



CITY OF OAKLAND

AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan
Director of Transportation

SUBJECT: Easement at 260 Oak Street

DATE: March 30, 2026

City Administrator Approval



Jestin Johnson (Apr 15, 2026 10:57:24 PDT)

Date: Apr 15, 2026

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Agreement To Purchase An Easement For Public Right Of Way, Street And Utility Purposes Over A Portion Of The Real Property Located At 260 Oak Street, Oakland, California, From The Vukasin Family Limited Partnership In The Amount Of \$255,000; and Adopting California Environmental Quality Act Findings

EXECUTIVE SUMMARY

Approval of the proposed ordinance will authorize the City Administrator to negotiate and execute a purchase agreement between the City of Oakland (City) and The Vukasin Family Limited Partnership (Property Owner) in the amount not to exceed \$255,000 to acquire a perpetual easement for public right of way, street and utility purposes (Easement) make related improvements. The 992 square foot easement area is located at 260 Oak Street, Oakland, California (Property) and will accommodate the realignment of Fallon Street for the implementation of at-grade railroad crossing improvements, including an Americans with Disabilities Act (ADA)- compliant pedestrian crossing, at Oak Street and Embarcadero West.

The Embarcadero West Rail Safety and Access Improvements (Project) include modernized railroad crossing equipment (signalization and gate arms), lighting, sidewalks, ADA-compliant curb ramps, high visibility crosswalks, a multi-use trail crossing, drainage infrastructure, signage, and pavement markings. These improvements will enhance safety and accessibility for motorists, bicyclists, pedestrians and rail operations along Embarcadero West. In particular, the Easement is required to provide pedestrian accessibility at Oak Street and Embarcadero West.

BACKGROUND / LEGISLATIVE HISTORY

Embarcadero West from Oak Street to Market Street is a one-mile City street accommodating freight trains, passenger trains, motor vehicles, bicyclists, and pedestrians. Freight and passenger trains run down the middle of the street and through the waterfront in a configuration

that dates to the 1870s. Approximately 80 trains a day use this corridor operated by Union Pacific Railroad (UPRR) and Amtrak/Capitol Corridor. This rail corridor is one of the largest bottlenecks for both freight and passenger rail, which experience frequent delays from vehicles inadvertently stuck on the tracks.

Improving multimodal safety along Embarcadero West has been studied over many years by multiple agencies, as described in the Related Planning Efforts section. Recognizing the numerous studies, plans, and engagement efforts, as well as the critical needs associated with this corridor, City Council directed Department of Transportation staff to apply for and receive grant funding in December 2022 ([Resolution No. 89519, C.M.S.](#)). In addition, a reimbursement agreement with UPRR was established to facilitate the design of the Project ([Resolution No. 89520, C.M.S.](#)).

Furthermore, in July 2025, City Council entered into a consent decree (Curran Consent Decree) pertaining to pedestrian right-of-way compliance with the ADA ([Resolution No. 90805, C.M.S.](#)) to provide full and equal access to pedestrian facilities, including sidewalks and curb ramps, for all Oaklanders. The Curran Consent Decree requires the City to install or upgrade curb ramps and sidewalks to comply with federal and state disability access standards by 2050.

The Vukasin Family Limited Partnership, a California limited partnership (Property Owner), owns certain real property located at 260 Oak Street, Oakland, California (250 Oak Street and 54 Embarcadero; aka 231-265 Fallon Street (Assessor's Parcel Number: 018-0435-007-03 and 018-0435-010-06) (Property).

Acquisition of a perpetual easement for public right of way, street and utility purposes (Easement) over a portion the Property from the Property Owner is a necessary step to implement the at-grade railroad crossing improvements at Oak Street and Embarcadero West, and to advance the broader goal of a safer, more accessible Embarcadero West corridor, in compliance with the ADA.

ANALYSIS AND POLICY ALTERNATIVES

Acquisition of the Easement will allow the City to advance safety and accessibility improvements, to construct of the Project improvements at Oak Street and Embarcadero West, and to preserve \$11,000,000 in CalSTA Assembly Bill 128 Grant funding for the Project.

Acquiring the Easement is the most direct and operationally sound approach to implementing the Oak Street intersection improvements. The Easement will enable the realignment of Fallon Street to accommodate emergency vehicle circulation in compliance with the Oakland Municipal Code and the 2022 California Fire Code. Without it, the Oak Street intersection improvements cannot be constructed.

The Easement will also enable construction of critical safety elements at the Oak Street and Embarcadero West railroad crossing—including four-quadrant gates, pedestrian and bicycle channelization, ADA-compliant curb ramps and sidewalks, extended barriers, flashing signals, and signage—consistent with recommendations in the Curran Consent Decree.

