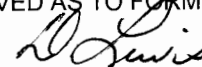


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DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. 82472 C.M.S.

A RESOLUTION APPROVING THE MACARTHUR TRANSIT VILLAGE REDEVELOPMENT PROJECT RESIDENTIAL AND COMMERCIAL RELOCATION PLANS

WHEREAS, on December 7, 2004, the Five-year Implementation Plan for the Broadway/MacArthur/San Pablo Redevelopment Project Area was adopted; and

WHEREAS, the Implementation Plan identified the MacArthur Transit Village Redevelopment Project and related streetscape improvements as a key catalyst project, and the Redevelopment Agency of the City of Oakland (the "Agency") is pursuing implementation of the project in the redevelopment project area; and

WHEREAS, the project developer MacArthur Transit Community Partners, LLC (MTCP) plans to construct a number of improvements as the MacArthur Transit Village project, including 624 residential rental and ownership units (516 market rate units and 108 below market rate units); 42,500 square feet of commercial/neighborhood serving retail space; 5,000 square feet of community space; 400 replacement parking spaces for BART in a new parking structure and a commitment to park an additional 110 BART patrons through either an expanded parking garage, shared parking, satellite lots, and/or attended parking in the garage; and a new public plaza located across from the existing BART plaza; and

WHEREAS, the displacement of residential and nonresidential (business) tenants is necessary to proceed with the acquisition of a number of properties in preparation for planned development of the redevelopment project; and

WHEREAS, the relocation of the MacArthur Transit Village Project residential and nonresidential displacees will be governed by state relocation law (Government Code §7260, et seq.) and implementing regulations (25 CCR section 6000, et seq.); and

WHEREAS, state relocation regulations (25 CCR section 6038) require the preparation of relocation plans when there is a significant amount of residential or nonresidential displacement, and the adoption of those plans by the local legislative body; and

WHEREAS, MTCP has submitted a draft Relocation Plan for the MacArthur Transit Village Project for Residential Displacement to the Council for its consideration; and

WHEREAS, MTCP has submitted a draft Relocation Plan for the MacArthur Transit Village Project for Commercial Displacement to the Council for its consideration; 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 City Council hereby approves the Relocation Plan for the MacArthur Transit Village Redevelopment Project for Residential Displacement attached as Attachment A to the staff report accompanying this Resolution; and be it

FURTHER RESOLVED: That the City Council hereby approves the Relocation Plan for the MacArthur Transit Village Redevelopment Project for Commercial Displacement attached as Attachment B to the staff report accompanying this Resolution; and be it

FURTHER RESOLVED: That the City Council finds and determines that said Relocation Plans conform to the requirements of state relocation law; and be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines that this action complies with CEQA because this action on the part of the City Council is exempt from CEQA pursuant to Section 15061(b)(3) (general rule) of the CEQA guidelines; and the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take whatever action he or she deems necessary to implement the Relocation Plans, consistent with the purposes of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN - 5 2010, 2010

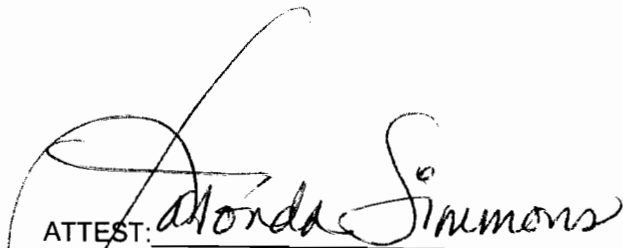
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER *-8*

NOES- *0*

ABSENT- *0*

ABSTENTION- *0*

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California