



DISTRIBUTION DATE: March 3, 2021

## MEMORANDUM

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** David Ferguson  
Interim Director, OPW

**SUBJECT:** Waterfront Trails Implementation  
Status

**DATE:** March 2, 2021

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City Administrator  
Approval

Date: Mar 2, 2021

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### INFORMATION

#### EXECUTIVE SUMMARY

This Informational memorandum is an update to information provided in the March 17, 2020, Informational Memorandum to City Council on the Oakland Waterfront Bay Trail implementation status. This report is the fifth update at the request of the Public Works Committee since July 2017 on the City's efforts and progress in implementing ongoing Bay Trail projects along the Oakland Waterfront.

#### BACKGROUND / LEGISLATIVE HISTORY

As part of the \$198,250,000 Measure DD Bond, a General Obligation bond approved by voters in 2002, \$53,000,000 was allocated to the Estuary Waterfront Access category. Of that allocation, \$43,500,000 is designated for waterfront trail and parks acquisition and construction. Through this category of funding, Oakland is completing local segments of the regional San Francisco Bay Trail, a 500-mile walking and cycling path around the San Francisco Bay that passes through 47 cities and all nine Bay Area counties.

#### ANALYSIS AND POLICY ALTERNATIVES

As reported on July 11, 2017, March 3, 2018, January 15, 2019, and March 17, 2020, approximately two-thirds of the planned Bay Trail segments along the Oakland waterfront, totaling 4.3 miles, have been completed since the inception of Measure DD as shown in *Attachment A* and described in the table below.

**Completed Trail Segments – Public**

Trail Segment Map Designation	Name
2.	Jack London Aquatic Center and Embarcadero Bridge
4.	Embarcadero Cove
5.	Livingston Pier
6.	Cryer Boat House
7.	Union Point Park
12.	Derby to Lancaster
14.	Alameda Avenue
16.	66 <sup>th</sup> Avenue Gateway

**Completed Trail Segments – Private**

Trail Segment Map Designation	Name
A.	Jack London Square
C.	Homewood Suites
B.	Brooklyn Basin (partial completion)
E.	Executive Inn and Suites
F.	Oakland Marina
G.	Livingston Street to Dennison Street
H.	Phoenix Housing
I.	Glasscock Housing
J.	A-1 Self Storage
M.	Tidewater Boating Center to Damon Slough

There are twelve active segments of the Bay Trail that remain to be completed (see Table of Active Projects below and *Attachment A*). Of the remaining 12 segments, four will be completed by another agency or through ongoing private development. Those include:

- Segment B of the map, which is under the development of the Brooklyn Basin project. A portion of the Brooklyn Basin trail was completed in November 2020. The remaining portion is still under development.
- Segments D, K, and L of the map are being completed by the East Bay Regional Park District (EBRPD).

The remaining eight segments to be implemented by the City are in varying stages of the project. Of those, four segments are currently under land tenure negotiation with private owners/lessees, including: Miller Milling (formerly ConAgra), 333 Kennedy Street, Cemex, and Fruitvale Avenue (Fairn & Swanson building). The City is using a consultant to negotiate land rights and easements necessary for the implementation of the trail projects in these segments. Another three of the eight segments are bridge connections over which multiple jurisdictions, including Alameda County, the U.S. Coast Guard, and the East Bay Regional Park District have jurisdiction.

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**Active Trail Segments to Be Completed** *(Shaded rows to be completed by others)*

