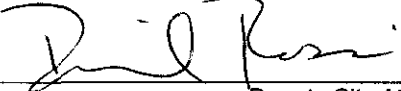


REVISED APRIL 11, 2006

05 APR 10 08:40:00

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 79876 C.M.S.

RESOLUTION ACCEPTING A CONTRIBUTION OF FUNDS FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$725,000 TO COVER THE CITY'S COSTS FOR PLAN REVIEW, CONSTRUCTION MONITORING, AND ADMINISTRATION FOR THE OAKLAND AIRPORT CONNECTOR PROJECT

WHEREAS, the San Francisco Bay Area Rapid Transit District ("BART") plans to construct the Oakland Airport Connector Project (the "Project"), a 3.2 mile long Automated Guide Way Transit ("AGT") System; and

WHEREAS, the Redevelopment Agency has authorized a contribution to the City in an amount not to exceed \$725,000 to fund plan review, construction monitoring, and administration costs of the City for the Project from the Coliseum Tax Allocation Bond Fund (9453); Capital Improvement Project – Economic Development Organization (94800), Miscellaneous Contract Services Account (54919), Coliseum Redevelopment Tax Allocation Bond Series 2003 Project (P233410); and

WHEREAS, BART certified an Environmental Impact Statement and Environmental Impact Report for the Project in March 2002, and thus the requirements of the California Environmental Quality Act ("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 City and the Redevelopment Agency entered into a Cooperation Agreement in July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies; now therefore be it

RESOLVED: That the City of Oakland hereby accepts a contribution from the Redevelopment Agency of up to \$725,000 to cover the City's costs of permit and engineering review, construction monitoring, and administration associated with the Oakland Airport Connector Project; and be it further

RESOLVED: That such funds shall be deposited in the Oakland Redevelopment Agency Projects Fund (7780), Flow Through Loans Unit (90111), Oakland Redevelopment Agency Revenue Account (46611) and appropriated to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Project – Economic Development (94800), Work Order Expenditures Account (56611), with the City Project appropriation coding to be established for the Oakland Airport Connector Project after the resolution authorizing the funding has been approved; and be it further

RESOLVED: That the Redevelopment Agency will release up to 40% of the funds on an as needed and as required basis to the City once BART releases the Oakland Airport Connector Design, Build, Operate, and Finance Request For Proposals, and 60% on an as needed and as required basis after BART confirms receipt of sufficient financing and funding from the private concessionaire selected to design, build, operate and finance the Project, and from the public partners, the Alameda County Transportation Improvement Authority (ACTIA), the State of California, the Metropolitan Transportation Commission, and the Port of Oakland, to complete the Project; and be it further

RESOLVED: That the City Administrator or his or her designee is hereby authorized to take whatever other action is necessary with respect to the Oakland Airport Connector Project consistent with this Resolution and its basic purposes.

MAY 2 2006

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

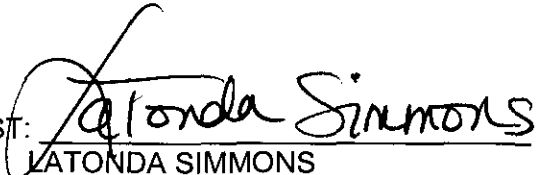
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, ~~NADDEL~~, QUAN, REID, KERNIGHAN, AND PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Nadel - 1

ABSTENTION- 0

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