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OAKLAND  
2015 APR 16 AM 1:52

# AGENDA REPORT

**TO:** JOHN A. FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Mark Sawicki

**SUBJECT:** Broadway/MacArthur/San Pablo  
Bond Spending Plan Amendment and  
Grant Agreement

**DATE:** March 30, 2015

City Administrator  
Approval

Date

4/14/15

**COUNCIL DISTRICT: 1**

## RECOMMENDATION

Staff recommends that the City Council adopt:

**A Resolution Authorizing The City Administrator Or Designee To (1) Accept Excess Bond Proceeds In The Amount Of \$1,357,000 Received From The Oakland Redevelopment Successor Agency ("ORSA") Under The Bond Expenditure Agreement Entered Into November 8, 2013, By And Between The City Of Oakland (The "City") And ORSA; (2) Amend The Broadway/MacArthur/San Pablo Bond Spending Plan To (A) Appropriate And Allocate Such Bond Proceeds To Projects And/Or Programs And (B) Re-Appropriate And Reallocate Excess Bond Proceeds In The Amount Of \$100,000 Previously Listed And Committed In The Approved Bond Spending Plan To Other Bond-Eligible Projects And/Or Programs; (3) Enter Into A Grant Agreement With MacArthur Transit Community Partners, LLC ("MTCP"), To Provide A Grant In The Amount Of \$541,613.26 To Fund Additional Streetscape Improvements At West MacArthur Boulevard; and (4) Adopt Appropriate CEQA Findings**

## OUTCOME

Adoption of the proposed resolution will allow the Interim City Administrator to accept excess bond proceeds in the amount of \$1,357,000 and to amend the Broadway/MacArthur/San Pablo ("B/M/SP") Excess Bond Spending Plan to add these excess proceeds to existing bond-eligible projects and/or programs identified in the original Bond Spending Plan approved by Council in 2013. The resolution would also re-appropriate and reallocate a previously committed allocation of \$100,000 to other bond-eligible projects and/or programs.

The resolution further authorizes the Interim City Administrator to enter into a grant agreement with MacArthur Transit Community Partners, LLC ("MTCP") for the amount of \$541,613.26 to fund additional streetscape improvements around the MacArthur BART Station utilizing a portion of the excess bond proceeds and \$180,613.26 additional funding from the Oakland

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Public Works (“OPW”). MTCP is an LLC created by BRIDGE Housing to develop the MacArthur Transit Village project.

**EXECUTIVE SUMMARY**

Staff is recommending that the City Council adopt legislation authorizing the City Administrator or his designee to accept the excess bond proceeds in the amount of \$1,357,000 received from ORSA under the Bond Expenditure Agreement and to amend the B/M/SP Bond Spending Plan to spend these bond proceeds.

Such funds would also be appropriated and allocated to certain other activities in the B/M/SP Redevelopment Project Area pursuant to the amended Bond Spending Plan, such as Façade and Tenant Improvement Programs, public facilities and infrastructure, and the small business loan program. A portion of the excess bond proceeds in the amount of \$361,000 would be appropriated and allocated to a grant in a total amount not to exceed \$541,613.26 to MTCP to fund certain streetscape improvements resulting from additional work required outside the original scope of the approved project by the City. Grant funds would be used to improve landscaping, irrigation, lighting, and provide bike lanes to complete a currently planned and funded City bikeway safe project along MacArthur Boulevard. OPW will provide a portion of the grant funds in the amount of \$180,613.26. Lastly, the proposed resolution would re-appropriate and reallocate \$100,000 in the original B/M/SP Bond Spending Plan from the Oakland Housing Authority Solar Grant to the Small Business Loan Program. Table 1 below summarizes actions requested under this resolution.

**Table 1: Summary of Actions under Resolution**

USES	AMOUNT	Action
Façade & Tenant Improvement Program	\$350,000.00	Appropriate and allocate excess bond proceeds under Bond Spending Plan.
Small Business Loan Program	\$230,000.00	Appropriate and allocate excess bond proceeds under Bond Spending Plan.
	\$100,000.00	Re-appropriate and reallocate funds in original Bond Spending Plan.
Public Facility & Infrastructure Improvements	\$416,000.00	Appropriate and allocate excess bond proceeds under Bond Spending Plan.
Grant to MTCP for Streetscape Improvements	\$361,000.00	Appropriate and allocate excess bond proceeds to MTCP as a grant.
	\$100,000.00	Appropriate and allocate OPW funds to MTCP as a grant.
	\$58,613.26	Appropriate and allocate OPW funds to MTCP as a grant.
	\$22,000.00	Appropriate and allocate OPW funds to MTCP as a grant.
<b>TOTAL</b>	<b>\$1,637,613.26</b>	

## **BACKGROUND/LEGISLATIVE HISTORY**

### *MacArthur Transit Village Project*

On February 24, 2010, the Redevelopment Agency of the City of Oakland ("Agency"), pursuant to Resolution No. 2009-0073 C.M.S., entered into an Owner Participation Agreement ("OPA") with MTCP for the development of the MacArthur Transit Village Project ("MacArthur Project"). After dissolution of the Agency, the OPA has become an enforceable obligation of the Oakland Redevelopment Successor Agency ("ORSA"). Per the OPA, the Agency committed funding in the amount of \$17.6 million to the MacArthur Project, \$13.8 million of which was budgeted towards land acquisition. MTCP decided not to include certain property known as the Surgery Center Site in the MacArthur Project area. As a result, MTCP's acquisition budget has been decreased by \$1,357,000, reducing it from \$13,800,000 to \$12,443,000.

