


2006 MAY 31 PM 4:17

APPROVED AS TO FORM AND LEGALITY:

BY: 
AGENCY COUNSEL

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND
RESOLUTION NO. 2006-0048 C.M.S.

A RESOLUTION AUTHORIZING A CONTRIBUTION OF \$435,830 FROM THE DOWNTOWN STREETScape IMPROVEMENT PROJECT TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT TO FUND THE TELEGRAPH AVENUE AND LATHAM SQUARE STREETScape IMPROVEMENT PROJECT AS MATCHING FUNDS FOR A METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES HOUSING INCENTIVE PROGRAM GRANT

WHEREAS, the Five Year Implementation Plan for the Central District Redevelopment Project, adopted on December 7, 2004 (Resolution No. 2004-67 C.M.S.), includes streetscape improvements within the project area; and

WHEREAS, the Telegraph Avenue and Latham Square Streetscape Improvement Project (the "Project") is located on Telegraph Avenue from 15th to 20th Streets within the boundaries of the Central District Redevelopment Project Area and includes the following improvements:

- Widened sidewalks with new pavement treatment;
- Reconfiguration of the intersection of Telegraph Avenue and Broadway;
- Corner bulb-outs at each intersection;
- New traffic signals at each intersection;
- New street trees, candelabra lighting, and other pedestrian amenities; and

WHEREAS, the City of Oakland (the "City") submitted an application to the Metropolitan Transportation Commission (MTC) for the funding and expects to receive a Transportation for Livable Communities Housing Incentive Program (HIP) capital grant (the "Grant") in the amount of \$2,469,700; and

WHEREAS, the MTC HIP Grant requires a minimum local match of 11.5%;
and

WHEREAS, the Redevelopment Agency desires to provide \$435,830, an amount which exceeds the required 11.5% minimum local match, to fund the match through a transfer of funds to the City; and

WHEREAS, the City and the 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 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the City Council is consenting to the use of Agency funds for the Project; and

WHEREAS, the Agency agrees that the City is the Lead Agency for the Project for purposes of environmental review under the California Environmental Quality Act of 1970 (CEQA); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, the execution of any documents legally committing the City to fund this Project shall be expressly conditioned upon compliance with the requirements of the National Environmental Protection Act ("NEPA"), as certified by the City Administrator or her designee; now therefore be it

RESOLVED: That the Agency hereby authorizes the reallocation of \$435,830 of Redevelopment Agency Central District Project Area 1989 Bond Fund (9516), Capital Improvement Project – Economic Development Organization (94800), Project Improvements Account (57312), Downtown Streetscape Implementation Project (P128820) to the City, in the Oakland Redevelopment Agency Project Fund (7780), within the Public Works Agency, under the Cooperation Agreement between the City and the Agency to fund the Project as matching funds for the MTC Grant; and be it further

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

1. That the funding of the Project will benefit the Central District Project Area by improving the appearance, pedestrian and automobile safety and access on Telegraph Avenue from 15th to 20th Streets;
2. That no other reasonable means of financing the local match for the Telegraph Avenue and Latham Square Streetscape Improvement Project are available to the City other than Redevelopment Agency funding; and
3. That the use of tax increment funds from the Central District Project Area for the Telegraph Avenue and Latham Square Streetscape Improvement Project will assist in the elimination of blight by installing streetscape improvements along Telegraph Avenue in the Central District Project Area and is consistent with the implementation plan adopted for the Central District Project Area; and be it further

RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines, based on the information in the staff report accompanying this Resolution, that the Project is exempt from CEQA pursuant to Section 15301 (operation, repair, or minor alteration of existing structures or facilities) or Section 15302 (replacement or reconstruction of existing structures or 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 Agency funding of the Project in accordance with this Resolution and its basic purposes.

JUN 20 2006

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

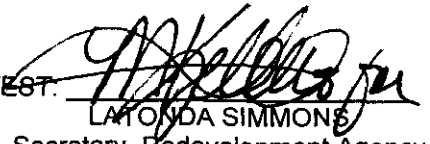
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST.


LATONDA SIMMONS
Secretary, Redevelopment Agency
of the City of Oakland