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Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**
2005-0009
RESOLUTION NO. _____ C.M.S.

**A RESOLUTION REPROGRAMMING \$500,000 IN AGENCY FUNDING
OF ACQUISITION AND CONSTRUCTION COSTS OF THE OAKLAND
COLISEUM INTERCITY RAIL PLATFORM PROJECT TOWARDS
DESIGN AND ENGINEERING SERVICES**

WHEREAS, the City of Oakland received a grant of \$369,500 from the California Department of Transportation, Transit Capital Improvement Program, to complete design and engineering documents for the Oakland Coliseum Intercity Rail Platform Project; and

WHEREAS, on August 14, 1998, the City of Oakland entered into an agreement ("Agreement") with the San Francisco Bay Area Rapid Transit District ("BART") for design and engineering services related to the Oakland Coliseum Intercity Rail Platform Project with a design and engineering budget of \$369,500; and

WHEREAS, the Agreement had previous amendments which have increased the design and engineering budget to a total of \$1,135,208 and have extended the term of the Agreement to March 24, 2004; and

WHEREAS, Resolution No. 77680 C.M.S. authorized an Agency contribution of \$1,055,000 for acquisition and construction costs to the Project; and

WHEREAS, the design and engineering, construction and acquisition cost of the Project is approximately \$6.6 million; and

WHEREAS, the City is authorizing an amendment to the Agreement to extend the term of the Agreement to September 4, 2005, to expand the scope of services, and to modify the budget; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which governs the provision of funding and services between the two agencies; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby reprograms up to \$500,000 from the Agency's previous allocation of \$1,055,000 to construction and acquisition costs for the Intercity Rail Platform Project (Coliseum Tax Allocation Bond,

Fund 9453, Project P233430) to complete the design and engineering work related to the Project; and be it further

RESOLVED: That the \$400,000 would be paid by the Agency to BART on behalf of the City and moreover, said funds shall be used for Agency reimbursement to BART for payment for design and engineering services, and the remaining \$100,000 shall be used for design and engineering contingency; and be it further

RESOLVED: That Agency funding of the Project shall be governed by the Cooperation Agreement; and be it further

RESOLVED: That the Agency Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the Oakland Coliseum Intercity Rail Platform Project consistent with this Resolution and its basic purposes.

FEB 15 2005

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, ~~AN~~, AND
CHAIRPERSON DE LA FUENTE ~ 7

NOES- 0
ABSENT- 0
ABSTENTION- 0

ATTEST: Atonda Simmons

Interim Secretary of the Redevelopment Agency
of the City of Oakland, California