### *Bond Expenditure Agreement and Bond Spending Plan*

On November 6, 2013, the California Department of Finance approved City Resolution No. 84516 C.M.S. (approved by City Council July 16, 2013), ORSA Resolution No. 2013-023, and Oakland Oversight Board Resolution No. 2013-15. This authorization allowed the City of Oakland ("City") to enter into a Bond Expenditure Agreement (executed on November 8, 2013), with ORSA to transfer excess tax allocation bond proceeds to the City to fund redevelopment projects and programs not previously funded or obligated by ORSA or the City, as long as the spending is consistent with the bond covenants. City Resolution No. 84516 C.M.S. also approved a bond spending plan for excess bond proceeds in the B/M/SP Redevelopment Project Area.

The Bond Expenditure Agreement allows the excess bond proceeds of \$1,357,000 from the MacArthur Project to be transferred from ORSA to the City, while the bond spending plan enables excess bonds to be spent in other programs and projects within the same Redevelopment Project Area.

### *Recognized Obligations Payments Schedule ("ROPS")*

In order to release payments originally budgeted for the MacArthur Project to other programs and projects, ORSA must also receive approval for its Recognized Obligation Payments Schedule ("ROPS") from the Oakland Oversight Board.

On February 24, 2014, pursuant to Oversight Board Resolution No. 2014-1, the Oakland Oversight Board approved the ROPS 14-15A for the period July 1, 2014 through December 31, 2014. ROPS 14-15A governs payments made by ORSA during this period. Line #636 of ROPS 14-15A establishes that there are excess bond proceeds under the Bond Expenditure Agreement in the B/M/SP Redevelopment Project Area. This amount stated in Line #636 includes the \$1,357,000 of bond funds released from the MacArthur Project. Under the ROPS, the funds may

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be spent in projects consistent with bond covenants per the Bond Expenditure Agreement approved by the Oversight Board Resolution No. 2013-15.

## ANALYSIS

### *Amendment of the B/M/SP Bond Spending Plan*

Per Section 5.3.1 of the OPA, MTCP decided not to pursue acquisition of certain improved property located at 3875 Telegraph Avenue, which includes the Surgery Center of Alta Bates Summit Medical Center. Over the last few years, MTCP made multiple attempts to acquire this site, but was unable to reach an agreement with Alta Bates Summit representatives. As a result, MTCP decided not to include the Surgery Center Property in the MacArthur Project. OPA Section 5.1 further states that in the event the Surgery Center is eliminated from the MacArthur Project, the tax increment funding available for site acquisition would be reduced by the difference between the estimated land acquisition budget of \$13.8 million and the sum of the following:

- 1) Actual acquisition costs for all parcels included in the final site;
- 2) All additional project costs, including without limitation redesign, added construction and remediation costs, attributable to reconfiguration of the MacArthur Project; and,
- 3) The net present value as of the date of calculation of the residential units eliminated as a direct consequence of the reconfiguration.

On September 16, 2014, MTCP informed ORSA of their final land acquisition plans, which did not include the Surgery Center site, and submitted to ORSA a decrease to the MacArthur Project's tax increment funding of \$1,357,000, reducing it from \$13,800,000 to \$12,443,000. In addition, MTCP requested a new allocation of funding in the amount of \$541,613.26 towards the Project. The requested funds will cover the costs for (1) streetscape improvements on West MacArthur Boulevard that the City required in addition to the original scope for the Project, which caused delays and increased costs, and (2) additional changes that would create consistency with a planned and funded bikeway safety project.

MTCP's change of their site acquisition plans for the MacArthur Project releases \$1,357,000 of excess bond proceeds. As a result, these excess bond proceeds are added to the existing B/M/SP Bond Spending Plan. Staff recommends the following two amendments to the bond spending plan:

#### 1. Appropriate and Allocate \$1,357,000 Excess Bond Funds

Staff recommends that these excess bonds funds, currently located in the B/M/SP Tax Allocation Bonds Series 2006C-T Fund 5638, be allocated to the following programs and projects:

- Façade and Tenant Improvement Program (\$350,000);
- Small Business Loan Program (\$230,000);

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- Public Facility & Infrastructure Improvements (\$416,000); and,
- Grant to MTCP for Streetscape Improvements (\$361,000).

The grant to MTCP is explained further in the next section.

2. Re-appropriate and Reallocate \$100,000 Previously Listed and Committed in the original B/M/SP Bond Spending Plan:

The original B/M/SP Bond Spending Plan provided for an expenditure of \$100,000 for an Oakland Housing Authority Solar Grant. Since then, staff has confirmed that this project is no longer moving forward and is recommending that these funds be re-appropriated and reallocated to the Small Business Loan Program.

Table 2 below summarizes these two amendments by source and use of the funds. Please see *Attachment A* to the resolution for the amended Bond Spending Plan for the B/M/SP Redevelopment Project Area.

