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OFFICE OF THE CITY
OAKLAND

2010 MAY 27 AM 10:21

**REDEVELOPMENT AGENCY
AND THE CITY OF OAKLAND
AGENDA REPORT**

TO: Office of the City/Agency Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: June 8, 2010

RE: **A Resolution Authorizing Applying for, Accepting, and Appropriating \$1.7 million in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Grant Funds from the Alameda County and the Metropolitan Transit Commission's Transportation for Livable Communities Programs for the MacArthur Boulevard Streetscape Project; Committing \$3.3 Million in Local Match Funds; Stating the City's Assurance to Complete the Project; and Accepting a Contribution from the Redevelopment Agency Under the Cooperation Agreement for the Local Match Funds.**

A Resolution Authorizing Applying for, Accepting, and Appropriating \$2.0 million in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Grant Funds from the Alameda County and the Metropolitan Transit Commission's Transportation for Livable Communities Programs for the Fruitvale/Foothill Boulevard Streetscape Project; Committing \$1.37 Million in Local Match Funds; Stating the City's Assurance to Complete the Project; and Accepting a Contribution from the Redevelopment Agency Under the Cooperation Agreement for the Local Match Funds.

A Resolution Authorizing Applying for, Accepting, and Appropriating \$3.6 million in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Grant Funds from the Metropolitan Transit Commission's Transportation for Livable Communities Program for the Telegraph Temescal Pedestrian Streetscape Project; Committing \$901,800 in Local Match Funds; Stating the City's Assurance to Complete the Project; and Accepting a Contribution from the Redevelopment Agency Under the Cooperation Agreement for \$661,800 of the Local Match Funds.

An Agency Resolution Reallocating the Following Funds from the Redevelopment Agency to the City of Oakland Under the Cooperation Agreement to Fund the Required Local Matches for the Following Grant Applications to the Transportation for Livable Communities Programs: \$661,800 for the Telegraph Temescal Pedestrian Streetscape Project from the

Item _____
CED Committee
June 8, 2010

Broadway/MacArthur/San Pablo Redevelopment Project Area, \$3.3 million for the MacArthur Boulevard Streetscape Project from the Central City East Redevelopment Project Area, and \$1.37 million for the Fruitvale/Foothill Boulevard Streetscape Project from the Central City East Redevelopment Project Area

SUMMARY

The attached resolutions authorize the City to apply for, accept, and appropriate grant funds from the Metropolitan Transportation Commission's (MTC) and the Alameda County Congestion Management Agency's (ACCMA) Transportation for Livable Communities (TLC) capital grant programs and allow the Redevelopment Agency to provide matching funds for these applications. The TLC grant programs fund the construction of streetscape improvement projects. The City of Oakland submitted 3 applications to the TLC programs for the following projects: \$3.6 million for the Temescal-Telegraph Pedestrian Streetscape Project, \$2.0 million for the Fruitvale/Foothill Streetscape Project, and \$1.7 million for the MacArthur Boulevard Streetscape Project.

The grant program requires a minimum local match of 20%. The local match will be provided by the Redevelopment Agency to the City under the Cooperation Agreement. For the Telegraph-Temescal project, the total local match required is \$901,800 of which \$661,800 will be funded by the Broadway/MacArthur/San Pablo Redevelopment Project Area and the remainder from the Temescal-Telegraph Business Improvement District (BID). The Fruitvale/Foothill Streetscape Project is pledging \$1.37 million in matching funds from the Central City East Redevelopment Project Area. The MacArthur Boulevard Streetscape Project is pledging \$3.3 million in matching funds from the Central City East Redevelopment Project Area.

FISCAL IMPACTS

The federal grant funds from the MTC TLC program will provide capital funding to implement streetscape improvements. If awarded, the federal grant funds will be appropriated to the Metropolitan Transportation Commission Program Grant Fund (2163) under a project number to be established for each project.

