

OFFICE  
2007 MAY 31 PM 3:26

APPROVED AS TO FORM AND LEGALITY:

BY: *Alvinis*  
AGENCY COUNSEL

REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND  
2007-0048  
RESOLUTION No. \_\_\_\_\_ C.M.S.

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**RESOLUTION ALLOCATING \$125,000 FROM THE BROADWAY/  
MACARTHUR/ SAN PABLO TAX ALLOCATION BONDS SERIES  
2006C-TE TO THE CITY OF OAKLAND UNDER THE COOPERATION  
AGREEMENT TO FUND THE MACARTHUR TRANSIT HUB  
STREETScape IMPROVEMENT PROJECT AS MATCHING FUNDS  
FOR THE 2006/07 COORDINATED PROGRAM GRANT FUNDING  
AWARDS**

**WHEREAS**, the Five Year Implementation Plan for the Broadway/ MacArthur/ San Pablo Redevelopment Project, adopted on December 7, 2004 (Resolution No. 2004-66 C.M.S.), includes streetscape and other infrastructure improvements within the project area; and

**WHEREAS**, the City of Oakland (the "City") applied to the 2006/07 Coordinated Program for grant funds for the MacArthur Transit Hub Streetscape Improvement Project; and

**WHEREAS**, through the 2006/07 Coordinated Program the City of Oakland has been awarded a \$215,000 capital grant from the Regional Bicycle and Pedestrian Program (RBPP) and a \$215,000 capital grant from the Measure B Bicycle/Pedestrian Countywide Discretionary Funds; and

**WHEREAS**, the City has pledged a local match of \$125,000 for these grants, to be obtained from the Broadway/MacArthur/San Pablo Redevelopment Project Area tax allocation bonds; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland (the "Agency") requested the appropriation of Tax Allocation Bond Series 2006C-TE funds for this project in the Agency's Fiscal Year 2007-08 Budget request; and

**WHEREAS**, the MacArthur Transit Hub Streetscape Improvement Project is located on 40<sup>th</sup> Street within the boundaries of the Broadway/MacArthur/San Pablo Redevelopment Project Area and includes the following improvements:

- Intersection reconfiguration at the BART Frontage Road;
- New traffic signal at the BART Frontage Road;
- Bike lanes on 40<sup>th</sup> Street between Telegraph and Martin Luther King, Jr. Way;
- A bus bulb-out at the intersection of 40<sup>th</sup> Street and Telegraph Avenue;
- Pedestrian streetlights outside of the freeway underpass;
- New lighting and surface treatments for the freeway underpass walls; and

**WHEREAS**, the Five Year Implementation Plan for the Broadway/ MacArthur/ San Pablo Redevelopment Project, adopted on December 7, 2004 (Resolution No. 2004-66 C.M.S.), includes streetscape improvements within the project area; and

**WHEREAS**, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Agency financial contributions and other assistance to support City public improvements; and

**WHEREAS**, Section 33421 of the California Health and Safety Code authorizes a redevelopment agency to construct streets, sidewalks, utilities and other improvements necessary to implement the Redevelopment Plan, and Section 33445 authorizes an agency to pay for the cost of installation or construction of publicly-owned facilities; and

**WHEREAS**, the City Council is consenting to the use of Agency funds for the MacArthur Transit Hub Streetscape Improvement Project; and

**WHEREAS**, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now therefore be it

**RESOLVED:** That the Redevelopment Agency hereby authorizes the allocation of \$125,000 of Redevelopment Agency Broadway/MacArthur/San Pablo Project Area funds in Fiscal Year 2007-08 from the Broadway/MacArthur/San Pablo Tax Allocation Bonds, Series 2006C-TE Fund (9537), Redevelopment Projects Organization (88669), 40<sup>th</sup> Street Streetscape ORA Project (P187570), to the City of Oakland Repayment Fund (7780), 40<sup>th</sup> Street Streetscape City Project (G283050) under the Cooperation Agreement between the City and the Redevelopment Agency to fund the MacArthur Transit Hub Streetscape Improvement Project as matching funds for the grants; and be it

**FURTHER RESOLVED:** That the Agency hereby finds and determines as follows:

1. That the funding and construction of the MacArthur Transit Hub Streetscape Improvement Project will benefit the

Broadway/MacArthur/San Pablo Project Area by improving the appearance, pedestrian and bicycle safety and access on 40<sup>th</sup> Street adjacent to the MacArthur BART Station;

2. That the provision of the public improvements is necessary to effectuate the purposes of the Broadway/MacArthur/San Pablo Redevelopment Plan; and
3. That no other reasonable means of financing the MacArthur Transit Hub Streetscape Improvement Project are available to the City other than Redevelopment Agency funding; and
4. That the use of tax increment funds from the Broadway/MacArthur/San Pablo Project Area for the MacArthur Transit Hub Streetscape Improvement Project will assist in the elimination of blight through streetscape improvements along 40<sup>th</sup> Street in the Broadway/MacArthur/San Pablo Project Area and is consistent with the implementation plan adopted for the Broadway/ MacArthur/ San Pablo Project Area; and be it

**FURTHER RESOLVED:** That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15301 (improvements to existing facilities) of the CEQA guidelines; and be it

**FURTHER RESOLVED:** That the Agency hereby authorizes the Agency Administrator, or her designee, to take all actions necessary with respect to the grant and the Agency funding in accordance with this resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 19 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
CHAIRPERSON DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:

  
LATONDA SIMMONS

Secretary, Redevelopment Agency  
of the City of Oakland