**Table 2: Bond Spending Plan Amendments**

USES	AMOUNT	SOURCES
Facade & Tenant Improvement Program	\$350,000	B/M/SP Excess Bond Proceeds
Small Business Loan Program	\$230,000	B/M/SP Excess Bond Proceeds
Public Facility & Infrastructure Improvements	\$416,000	B/M/SP Excess Bond Proceeds
Grant to MTCP for Streetscape Improvements	\$361,000	B/M/SP Excess Bond Proceeds
<b>Subtotal</b>	<b>\$1,357,000</b>	<b>Action: Appropriation</b>
Small Business Loan Program	\$100,000	B/M/SP Bond Proceeds
<b>Subtotal</b>	<b>\$100,000</b>	<b>Action: Re-appropriation of Oakland Housing Authority Solar Grant</b>
<b>TOTAL</b>	<b>\$1,457,000</b>	

*Grant to MTCP*

As part of development approvals, the MacArthur Project includes plans to improve MacArthur Boulevard from Telegraph Avenue to the BART frontage road. Staff recommends that the City Administrator be authorized to enter into a Grant Agreement with MTCP in an amount not to exceed \$541,613.26 to fund additional streetscape improvements at West MacArthur Boulevard.

During the construction of public infrastructure for the MacArthur Project and after design approval, the City requested additional intersection improvements at West MacArthur Boulevard and Telegraph Avenue. The additional improvements resulted in delays and increased costs to the Developer. In addition, there were unforeseen delays associated with the installation of a new water main and with Pacific Gas and Electric. MTCP would only be able to cover these unanticipated costs if significant reductions were made to MacArthur Project's budget for certain lighting and landscaping improvements on West MacArthur Boulevard.

Also, due to a City-planned and funded bikeway safety project ("MacArthur Bikeway Connection Project") on West MacArthur Boulevard that was not known at the time of the original MacArthur Project approvals, additional funding is needed to allow for extension of bicycle lanes on MacArthur Boulevard through the Telegraph Avenue intersection to provide continuous bicycle lanes from Broadway to Market Street. Improvements will also include protected left-turn arrows at MacArthur Boulevard/Telegraph Avenue to improve pedestrian crossing safety.

Table 3 below shows the sources and uses of the grant funds.

**Table 3: MTCP Grant Breakdown**

IMPROVEMENTS	AMOUNT	FUNDING SOURCE
Cost increases and delay impact due to additional intersection improvements, new water main and PG&E	\$200,000.00	B/M/SP Excess Bond Proceeds
Landscaping, irrigation, and lighting on West MacArthur Blvd.	\$131,000.00	B/M/SP Excess Bond Proceeds
Improvements to provide consistency with City planned and funded MacArthur Bikeway Connection Project.	\$210,613.26	\$30,000.00 from B/M/SP Excess Bond Proceeds
		\$100,000.00 from OPW Fund
		\$58,613.26 from OPW Fund
		\$22,000.00 from OPW Fund
<b>TOTAL</b>	<b>\$541,613.26</b>	

**PUBLIC OUTREACH/INTEREST**

There is no requirement or plan for further outreach for this report beyond the posting on the City's website.

**COORDINATION**

The following City departments were consulted during the preparation of this report:

- Office of the City Attorney;
- City Controller’s Bureau; and,
- Oakland Public Works.

The execution and administration of the grant agreement for the West MacArthur Streetscape Project will require a coordinated effort between the following Departments and the Developer:

- City Attorney Office;
- Oakland Public Works; and,
- MTCP.

**COST SUMMARY/IMPLICATIONS**

The proposed legislation and the proposed grant to MTCP commits the City to expend up to \$180,613.26 of funding from OPW that was already dedicated to bicycle and pedestrian safety improvements and streetscape improvements. It does not commit the City or ORSA to expend additional funds that have not been previously committed to a project. The remaining amount of the grant utilizes a portion of the excess bond proceeds previously committed to the MacArthur Project. Any savings on the work from the grant to MTCP will be allocated to Public Facility & Infrastructure Improvements.

The OPA will reduce the amount of obligated bond proceeds to MTCP by \$1,357,000 and the Amended Bond Spending Plan will increase by that same amount. The bond funds are being held in B/M/SP Tax Allocation Bonds Series 2006C-T (Fund 5638). In addition, \$100,000 will be re-allocated from the Oakland Housing Authority Solar Grant to the Small Business Loan Program. The total of \$1,637,613.26 in project appropriations, are being allocated as follows in table 4 below:

**Table 4: Total Project Appropriations**

USES	AMOUNT	SOURCES	Funds were...
Façade & Tenant Improvement Program	\$350,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers: Other Account (49212)	Previously committed to MacArthur Project
Small Business Loan Program	\$230,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers: Other Account (49212)	Previously committed to MacArthur Project
	\$100,000.00	B/M/SP Tax Allocation Bonds Series	Previously committed

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		2006C-T Fund (5638), CIP Broadway/MacArthur/San Pablo Organization (94869), Budget Only: Prior Year Allocation Offset Project Total Account (78811), OAHPI Solar Grant (Project Q436610)	in Bond Spending Plan
Public Facility & Infrastructure Improvements	\$416,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers: Other Account (49212)	Previously committed to MacArthur Project
Grant to MTCP for Streetscape Improvements	\$361,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers: Other Account (49212)	Previously committed to MacArthur Project
	\$100,000.00	Measure B: Bicycle/Pedestrian Pass-Thru Fund (2212), Engineer Design: IPPD Capital Improvement Projects Organization (92260), Street Construction Account (57411), Bicycle Facilities Design and Implementation Project (C428410)	OPW funds dedicated to bicycle and pedestrian safety improvements
	\$58,613.26	Measure B: Bicycle/Pedestrian Pass-Thru Fund (2212), Engineer Design: Traffic/Parking Organization (92246), Signal and Safety Devices Account (57412), Ped Crossing Improvement @ High Accident Location Project (C371810)	OPW funds dedicated to bicycle and pedestrian safety improvements
	\$22,000.00	Measure B: ACTIA Fund (2211), Engineer Design: Traffic/Parking Organization (92246), Signal and Safety Devices Account (57412), Traffic Signal Management Project (C427910)	OPW funds dedicated to streetscape improvements
<b>TOTAL</b>	<b>\$1,637,613.26</b>		