The grant program requires a minimum 20% local match for each project. Projects that provide a higher match will receive additional points in the grant scoring process. The matching funds for each project will be provided from the following locations:

- Telegraph-Temescal Pedestrian Streetscape Project -- \$240,000 is pledged by the Temescal-Telegraph Business Improvement District and \$661,800 from the Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-T Fund (9538) Land Acquisition Project (T315210);
- MacArthur Boulevard Streetscape Project -- \$400,000 is pledged from JPFA Capital Project, Series 2005 Fund (5200) MacArthur/International Streetscape Project (C167630),

\$2,500,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-T Fund (9540) MacArthur Streetscape Improvement Project (S233370), and \$400,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-TE Fund (9542) MacArthur Streetscape Improvement Project (S233370);

- Fruitvale/Foothill Boulevard Streetscape Project -- \$1.37 million from the Central City East Redevelopment Project Area from Central City East Tax Allocation Bond Series 2006A Taxable Bond Fund (9543) and Land Acquisition Project (S233351).

The funds for these projects will be used for preliminary engineering, construction, construction engineering, and contingencies. The City will be responsible for continuing to maintain the public streets after the completion of these streetscape projects. These projects have been designed to require minimal maintenance.

BACKGROUND

The Metropolitan Transportation Commission (MTC) issued its 7th call for projects for the Transportation for Livable Communities (TLC) Capital Grant Program in February 2010. The purpose of TLC is to support community-based transportation projects that bring new vibrancy to downtown areas, commercial cores, neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work and visit.

For this cycle of the TLC Program, the application has been reworked to support the Association of Bay Area Government's (ABAG) FOCUS Program by limiting eligible projects to Priority Development Areas (PDAs) and awarding extra points to projects in areas that support dense housing development. The total amount of funds available under this program is \$40 million and the maximum grant allowed per project was \$6 million. Projects located in Planned PDAs throughout the entire Bay Area region were eligible to apply. As a result, this grant program is extremely competitive.

The Alameda County Congestion Management Agency (ACCMA) issued a simultaneous call for projects under their own TLC program which is limited to projects in PDAs within Alameda County. The ACCMA program has a total of \$5.7 million to distribute and the maximum grant allowed per project was \$2 million.

KEY ISSUES AND IMPACTS

MTC made several changes in the program guidelines for this cycle of the TLC program. The most significant change was that projects that have not achieved at least 35% level design drawings were encouraged not to apply. As a result, the City of Oakland had only 3 eligible projects to submit. Other critical changes are that projects are now required to provide a minimum of a 20% match of local funds, with higher match percentages receiving additional scoring points.

Grant applications were due in late April. The grant awards will likely be announced in early July. Both programs require a resolution of local support to be in place prior to the award of grant funds.

PROJECT DESCRIPTION

Telegraph-Temescal Pedestrian Streetscape Project

The Telegraph-Temescal Pedestrian Streetscape project runs the length of Telegraph from West MacArthur Boulevard to 52nd Street, linking the MacArthur BART Station (and future Transit Village) to the Temescal District. The improvements funded by this grant application include: pedestrian streetlights along Telegraph; pedestrian oriented intersection reconfigurations at West MacArthur, 45th/Shattuck, and 52nd/Claremont; restriped crosswalks; and pedestrian refuges at key locations. The Project also includes pedestrian streetlights and a mural on the 52nd Street freeway overpass, to change a long, intimidating underpass into an inviting pedestrian connection between Children's Hospital and Telegraph Avenue. The improvements included in this project were designed as part of the Telegraph Avenue Pedestrian Streetscape Plan which was developed through an extensive community design process in 2005.

The total project cost is approximately \$4.5 million. The grant request will cover \$3.6 million, the Temescal-Telegraph BID has pledged \$240,000, and the Broadway/MacArthur/San Pablo Redevelopment Project Area has pledged \$661,900 in matching funds. Staff applied to the MTC TLC program for the funding for this project. Staff did not submit an application to the ACCMA TLC program since the maximum grant request allowed was not sufficient to fund this program.

MacArthur Boulevard Streetscape Project

The project falls within the Eastmont Town Center Planned Priority Development Area of the City of Oakland and the Central City East Redevelopment Project Area. The MacArthur Boulevard Undergrounding and Streetscape projects extend the length of MacArthur Boulevard from the Oakland/San Leandro Border to 73rd Avenue just east of the Eastmont Towne Center/AC Transit Bus terminal. The first phase of the overall project included undergrounding all above ground utilities. The first phase of the overall project is nearly complete. The second phase of the overall project will implement urban design recommendations to introduce public safety and traffic calming measures and physical improvements for three targeted segments along MacArthur Blvd. The first segment runs along MacArthur from 73rd Avenue to 76th Avenue; the second segment runs along MacArthur from 89th Avenue to 90th Avenue; and the third segment extend from 106th Avenue to Durant Avenue. The combined improvements are the culmination of an extensive community involvement process where design concepts were developed and refined with input from a Technical Advisory Committee and multiple community meetings.

