

Mark P. Wolf
Deputy City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND

2008 OCT 16 PM 6:46

OAKLAND CITY COUNCIL

RESOLUTION No. 81642 C.M.S.

Introduced by Councilmember _____

RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) FOR THE DEVELOPMENT OF THE BROADWAY RETAIL CORRIDOR SPECIFIC PLAN AND ENVIRONMENTAL DOCUMENT, AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ROBERTS & TODD LLC FOR DEVELOPMENT OF THE BROADWAY RETAIL CORRIDOR SPECIFIC PLAN IN AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED SIXTY TWO THOUSAND THREE HUNDRED THIRTY ONE DOLLARS (\$1,362,331)

WHEREAS, the Conley Consulting Group authored the *Upper Broadway Strategy – A Component of the Oakland Retail Enhancement Plan* in September 2007 as part of a citywide retail enhancement strategy to address \$1 billion in sales leakage to neighboring communities; and

WHEREAS, on November 27, 2007, the City Council directed staff to issue an Request for Proposals for a consulting team to develop a specific plan for the Broadway Retail Corridor and accompanying environmental document, and identified \$1.5 million in funding from the Broadway/MacArthur/San Pablo and Central District Redevelopment Project Areas to fund the specific plan effort; and

WHEREAS, the Metropolitan Transportation Commission (MTC) in partnership with the Association of Bay Area Governments announced the availability of grant funds for the Station Area and FOCUS Planning Grant Program; and

WHEREAS, under this program, \$7.5 million dollars was available for planning grants up to \$750,000 for localized planning efforts and associated environmental impact reports, and for specific plan elements to finance planning efforts that will result in land use plans and policies that increase transit ridership around public transit hubs and bus and rail corridors in the nine-county San Francisco Bay Area; and

WHEREAS, the City Council directed staff to file an application for a Station Area Planning Grant funding to create a specific plan and environmental document for the Broadway Retail Corridor; and

WHEREAS, the Broadway Retail Corridor Specific Plan project was awarded \$400,000 by MTC to assist in the cost of developing a specific plan and environmental document for the planning area; and

WHEREAS, the Redevelopment Agency also wishes to fund costs to assist with the development of a specific plan and environmental document for the Broadway Retail Corridor in the Central District and Broadway/MacArthur/San Pablo Redevelopment Project Areas; and

WHEREAS, the Redevelopment Agency has authorized a contribution of \$1,000,000 to the City for the development of a specific plan and environmental document for the Broadway Retail Corridor; 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 to City activities in support of redevelopment projects; and

WHEREAS, the firm of Wallace Roberts & Todd LLC. was selected through a review of competitive proposals, professional qualifications and negotiations relative to providing a comprehensive fee and Scope of Work within the City's available budget and authorized Scope of Work for the project; and

WHEREAS, the City Council finds that this agreement is for services of a professional nature, the services under this agreement will be temporary, and this agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now therefore be it

RESOLVED: That the City Council hereby accepts and appropriates up to \$1,000,000 in Redevelopment Agency funds for development of a specific plan and environmental document for the Broadway Retail Corridor located between West Grand Avenue and Interstate 580 and allocates these monies to the Oakland Redevelopment Agency Projects Fund (7780), Org (88699), (Project No. To Be Determined); and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate and execute a professional services contract and a scope of services, in substantial conformance with Attachments A and B to the City Council Agenda Report, with Wallace, Roberts & Todd LLC. to develop a Specific Plan and accompanying environmental document in an amount for basic services not to exceed One Million Two Hundred Fifty Six Thousand Six Hundred Forty Nine Dollars (1,256,649), subject to the review and approval by the Office of the City Attorney; and to set aside an additional 3% of that amount, or Thirty Seven Thousand Six Hundred Ninety Nine Dollars (\$37,699) for contract compliance costs; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to exceed the amount for additional services for optional scope items, project contingencies or unforeseen conditions in an amount not to exceed One Hundred Five Thousand Six Hundred Eighty Two Dollars (\$105,682) for a total not-to-exceed contract amount of One Million Three Hundred Sixty Two Thousand Three Hundred Thirty One Dollars (\$1,362,331), for a total project cost of \$1,400,000; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to (a) approve any subsequent amendments to or extensions of said agreement, except those involving compensation or the allocation of additional funds, provided that such amendments or extensions shall be reviewed and approved by the Office of the City Attorney and filed with the City Clerk's Office, and (b) to take any other necessary steps to develop the Specific Plan, consistent with the terms of this Resolution; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 3 2008, 20

PASSED BY THE FOLLOWING VOTE:

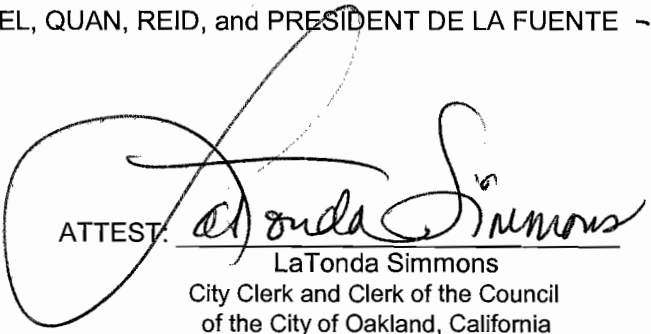
AYES - BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brunner - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California