**POLICY ALIGNMENT**

The proposed resolution will provide funding to complete various redevelopment project and program activities and City projects that are in alignment with City priorities on economic development. This fosters sustainable economic growth and development for the benefit of Oakland residents and businesses. Additionally, the Façade and Tenant Improvement Programs and Small Business Loan Programs will further reduce blight, foster growth of small businesses, and encourage new development.

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## SUSTAINABLE OPPORTUNITIES

**Economic:** The various projects and programs proposed for the use of the excess bond proceeds have numerous economic opportunities for Oakland businesses, including contracts for construction and professional services, grants for property owners and businesses, and improvements to streets and public facilities that will attract future development and new businesses to surrounding neighborhoods.

**Environmental:** The MacArthur Bikeway Connection Project will increase encourage biking and walking as supposed to automobiles and is consistent with the City Council's adopted Energy and Climate Action Plan.

**Social Equity:** All of the streetscape improvements in the MacArthur Project are required to meet the City's contracting programs, including the Small/Local Business Construction Program, the Small/Local Business Professional Services Program (L/SLBE), and the Local Employment Program. All of the workers performing construction work for the City funded improvements must be paid prevailing wages. Currently, the majority of the contractors hired for the work under the grant are Oakland-based.

## CEQA

### *MacArthur Bikeway Connection Project*

The MacArthur Bikeway Connection Project is consistent with the Oakland Bicycle Master Plan Final EIR, which was certified by the Oakland City Council. No further environmental review is required under CEQA Guidelines sections 15162-15164 because (a) this action is within the scope of the program examined in the 2007 Bicycle Master Plan Programmatic EIR; (b) the project would not result in any new significant impacts or a substantial increase in previously identified significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (c) there is no new information of substantial importance that would result in any new significant impacts or a substantial increase in previously identified significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (d) there are no substantial changes in circumstances that would result in any new significant impacts or a substantial increase in previously identified significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; and (e) there is no feasible mitigation measure or alternative that is considerably different from others previously analyzed in the 2007 Bicycle Master Plan Programmatic EIR that has not been adopted. Please see **Attachment A: Traffic Analysis Memo** and **Attachment B: Bike Plan EIR Evaluation Checklist**.

On a separate and independent basis, the MacArthur Bikeway Connection Project is also exempt from the environmental analysis requirements of CEQA under CEQA Guidelines Sections 15183 (projects consistent with general plan and zoning); 15301(c) (operation, repair, or minor

alteration of existing facilities); 15304 (minor alterations); and 15061(b) (3) (general rule: no significant effect on the environment).

*Other Projects*

On a further separate and independent basis, the (a) Façade and Tenant Improvement Program; (b) Public Facility & Infrastructure Improvements; and (c) amended B/M/SP Bond Spending Plan are also exempt from the environmental analysis requirements of CEQA under CEQA Guidelines Sections 15183 (projects consistent with general plan and zoning); 15301(c) (operation, repair, or minor alteration of existing facilities); 15304 (minor alterations); and 15061(b) (3) (general rule: no significant effect on the environment).

For questions regarding this report, please contact Esther Chan, Urban Economic Analyst IV, at (510) 238-6169.

Respectfully submitted,



MARK SAWICKI, Director  
Economic & Workforce Development Department

Reviewed by:  
Patrick Lane, Redevelopment Manager  
Jens Hillmer, Urban Economic Coordinator

Prepared by:  
Esther Chan, Urban Economic Analyst IV  
Project Implementation Division

Attachments

Attachment A: Traffic Analysis Memo  
Attachment B: Bike Plan EIR Evaluation Checklist

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**Attachment A: Traffic Analysis Memo**

Broadway/MacArthur/San Pablo Bond Spending Plan Amendment and Grant Agreement  
Staff Report

*(attached)*

# CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 4344 • OAKLAND, CALIFORNIA 94612

Public Works Department

(510) 238-3466

Bureau of Engineering & Construction

FAX (510) 238-7415

Transportation Planning & Funding Division

TDD (510) 238-3254

## Memorandum

To: Esther Chan, Project Implementation Division  
From: Jamie Parks  
CC: Patrick Lane, Wlad Wlassowsky, Jason Patton  
Date: April 11, 2015  
Re: Traffic Analysis of Proposed West MacArthur Boulevard/Telegraph Avenue Striping Modifications

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The MacArthur Transit Village (MTV) development will make streetscape improvements in 2015 to West MacArthur Boulevard, in accordance with project conditions approved in 2008. This memorandum assesses the traffic impacts associated with reconfiguring lane designations on West MacArthur Boulevard as part of the overall MTV improvements, in order to better coordinate with adjacent City projects on West MacArthur Boulevard. The analysis shows that the proposed changes would have negligible effect on traffic operations and would result in improved safety for all travel modes.