	Trail Segment on Map	Name	Project status (work completed since last update)	Notes/Next Steps
1.	1.	Estuary Park	Initial design consultant contract terminated in October 2019 due to non-performance.	<b>In Planning:</b> A new consultant team will be in contract by February 2021. The team will begin with confirming park priorities per the 2018/19 robust public engagement process and will develop a feasible concept plan supported by stakeholders and the City. Staff is aiming to have a feasible, supported concept plan by Summer 2021.
2.	B.	Brooklyn Basin	Project under Brooklyn Basin development. The first of four parks (Shoreline Park) was completed and opened to the public in November.	<b>In Progress:</b> By Brooklyn Basin development.
3.	D.	Crowley Site	East Bay Regional Park District (EBRPD) is working with the Port of Oakland to develop the trail, with the original DD funding set aside for use by EBRPD to build a permanent trail.	<b>In Progress:</b> Design being completed by EBRPD. Partial funding from Measure DD. Estimated construction in 2023.
4.	3.	Harbor Master (1853 Embarcadero)	<p>The project has been bid for construction. Only one bid was received. The bid was within budget, and staff is proceeding with a request to award the contract to the bidder, Beliveau Engineering Company.</p> <p>The City is working with the Port of Oakland for a Temporary Construction Easement agreement with the Harbor Master's Office for a trail alignment to run through the property that they lease from the Port. The Port is routing the agreement for signature.</p>	<b>In Bid/Award:</b> Construction will begin once the Temporary Construction Easement Agreement is signed.

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	Trail Segment on Map	Name	Project status (work completed since last update)	Notes/Next Steps
5.	8.	Miller Milling (2201 E 7 <sup>th</sup> St.)	<p>Project is in the Planning phase.</p> <p>City has hired a consultant to assist in negotiating with property owners for the trail easements and is seeking a right of entry approval to conduct soil testing to initiate design.</p>	<p><b>Negotiation &amp; Design:</b> The property owner is unwilling to move forward with easement negotiations due to the severity of nearby homelessness issues. Design is unable to commence until a geotechnical site investigation can be conducted, for which the property owner is unwilling to grant a right of entry. The owner has stated willingness to proceed with easement and design discussions if the City is able to address their concerns regarding homeless encampments. Staff is developing new approaches to address this issue and advance the design.</p>
6.	9.	333 Kennedy St.	<p>Project is in the planning phase.</p> <p>The City has hired a consultant to assist in negotiating with property owners for the trail easements and is seeking a right of entry approval to conduct soil testing to initiate design.</p>	<p><b>Planning &amp; Negotiation:</b> Negotiations continue with the property owner for trail segment location and permanent easement. Design work on hold until preliminary agreement on trail location can be made.</p>
7.	10.	CEMEX (333 23 <sup>rd</sup> Ave.)	<p>Project is in design development.</p> <p>The City has hired a consultant to assist in negotiating with property owners for the trail easements.</p>	<p><b>Negotiation &amp; Design:</b> Negotiations continue with the property owner. CEMEX appears to be agreeable to the proposed trail route, including the removal of a portion of their existing buildings to accommodate the trail. Trail route cannot be finalized until an agreement is reached on the Park Street Bridge trail configuration.</p> <p>Work continues on design development phase, concurrently with the right-of-way negotiation. Final design pending right-of-way outcome.</p>

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	Trail Segment on Map	Name	Project status (work completed since last update)	Notes/Next Steps
8.	11.	Park St. Bridge Trail Crossing	<p>The City received 3 design alternatives from the project design consultant, Moffat and Nichol, and shared them with Alameda County and the Coast Guard for review.</p> <p>City staff met with the County on 1/14/21 to present the alternatives. Alameda County is supportive of the City's preferred design alternative that offers the best trail user experience. That alternative includes a 20.5 encroachment into the estuary. The Coast Guard is preparing a preliminary public notice to query estuary boat users regarding any potential opposition to the proposed design.</p>	<p><b>Negotiation &amp; Design:</b> If Coast Guard approval is received (pending the outcome of the preliminary public notice), City will proceed with advancing design and pursuing other required regulatory permits and approvals.</p>
9.	13.	Fruitvale Bridge Land Crossing	<p>Continuing negotiations with the land owner for the easement across former railroad property.</p> <p>Meetings and other communication with BCDC and Alameda County have taken place to advance negotiation discussions with the property owner.</p> <p>Easement agreement, construction access agreement, and land valuation are ready to execute once the property owner is ready to sign.</p>	<p><b>Negotiation &amp; Design:</b> Property owner has indicated that he will be ready to sign after a meeting with the County takes place, scheduled for mid-February.</p> <p>Once an easement agreement is complete and recorded, the BCDC permit application will be submitted, and final design documentation for bid packaged will be prepared.</p>
10.	15.	High Street Bridge Trail Crossing	<p>City met with Alameda County to outline constraints, including utilities conflicts and user-friendliness on the High Street and Park Street bridges. County suggested that the entire utilities infrastructure for the High Street bridge is too old to be moved and would need to be upgraded to facilitate the project.</p>	<p><b>Planning agreements:</b> Looking at options for an at-grade crossing since a water connection is likely infeasible. Project manager received a cost proposal from the consultant for the design. The proposal was reviewed and deemed reasonable. Coordinating with East Bay Regional Park District on their plans for trail segment behind Gallagher and Burk to determine potential connection point.</p>