The total cost of the second phase of the MacArthur Streetscape project is approximately \$5 million. The Redevelopment Agency is able to commit a sixty-percent match of \$3.3 million which includes a \$400,000 pledge from JPFA Capital Project, Series 2005 Fund and \$2,900,000 from Central City East Redevelopment Project Area Tax Allocation Bonds. Staff has applied to

both the MTC TLC and the ACCMA TLC programs for funding for this project in the amount of \$1.7 million.

Fruitvale/Foothill Boulevard Streetscape Project

This project has a proposed area that is located on Foothill Boulevard from Sausal Creek/Austin Street to 35th Avenue. This is a comprehensive streetscape design built on initial community planning groundwork and traffic and pedestrian safety studies that were previously completed for portions of the corridor. The streetscape will focus on traffic calming improvements, infrastructure, place-making, pedestrian amenities, and landscaping elements. The improvements funded by these grant applications include: the installation of medians, bulb-outs, decorative treatments, pedestrian lighting, street trees, and benches at bus stops. The goal of these improvements is to increase the physical comfort and accessibility of pedestrians and transit riders. These elements will also improve the walking environment between housing, primarily located along the stretch southwards from 35th Avenue and the primary transit and shopping node of Foothill Boulevard and Fruitvale Avenue.

The total project cost is approximately \$3.37 million. The grant request will cover \$2 million, the matching funds of \$1.37 million will come from Central City East Series 2006A Taxable Bond Funds. Staff applied for \$2 million from the MTC TLC program and for \$2 million from the ACMCCA TLC Program for the Foothill Streetscape Project.

SUSTAINABLE OPPORTUNITIES

Economic: These grant applications will provide funding for capital improvements along three key corridors in Oakland. The implementation of these projects will potentially catalyze economic development in the surrounding communities as a result of improved safety, access to transit, and traffic circulation.

Environmental: These projects will improve pedestrian access to public transportation and will therefore encourage residents to use public transportation instead of private automobiles.

Social Equity: These projects will improve access to public transportation for the low-income communities living adjacent to these projects.

DISABILITY AND SENIOR CITIZEN ACCESS

Disability and senior access will be improved as part of each respective streetscape project. The projects will be required to comply with ADA standards and will provide safety upgrades for pedestrians.

RECOMMENDATIONS AND RATIONALE

Adopting these resolutions will allow the City to accept and appropriate capital grant funds and allow the Redevelopment Agency to provide the required local match for the grants. These

Item _____
CED Committee
June 8, 2010

capital grant funds provide an opportunity to leverage local funds to pay for needed streetscape improvements on key corridors.


ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends approval of both the City and Agency resolutions related to the acceptance and appropriation of grant funds from the MTC and/or ACCMA Transportation for Livable Communities Grant Programs and the provision of the local match funds by the Redevelopment Agency.

Respectfully submitted,

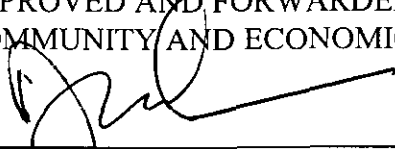


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by: 
Gregory D. Hunter, Deputy Director
Economic Development & Redevelopment

Prepared by:
Kathy Kleinbaum, Urban Economic Analyst IV,
Theresa Navarro-Lopez, Urban Economic Analyst IV, and
Doug Cole, Urban Economic Coordinator,
Redevelopment Division

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



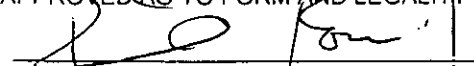
Office of the City/Agency Administrator

Item _____
CED Committee
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APPROVED AS TO FORM AND LEGALITY


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING APPLYING FOR, ACCEPTING, AND APPROPRIATING \$1.7 MILLION IN FEDERAL SURFACE TRANSPORTATION PROGRAM AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT GRANT FUNDS FROM THE ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY'S AND THE METROPOLITAN TRANSIT COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAMS FOR THE MACARTHUR BOULEVARD STREETScape PROJECT; COMMITTING \$3.3 MILLION IN LOCAL MATCH FUNDS; STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECT; AND ACCEPTING A CONTRIBUTION FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR THE LOCAL MATCH FUNDS