### Background

The Oakland Bicycle Master Plan designates West MacArthur Boulevard as a bikeway in the vicinity of the MacArthur Transit Village project, with a Class 2 facility (i.e., bike lanes) proposed between Market Street and Broadway. Bike lanes were installed in 2012 between Telegraph Avenue and Broadway. In addition, a funded and approved Oakland Public Works safety improvement project will install bike lanes between Market Street and the BART Frontage Road in 2016, as well as other safety improvements.

Given these adjacent projects, Oakland Public Works wishes to adjust the existing lane designations at West MacArthur Boulevard/Telegraph Avenue to allow the MTV improvements to effectively match the existing (Telegraph Avenue to Broadway) and approved (Market Street to BART Frontage Road) bikeway sections immediately to the east and west of the MTV project limits. This analysis in this memorandum evaluates the feasibility of these adjustments.

### Proposed Striping Modifications

Several modifications to the approved MTV off-site improvements are proposed to provide a more consistent cross-section along West MacArthur Boulevard, improve safety, and provide continuous bicycle lanes. In particular, the following changes are proposed for both the eastbound and westbound approaches:

- Modify lane configuration from existing condition (i.e., 1 through-right lane, 1 through lane, 1 through-left lane) to include 1 through-right lane, 1 through lane, and 1 left-turn lane;
- Install protected left-turn phasing (i.e., left-turn arrows) on eastbound and westbound approaches; and
- Install continuous bike lanes on eastbound and westbound approaches.

These proposed changes require traffic signal modifications, median removal, and street-light relocation. The nature of the changes make it critical that they occur in conjunction with the related MacArthur Transit Village improvements.

**Traffic Impact Analysis**

Fehr & Peers prepared Synchro analysis in April 2015 as part of separate transportation analysis in the project vicinity, which analyzed West MacArthur Boulevard/Telegraph Avenue under four scenarios: existing conditions (a.m. and p.m. peak periods) and 2035 conditions (a.m. and p.m. peak periods). The Fehr & Beers files served as a base for this analysis, and were modified to account for the proposed striping modifications. Note that the approved Telegraph Avenue bikeway project is included in the 2035 analysis.

The analysis uses Highway Capacity Manual 2000 LOS methodology. City of Oakland policy requires that signalized intersections that provide direct access to downtown Oakland operate at LOS E or better. For signalized intersections that operate or are projected to operate at LOS F, projects have a significant impact if they increase the intersection volume to capacity (V/C) ratio by 0.03 or more, or increase the V/C ratio for the critical movement by 0.05 or more.

Table 1 summarizes the results of the LOS analysis at MacArthur Boulevard/Telegraph Avenue. The detailed Synchro output sheets are provided as an attachment.

This analysis shows that the proposed modifications result in extremely minor operational changes. The intersection will operate at LOS B or LOS C both with and without the proposed changes. While the intersection is projected to operate at LOS F in 2035 during the p.m. peak period, the proposed modifications for the MacArthur Bikeway Connection do not appreciably change the operations and in fact slightly improve the projected V/C ratio.

**Table 1: Summary of MacArthur Boulevard/Telegraph Avenue Traffic Operations**

	AM Peak Period				PM Peak Period			
	No Project		Plus Project		No Project		Plus Project	
	Delay (LOS)	V/C	Delay (LOS)	V/C	Delay (LOS)	V/C	Delay (LOS)	V/C
Existing Conditions	19.7 (B)	0.28	28.9 (C)	0.33	13.9 (B)	0.60	19.0 (B)	0.62
2035 Conditions	59.3 (E)	1.05	67.8 (E)	1.06	>80 (F)	1.56	>80 (F)	1.52

### **Safety Analysis**

The proposed lane modification and associated changes provide two significant safety benefits:

- *Protected left-turn phasing* - Left-turn phasing has documented crash reduction benefits for both motor vehicle and pedestrian crashes (AASHTO Highway Safety Manual).
- *Continuous bike lanes* - Proposed modifications will eliminate an existing gap in the bike lane network, providing a bike lane connection consistent with the Oakland Bicycle Master Plan.

### **Attachments**

Synchro analysis output sheets

**Attachment B: Bike Plan EIR Evaluation Checklist**

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*(attached)*

## Project Evaluation of the Sufficiency of the Programmatic EIR for the City of Oakland's Bicycle Master Plan (2007)

Complete this form for each project relying upon the 2007 Bicycle Master Plan Programmatic EIR for environmental clearance. If the project requires City Council approval, attach the draft form to the City Council agenda report and complete Part V following project approval. For projects approved at the staff level, completion of this form constitutes project approval.

### Part I: Project Information *(all projects)*

Project Name:	MacArthur Bikeway Connection Project
Project Location:	West MacArthur Boulevard (300 feet west of Telegraph Avenue to 250 feet east of Telegraph Avenue)
Project Description:	The project will add a new bikeway for approximately 550 feet on West MacArthur Boulevard in the vicinity of Telegraph Avenue. The project will adjust the lane designations on both the eastbound and westbound approaches to West MacArthur Boulevard/Telegraph Avenue; three total travel lanes in either direction will remain.
Project Manager:	Jamie Parks, Transportation Planning and Funding Division
Project Planner:	[assignment pending]
Project Type:	<input checked="" type="checkbox"/> Bikeway <input type="checkbox"/> Parking <input type="checkbox"/> Education <input type="checkbox"/> Policy