City staff evaluated alternative approaches that would avoid the need for easement acquisition, including partial closures of Oak Street, Fallon Street, or Embarcadero West. These alternatives were rejected due to unacceptable impacts on public access, local businesses, emergency operations, freight movement, and other transportation needs in the area, as summarized below:

Alternative	Description	Reason Not Recommended
Partial closure of Oak Street crossing to pedestrians	Eliminate need for Fallon Street realignment by restricting Oak Street access for pedestrians	Unacceptable impact on emergency vehicle access, local business operations, and public access. Does not comply with the ADA or Curran Consent Decree.
Partial closure of Fallon Street to vehicles	Reroute Fallon Street vehicle traffic without easement acquisition	Does not meet fire code turn radius requirements; negatively impacts adjacent property access and emergency operations
No action	Forgo easement acquisition and intersection improvements	Grant funding would be forfeited; safety and accessibility conditions at the crossing would remain unchanged

RELATED PLANNING EFFORTS

The Project incorporates recommendations from over 15 years of planning efforts, including:

- [2011 Quiet Zone Study](#): In 2011, a Quiet Zone Study recommended six at-grade crossings along Embarcadero West. This study identified safety improvements necessary for the qualification of a quiet zone, including the construction of critical safety elements at the railroad crossing at Oak Street and Embarcadero West.
- [2016 Capitol Corridor Vision Implementation Plan](#): This 2016 plan adopted by the Capital Corridor Joint Powers Authority identifies Embarcadero West as “the single greatest bottleneck” in the Capital Corridor alignment, as passenger rail right-of-way is shared fully with UPRR freight trains and runs down the middle of Embarcadero West.
- [2017 Oakland Walks Pedestrian Plan](#): The Project implements design elements to ensure pedestrian safety at rail crossings and street crossings as recommended in the Oakland Walks Pedestrian Plan. Currently, crossings on Embarcadero West are substandard and pose serious safety risks and accessibility issues.
- [2018 Alameda CTC Rail Strategy Study](#): In 2018, Alameda County Transportation Commission developed a Rail Strategy Study (RSS). The RSS included a list of high-priority rail crossings and corridors and a Grade Crossing Toolkit. The Embarcadero West rail corridor was identified as a high-priority corridor and technical assessment was conducted. The Grade Crossing Toolkit, RSS priority list, and the proposed safety improvements for the corridor form the basis of the Project and designs for the Oak Street rail crossing for which this easement purchase is necessary.
- [2019 Let’s Bike Oakland Bike Plan](#): The Project implements bike facilities on Oak Street and Embarcadero West to improve waterfront access as recommended in the Bike Plan. Purchase of this easement enables safety improvements for bicyclists to cross railroad tracks at Oak Street.

- [2022 Howard Terminal Transportation Plan](#): The Project implements elements identified in this plan including new railroad gate arms and improved pedestrian access at two Embarcadero West at-grade railroad crossings, as well as protected bike lanes and dedicated space for crossing the tracks by bike at Oak Street. Purchase of the Easement will enable safety improvements for bicyclists to cross railroad tracks at Oak Street.

The Project is designed and constructed in coordination with nearby planning efforts and infrastructure projects, including the Oakland/Alameda Access Plan, the City of Oakland General Plan 2045 Update, and others.

The Easement acquisition is the immediate next step to implement the Oak Street crossing improvements called for across these planning efforts.

FISCAL IMPACT

The City has conducted an appraisal and determined that the amount of \$255,000 represents the fair market value for the Easement.

The acquisition of the Easement in the amount of \$255,000 will be funded through previously accepted and appropriated grant funding ([Resolution No. 89519, C.M.S.](#), and [Resolution No. 89518, C.M.S.](#), December 6, 2022), including CalSTA Assembly Bill 128 Grant Funds totaling \$11,000,000. The \$255,000 is available to support the Easement in Project 1007091, Fund 2159.

Table 1: Funding Source

Fund	Project	Amount
2159 - State of California Other	1007091 – Embarcadero West Rail Safety and Access Improvements	\$255,000

PUBLIC OUTREACH / INTEREST

In addition to the outreach described above in Related Planning Efforts, beginning in 2024 the Project team conducted a comprehensive community engagement initiative to guide the design of the Project. To foster meaningful dialogue and capture a diverse range of perspectives, the Project team collected feedback 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 and analyzed in a [Community Engagement Report](#).

The City designed the Project in close and ongoing collaboration with agency stakeholders, including the Port of Oakland, UPRR, the Oakland Fire Department, and other agencies.

COORDINATION

The Office of the City Attorney, the Budget Bureau, and the Real Estate Division have reviewed this report and ordinance.

RACE & EQUITY

The Embarcadero West Rail Safety and Access Improvements, along with surrounding projects being simultaneously delivered by the City, were driven by a racial equity impact analysis under the guidance of the Department of Race and Equity completed in 2020. Please refer to ***Attachment A***.

Together, the projects will improve safety and expand access to the waterfront and regional transit opportunities between West Oakland, Chinatown, and Downtown—areas identified as high priority equity areas in the [OakDOT Geographic Equity Map](#)--ensuring that the benefits of the project accrue to neighborhoods that have been historically underinvested. The Project will prevent delays on freight and passenger rail and will remove overweight trucks from residential streets, improving air quality in adjacent high priority equity communities. The Project will continue to demonstrate an equity-driven approach to community engagement as the project proceeds through construction.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Project is exempt from environmental review per 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) since this action proposes that the City retain the real estate right to make improvements to existing right-of-way facilities. Each of the above exemptions provides a separate and independent basis for CEQA compliance.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Agreement To Purchase An Easement For Public Right Of Way, Street And Utility Purposes Over A Portion Of The Real Property Located At 260 Oak Street, Oakland, California, From The Vukasin Family Limited Partnership In The Amount Of \$255,000; and Adopting California Environmental Quality Act Findings.

For questions regarding this report, please contact Emily Ehlers, Transportation Manager, Major Projects Division, at 510-238-2259.

Respectfully submitted,



Jamie Parks (Apr 13, 2026 10:30:27 PDT)

Jamie Parks
Acting Director, Department of Transportation

Reviewed by:
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Prepared by:

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Attachments (1):

- A. Racial Equity Impact Analysis