WHEREAS, the Oakland Redevelopment Agency adopted a Five Year Implementation Plan for the Central City East Redevelopment Project on July 15, 2008 (Resolution No. 2008-70 C.M.S.), that includes streetscape improvements within the project area; and

WHEREAS, the City of Oakland is submitting applications to both the Metropolitan Transportation Commission ("MTC") and the Alameda County Congestion Management Agency ("ACCMA") Transportation for Livable Communities Programs ("TLC") for \$1.7 million in funding from the federal Surface Transportation Program ("STP") and/or Congestion Mitigation and Air Quality Improvement ("CMAQ") program for the MacArthur Boulevard Streetscape Project (herein referred to as the "Project") within the Central City East Redevelopment Project Area for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (the "Program"); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA") (Public Law 109-59, August 10, 2005) authorized the STP (23 U.S.C. § 133) and the CMAQ (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal STP and/or CMAQ funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, the City is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) The commitment of necessary local matching funds of at least 20%; and
- 2) That the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) That the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) That the project will comply with all the project-specific requirements as set forth in the Program; and

WHEREAS, the MTC TLC grant requires a local match for the Project; and

WHEREAS, the City and the Redevelopment 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 Redevelopment 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 Redevelopment Agency has authorized \$3.3 million as the local match for the MTC grant with \$400,000 from JPFA Capital Project, Series 2005 Fund (5200) MacArthur/International Streetscape Project (C167630); \$2,500,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-T Fund (9540) MacArthur Streetscape Improvement Project (S233370); and \$400,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series

2006A-TE Fund (9542) MacArthur Streetscape Improvement Project (S233370); all three sources will be transferred from the Agency to the City under the Cooperation Agreement, Fund (7780), under a project number to be established; and

WHEREAS, the City and the Redevelopment Agency agree 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 his designee; now therefore be it

RESOLVED: That the City is authorized to execute and file an application for funding for the Project under the STP/CMAQ of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

RESOLVED: That the City of Oakland by adopting this resolution does hereby state that:

1. The City will provide \$3.3 million in non-federal matching funds; and
2. The City understands that the STP/CMAQ funding for the Project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other funds, and that the City does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. The City understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. The Project will be implemented as described in the complete application and in this Resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. The City and the Project will comply with the requirements as set forth in the Program; and be it further

RESOLVED: That the City is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED: That City is authorized to submit an application for STP/CMAQ funds for the Project; and be it further

RESOLVED: That there is no legal impediment to the City making applications for the funds; and be it further

RESOLVED: That there is no pending or threatened litigation that might in any way adversely affect the proposed Project or the ability of the City to deliver such Project; and be it further

RESOLVED: That the City authorizes the City Administrator, or his designee to execute and file an application with MTC for STP/CMAQ funding for the Project as referenced in this Resolution; and be it further

RESOLVED : That a copy of this Resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED: That the MTC is requested to support the application for the Project described in the resolution and to include the Project, if approved, in MTC's TIP; and be it further

RESOLVED: That the City Council hereby appropriates any funds that are received for this Project under the TLC grant program into the Metropolitan Transportation Commission Grant Fund (2163) under a project number to be established; and be it further

RESOLVED: That the City Council hereby consents to the use of \$3.3 million in Redevelopment Agency funds with \$400,000 from JPFA Capital Project, Series 2005 Fund (5200) MacArthur/International Streetscape Project (C167630); \$2,500,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-T Fund (9540) MacArthur Streetscape Improvement Project (S233370); and \$400,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-TE Fund (9542) MacArthur Streetscape Improvement Project (S233370); as matching funds, accepts such funds under the Cooperation Agreement, and appropriates such funds to the City repayment account in Fund 7780 under a project number to be established; and be it further

RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of this Project will benefit the Central City East Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for this Project, and therefore no other reasonable means of financing this Project is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central City East Redevelopment Project for this Project is consistent with the Implementation Plan adopted for Central City East Redevelopment Project; and be it further

RESOLVED: That should additional funds be received for these projects, the City Administrator, or his designee, is hereby authorized to accept and allocate the same for the purposes described above; and be it further

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the TLC Program grants and this Project in accordance with this Resolution and its basic purposes; and be it further

RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15301 (minor alterations to existing streets, sidewalks, and pedestrian and bicycle ways) of the CEQA guidelines; and be it further