### Part II: Requirements for Bikeway Feasibility Studies *(bikeway projects only)*

Source: City of Oakland, Bicycle Master Plan (2007), Appendix G, "Requirements for Bikeway Feasibility Studies"

Requirement	Applicable?	Meets Requirements?
1. Data Collection: Base Information	Yes	Yes
2. Analysis of Travel Lane Removal	No	NA
a. Data Collection: Traffic Counts	No	NA
b. Intersection Operations Analysis	No	NA
c. MTS Analysis	No	NA
d. Transit Streets Analysis	No	NA
3. Analysis of Parking Space Removal	No	NA
4. Analysis of Bicycle Path Alignment	No	NA
5. Comparative Analysis of Alternatives	Yes	Yes
6. Conceptual Plans	Yes	Yes
7. Reporting	Yes	Yes

### Part III: Mitigation Monitoring and Reporting Program *(all projects)*

Source: City of Oakland, Bicycle Master Plan (2007), Appendix J, "Mitigation Monitoring and Reporting Program"

Mitigation Measures or Standard Conditions	Applicable?
A.3a Travel Lane Removal: Redesign for acceptable LOS	No
A.4a MTS Analysis: Redesign for acceptable V/C ratio	No
A.7a Transit Streets Analysis: Redesign for acceptable LOS	No
A.7b Transit Streets Analysis: Redesign for acceptable V/C ratio	No



A 12a Coordination with other roadway projects  
Standard Conditions

Yes  
Yes

**Part IV: Project Evaluation** (*all projects*)

No further environmental review is required to be performed because (a) this action is within the scope of the program examined in the 2007 Bicycle Master Plan Programmatic EIR; (b) the project would not result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (c) there is no new information of substantial importance that would result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (d) there are no substantial changes in circumstances that would result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; and (e) there is no feasible mitigation measure or alternative that is considerably different from others previously analyzed in the 2007 Bicycle Master Plan Programmatic EIR that has not been adopted.

Additional environmental review is required to address potential impacts that were not addressed by the 2007 Bicycle Master Plan Programmatic EIR. Prior to commencing further CEQA review, consult the City Attorney's Office and the Planning Division to determine the scope and form of the necessary environmental review.

**Discussion:**

The Transportation Planning and Funding Division evaluated the potential impacts of this project by completing the study requirements established by the Bicycle Master Plan (2007), "Requirements for Bikeway Feasibility Studies" (Appendix G of Plan). The applicable tasks are identified in Part II (above). The relevant documents are identified under "References" below. The studies included the analysis of intersection operations at West MacArthur Blvd/Taiegraph Avenue to confirm the appropriateness of the required lane reconfiguration.

The bikeway requires the designation of conversion of combined through-left travel lanes to left-turn only travel lanes on both the eastbound and westbound approaches. As documented in the MacArthur Bikeway Connection Traffic Analysis (11-Apr-15), this re-designation does not affect motor vehicle traffic patterns and maintains the existing number of travel lanes. The analyses consist of the documentation included in the Bicycle Master Plan plus the more detailed traffic analysis of the proposed intersection modifications. The project is not on an AC Transit bus line and thus will not affect AC Transit's operations.

As per Mitigation Measure A.12a, the project will be implemented in coordination with a roadway improvement project constructed as part of the MacArthur Transit Village development.

**References**

- Bicycle Master Plan (4-Dec-07)
- Bicycle Master Plan Programmatic EIR (4-Dec-07)
- MacArthur Bikeway Connection Traffic Analysis (11-Apr-15)

**Part V: Project Approval (all projects)**

Source: City of Oakland, Bicycle Master Plan (2007), Action 3C 4 – City Council Approval (p. 60)

**West MacArthur Boulevard (300 feet west of Telegraph Avenue to 250 feet east of Telegraph Avenue)**

- This project requires City Council approval for:
  - Reducing the number of motor vehicle travel lanes.
  - Removing 10% or more of on-street parking in the project area.
- This project is discretionary at the staff level based on City Council approval of the 2007 Bicycle Master Plan. City Council action is required to appropriate funds for project construction; therefore, City Council will make CEQA findings pursuant to the project as part of their determination of project funding.

Prepared by: Jamie Parks

Date Prepared: 4-13-2015

Date of Project Approval: [pending]

City Council Resolution (if applicable): \_\_\_\_\_

2015 APR 16 AM 1:52

*Krishna J. [Signature]*  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO (1) ACCEPT EXCESS BOND PROCEEDS IN THE AMOUNT OF \$1,357,000 RECEIVED FROM THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY ("ORSA") UNDER THE BOND EXPENDITURE AGREEMENT ENTERED INTO NOVEMBER 8, 2013, BY AND BETWEEN THE CITY OF OAKLAND (THE "CITY") AND ORSA; (2) AMEND THE BROADWAY/MACARTHUR/SAN PABLO BOND SPENDING PLAN TO (A) APPROPRIATE AND ALLOCATE SUCH BOND PROCEEDS TO PROJECTS AND/OR PROGRAMS AND (B) RE-APPROPRIATE AND REALLOCATE EXCESS BOND PROCEEDS IN THE AMOUNT OF \$100,000 PREVIOUSLY LISTED AND COMMITTED IN THE APPROVED BOND SPENDING PLAN TO OTHER BOND-ELIGIBLE PROJECTS AND/OR PROGRAMS; (3) ENTER INTO A GRANT AGREEMENT WITH MACARTHUR TRANSIT COMMUNITY PARTNERS, LLC ("MTCP"), TO PROVIDE A GRANT IN THE AMOUNT OF \$541,613.26 TO FUND ADDITIONAL STREETSCAPE IMPROVEMENTS AT WEST MACARTHUR BOULEVARD; AND (4) ADOPT APPROPRIATE CEQA FINDINGS

