC for these purposes, the City Administrator or Her Designee is hereby authorized to accept and appropriate these funds for the purposes described above through June 30, 2022; and be it

FURTHER RESOLVED, that the City Administrator, or Her Designee, is authorized to negotiate with ACTC and execute all necessary applications, contracts, agreements, amendments and extensions of the same for the GoPort Project, subject to the review and approval of the City Attorney's Office; and be it

FURTHER RESOLVED, that the City Attorney's Office has reviewed this resolution as to form and legality and a copy of this resolution shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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