	Trail Segment on Map	Name	Project status (work completed since last update)	Notes/Next Steps
11.	K.	Gallagher & Burke (344 High St.)	Army Corps transferred the Estuary properties to EBRPD, which borders Gallagher & Burke and Hanson Aggregates segments. EBRPD is responsible for the design of this segment of the trail.	<b>Design:</b> EBRPD is advancing the design for this segment of the trail and negotiating directly with the property owner for the easement.
12.	L.	Hanson Aggregates (4501 Tidewater Ave.)	Army Corps transferred the Estuary properties to EBRPD, which borders Gallagher & Burke and Hanson Aggregates segments. EBRPD is responsible for the design of this segment of the trail.	<b>On-Hold:</b> EBRPD is advancing the design for this segment of the trail and negotiating directly with the property owner for the easement.

**FISCAL IMPACT**

No fiscal impacts are associated with this informational report.

**PUBLIC OUTREACH / INTEREST**

The advancement of Measure DD-funded projects is overseen by the Measure DD Coalition that is open to any member of the public wishing to participate. The Coalition meets bi-monthly on the 3<sup>rd</sup> Monday. Meeting agendas, minutes, and other documents pertinent to Measure DD actions are available on the Measure DD website at: <http://www.waterfrontaction.org/dd/>. Specific public outreach and engagement for each of the projects referenced in this report occur on a project by project basis.

**COORDINATION**

The Office of the City Attorney and Budget Bureau were consulted in the preparation and review of this report. Staff also consulted with the East Bay Regional Park District for updates on the status of their projects.

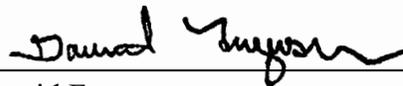
**SUSTAINABLE OPPORTUNITIES**

**Economic:** Although the informational report has no direct economic opportunities, the continued efforts to implement trail improvement projects will provide contracting opportunities for City of Oakland vendors and contractors through the design and construction process. The completed trail along the waterfront may also enhance economic opportunities for Oakland businesses and may improve economic opportunities for persons needing to commute by walking or biking.

**Environmental:** Although the informational report has no direct environmental impacts, completion of the waterfront trail projects referenced in this report will benefit the environment by encouraging pedestrian and bicycle use of the trail to access destinations, thereby reducing vehicle usage and its associated pollution. Encouragement of trail use may also improve appreciation for and stewardship of the adjacent Oakland Estuary.

**Race & Equity:** Although the informational report has no direct race and equity impacts, the waterfront trail projects referenced in this report are part of the regional San Francisco Bay Trail that serves and connects many communities around the San Francisco Bay, including many frontline communities. It provides a safe and low-impact connection between numerous points and neighborhoods of Oakland. It encourages physical activity, recreation, and invites engagement with the Bay's environmental habitat to improve the quality of life for residents throughout the city. The trail system provides a safe means of transit via walking or biking for recreational transit or commuting. This is especially important for those residents who may not have a car or resources for other transit travel. The trail projects will be compliant with the Americans with Disabilities Act and provide equitable access to seniors and those with mobility impairment. Improvement of the trails could allow expansion of programs promoting youth recreation and health improvements.