**WHEREAS**, the Oakland Redevelopment Successor Agency ("ORSA") has succeeded to the authority, rights, powers, duties and obligations of the Redevelopment Agency of the City of Oakland under the Community Redevelopment Law; and

**WHEREAS**, ORSA received its Finding of Completion under Health and Safety Code Section 34179.7 from the California Department of Finance on May 29, 2013; and

**WHEREAS**, Health and Safety Code Section 34191.4(c) allows a successor agency that has received a finding of completion to use bond proceeds from bonds issued prior to 2011 for purposes for which the bonds were sold; and

**WHEREAS**, ORSA has "excess" bond proceeds, i.e., pre-2011 tax allocation bond proceeds, in the amount of \$1,357,000 that are no longer obligated to the MacArthur Transit Village project; and

**WHEREAS**, the Bond Expenditure Agreement, entered into November 8, 2013, by and between the City of Oakland (the "City") and ORSA, governs the funding by the City of redevelopment projects and programs using excess bond proceeds in a manner consistent with the original bond covenants; and

**WHEREAS**, pursuant to the Bond Expenditure Agreement, the City Administrator accepted the transfer from ORSA of the \$1,357,000 of excess bond proceeds to fund projects and programs not previously funded or obligated by ORSA or the City; and

**WHEREAS**, in 2013 the City developed and adopted the original Broadway/MacArthur/San Pablo Bond Spending Plan (the "B/M/SP Bond Spending Plan") for use of excess bond proceeds consistent with the original bond covenants; and

**WHEREAS**, the City Administrator or his designee is returning to Council to seek authorization to appropriate and allocate excess bond proceeds beyond what is listed in the original B/M/SP Bond Spending Plan and to re-appropriate and reallocate previously listed excess bond proceeds; and

**WHEREAS**, the City desires to amend the B/M/SP Bond Spending Plan to (A) increase the funds in the B/M/SP Bond Spending Plan by the amount of \$1,357,000 and provide for spending such amount and (B) re-appropriate and reallocate previously listed funds from the Oakland Housing Authority Solar Grant in the amount of \$100,000 to other bond-eligible projects and/or programs; and

**WHEREAS**, the excess bond proceeds and \$100,000 of re-appropriated and reallocated funds are proposed to be used for the projects and programs set forth in the amended B/M/SP Bond Spending Plan, attached hereto as Attachment A; and

**WHEREAS**, the City wishes to provide a grant to MTCP in the amount of \$541,613.26, comprised of \$361,000 from the excess bond proceeds and \$180,613.26 of additional funds from the Public Works Agency for streetscape improvements (commonly known as the MacArthur Bikeway Connection Project), outside the original scope of the MacArthur Transit Village project at West MacArthur Boulevard; and

**WHEREAS**, the City and MTCP desire to enter into a Grant Agreement to provide the additional funding needed for a portion of the costs of the MacArthur Bikeway Connection Project improvements at West MacArthur Boulevard now, therefore be it

**RESOLVED**: That the City Administrator or his designee is authorized to accept excess bond proceeds in the amount of \$1,357,000 received from ORSA under the Bond Expenditure Agreement; and be it further

**RESOLVED**: That the excess bond proceeds are proceeds from the 2006 Broadway/MacArthur/San Pablo Tax Allocation Bond Series 2006C-T, Fund 5638; and be it further

**RESOLVED:** That the City Council hereby approves the amended B/M/SP Bond Spending Plan set forth in Attachment A to this Resolution; and be it further

**RESOLVED:** That any expenditure of excess bond proceeds under the amended B/M/SP Bond Spending Plan shall be in conformance with applicable bond covenants; and be it further

**RESOLVED:** That the City Council hereby appropriates and allocates the excess bond proceeds transferred from ORSA under the Bond Expenditure Agreement to projects and programs set forth in the amended B/M/SP Bond Spending Plan; and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to transfer the \$100,000 from the previously approved Oakland Housing Authority Solar Grant to the Small Business Loan Program specified in the amended B/M/SP Bond Spending Plan; and be it further

**RESOLVED.** That the City Council authorizes the additional funding in the amount of \$361,000 from the excess bond proceeds and \$180,613.26 of additional funds from the Public Works Agency for MacArthur Bikeway Connection Project improvements outside the original scope of the MacArthur Transit Village project at West MacArthur Boulevard; and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to enter into and execute a Grant Agreement with MTCP to provide a grant in the amount of \$541,613.26, comprised of \$361,000 of excess bond proceeds and \$180,613.26 of additional funds from the Public Works Agency, to fund a portion of the costs of the MacArthur Bikeway Connection Project improvements at the MacArthur Transit Village Project; and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to appropriate \$1,357,000 of funds received from the Oakland Redevelopment Successor Agency, re-allocate \$100,000 in funds from the Oakland Housing Authority Solar Grant, re-allocate \$180,613.26 of funds from the Oakland Public Works for streetscape improvements (commonly known as the MacArthur Bikeway Connection Project) for a total of \$1,637,613.26, of which \$541,613.26 will be granted by the City to MTCP pursuant to the terms of a Grant Agreement. The funding sources are as follows in the table below:

USES	AMOUNT	SOURCES
Façade & Tenant Improvement Program	\$350,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers. Other Account (49212)
Small Business Loan Program	\$230,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers. Other Account (49212)

	\$100,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), CIP Broadway/MacArthur/San Pablo Organization (94869), Budget Only. Prior Year Allocation Offset Project Total Account (78811), OAHPI Solar Grant (Project Q436610)
Public Facility & Infrastructure Improvements	\$416,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers. Other Account (49212)
Grant to MTCP for Streetscape Improvements	\$361,000.00	B/M/SP Tax Allocation Bonds Series 2006C-T Fund (5638), ORSA General Operations Organization (95911), Operating Transfers: Other Account (49212)
	\$100,000.00	Measure B: Bicycle/Pedestrian Pass-Thru Fund (2212), Engineer Design. IPPD Capital Improvement Projects Organization (92260), Street Construction Account (57411), Bicycle Facilities Design and Implementation Project (C428410)
	\$58,613.26	Measure B: Bicycle/Pedestrian Pass-Thru Fund (2212), Engineer Design: Traffic/Parking Organization (92246), Signal and Safety Devices Account (57412), Ped Crossing Improvement @ High Accident Location Project (C371810)
	\$22,000.00	Measure B: ACTIA Fund (2211), Engineer Design. Traffic/Parking Organization (92246), Signal and Safety Devices Account (57412), Traffic Signal Management Project (C427910)
<b>TOTAL</b>	<b>\$1,637,613.26</b>	

**RESOLVED:** The City Council finds and determines, after its independent review and consideration, that the following projects to be funded from the transfer of \$1,357,000 from ORSA to the City under the Bond Expenditure Agreement are exempt from the California Environmental Quality Act ("CEQA"), as detailed in the City Council Agenda Report, hereby incorporated by reference as if fully set forth herein:

- Façade and Tenant Improvement Program
- Small Business Loan Program
- Public Facility & Infrastructure Improvements; and be it further

**RESOLVED:** The City Council further finds and determines, after its independent review and consideration, that the MacArthur Bikeway Connection Project improvements to be constructed with moneys granted by the City to MTCP are consistent with the Oakland Bicycle Master Plan Final EIR and that no additional environmental review is required, and as a separate and independent basis is also exempt from CEQA, as detailed in the City Council Agenda Report, hereby incorporated by reference as if fully set forth herein; and be it further

**RESOLVED:** That the City's Environmental Review Officer shall cause a Notice of Determination/Exemption to be filed with the appropriate agencies; and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to take other action with respect to the projects and the amended B/M/SP Bond Spending Plan consistent with this Resolution and its basic purposes; and be it further

**RESOLVED:** All documents related to this transaction shall be reviewed and approved by the City Attorney's Office prior to execution and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2015

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID,  
and PRESIDENT GIBSON-McELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council,  
City of Oakland

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO (1) ACCEPT EXCESS BOND PROCEEDS IN THE AMOUNT OF \$1,357,000 RECEIVED FROM THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY ("ORSA") UNDER THE BOND EXPENDITURE AGREEMENT ENTERED INTO NOVEMBER 8, 2013, BY AND BETWEEN THE CITY OF OAKLAND (THE "CITY") AND ORSA; (2) AMEND THE BROADWAY/MACARTHUR/SAN PABLO BOND SPENDING PLAN TO (A) APPROPRIATE AND ALLOCATE SUCH BOND PROCEEDS TO PROJECTS AND/OR PROGRAMS AND (B) RE-APPROPRIATE AND REALLOCATE EXCESS BOND PROCEEDS IN THE AMOUNT OF \$100,000 PREVIOUSLY LISTED AND COMMITTED IN THE APPROVED BOND SPENDING PLAN TO OTHER BOND-ELIGIBLE PROJECTS AND/OR PROGRAMS; (3) ENTER INTO A GRANT AGREEMENT WITH MACARTHUR TRANSIT COMMUNITY PARTNERS, LLC ("MTCP"), TO PROVIDE A GRANT IN THE AMOUNT OF \$541,613.26 TO FUND ADDITIONAL STREETScape IMPROVEMENTS AT WEST MACARTHUR BOULEVARD; AND (4) ADOPT APPROPRIATE CEQA FINDINGS

**ATTACHMENT A**

**AMENDED BROADWAY/MACARTHUR/SAN PABLO  
EXCESS BOND SPENDING PLAN**

*(attached)*



**ATTACHMENT A**

**AMENDED BROADWAY MACARTHUR SAN PABLO REDEVELOPMENT PROJECT AREA  
EXCESS BOND SPENDING PLAN**

Dated as of: May 5, 2015

**Source and Use Summary**

Sources:

BMSP - Series 2006 and 2010 Unencumbered Bonds	\$3,123,570
<b>TOTAL</b>	<b>\$3,123,570</b>

Uses

Façade & Tenant Improvement Program	647,760
Small Business Loan Program	530,000
Public Facility & Infrastructure Improvements	416,000
Grant to MTCP for Streetscape Improvements	361,000

Funding Agreement Projects

Tenant Improvement Program	67,610
Façade Improvement Program	62,500
Mosswood Teen Center	12,000
Golden Gate Recreation Center Improvements	930,800
Broadway Specific Plan	95,900
<b>TOTAL</b>	<b>\$3,123,570</b>

**Net Available** \$0