Respectfully submitted,

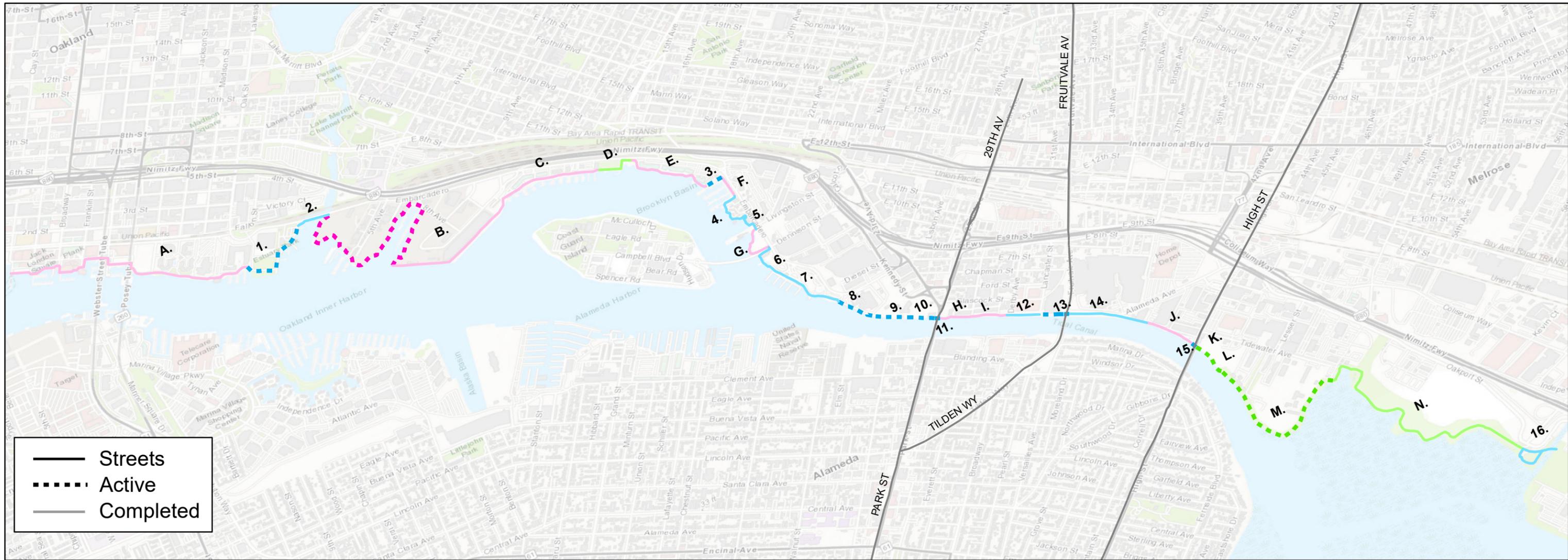


David Ferguson  
Interim Director, Oakland Public Works

For questions, please contact Kristin Hathaway, Watershed and Stormwater Management Division and DD Program Manager at (510) 238-7571.

Attachments (1)

A: Oakland Waterfront Bay Trail Projects Map



## City Trail Segments

- 1. Estuary Park
- 2. Jack London Aquatic Center to Embarcadero Bridge
- 3. Harbor Master
- 4. Embarcadero Cove
- 5. Livingston Pier
- 6. Cryer Boat House
- 7. Union Point Park
- 8. Miller Milling

- 9. 333 Kennedy
- 10. CEMEX
- 11. Park Street Bridge Trail Crossing
- 12. Derby to Lancaster
- 13. Fruitvale Bridge Land Crossing
- 14. Alameda
- 15. High Street Bridge Trail Crossing
- 16. 66th Avenue

## Private and EBRPD Trail Segments

- A. Jack London Square
- B. Brooklyn Basin
- C. Homewood Suites
- D. Crowley Site
- E. Executive Inn and Suites
- F. Oakland Marina
- G. Livingston Street to Dennison Street
- H. Phoenix Housing
- I. Glasscock Housing
- J. A-1 Self Storage
- K. Gallagher & Burke Aggregate
- L. Hanson Aggregates
- M. Tidewater Boating Center
- N. Tidewater Boating Center to Damon Slough