RESOLVED: That the City Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this Project; and be it further

RESOLVED: That the execution of any documents legally committing the City to fund this Project; shall be expressly conditioned upon compliance with the requirements of NEPA, as certified by the City Administrator or her designee; and be it further

RESOLVED: That all documents shall be reviewed and approved by the City Attorney's Office prior to execution, and all copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAY 27 AM 10:22

APPROVED AS TO FORM AND LEGALITY



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING APPLYING FOR, ACCEPTING, AND APPROPRIATING \$2.0 MILLION IN FEDERAL SURFACE TRANSPORTATION PROGRAM AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT GRANT FUNDS FROM THE ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY'S AND THE METROPOLITAN TRANSIT COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAMS FOR THE FRUITVALE/FOOTHILL BOULEVARD STREETScape PROJECT; COMMITTING \$1.37 MILLION IN LOCAL MATCH FUNDS; STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECT; AND ACCEPTING A CONTRIBUTION FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR THE LOCAL MATCH FUNDS

WHEREAS, the Oakland Redevelopment Agency adopted a Five Year Implementation Plan for the Central City East Redevelopment Project on July 15, 2008 (Resolution No. 2008-70 C.M.S.), that includes streetscape improvements within the project area; and

WHEREAS, the City of Oakland is submitting applications to both the Metropolitan Transportation Commission ("MTC") and the Alameda County Congestion Management Agency ("ACCMA") Transportation for Livable Communities Programs ("TLC") for \$2.0 million in funding from the federal Surface Transportation Program ("STP") and/or Congestion Mitigation and Air Quality Improvement ("CMAQ") program for the Fruitvale/Foothill Streetscape Project (herein referred to as the "Project") within the Central City East Redevelopment Project Area for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (the "Program"); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA") (Public Law 109-59, August 10, 2005) authorized the STP (23 U.S.C. § 133) and the CMAQ (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal STP and/or CMAQ funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, the City is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) The commitment of necessary local matching funds of at least 20%; and
- 2) That the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) That the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) That the project will comply with all the project-specific requirements as set forth in the Program; and

WHEREAS, the MTC TLC grant requires a local match for the Project; and

WHEREAS, the City and the Redevelopment 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 Redevelopment 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 Redevelopment Agency has authorized \$1.37 million as the local match for the MTC grant, which will be transferred from the Redevelopment Agency from Central City East Tax Allocation Bond Series 2006A Taxable Bond Fund (9543) and Land Acquisition Project (S233351) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established; and

WHEREAS, the City and the Redevelopment Agency agree 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 his designee; now therefore be it

RESOLVED: That the City is authorized to execute and file an application for funding for the Project under the STP/CMAQ of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

RESOLVED: That the City of Oakland by adopting this resolution does hereby state that:

1. The City will provide \$1.37 million in non-federal matching funds; and
2. The City understands that the STP/CMAQ funding for the Project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other funds, and that the City does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. The City understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. The Project will be implemented as described in the complete application and in this Resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. The City and the Project will comply with the requirements as set forth in the Program; and be it further

RESOLVED: That the City is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED: That City is authorized to submit an application for STP/CMAQ funds for the Project; and be it further

RESOLVED: That there is no legal impediment to the City making applications for the funds; and be it further

RESOLVED: That there is no pending or threatened litigation that might in any way adversely affect the proposed Project or the ability of the City to deliver such Project; and be it further

RESOLVED: That the City authorizes the City Administrator, or his designee to execute and file an application with MTC for STP/CMAQ funding for the Project as referenced in this Resolution; and be it further

RESOLVED : That a copy of this Resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED: That the MTC is requested to support the application for the Project described in the resolution and to include the Project, if approved, in MTC's TIP; and be it further

RESOLVED: That the City Council hereby appropriates any funds that are received for this Project under the TLC grant program into the Metropolitan Transportation Commission Grant Fund (2163) under a project number to be established; and be it further

RESOLVED: That the City Council hereby consents to the use of \$1.37 million in Redevelopment Agency funds Central City East Tax Allocation Bond Series 2006A Taxable Bond Fund (9543) and Land Acquisition Project (S233351) as matching funds, accepts such funds under the Cooperation Agreement, and appropriates such funds to the City repayment account in Fund 7780 under a project number to be established; and be it further

RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of this Project will benefit the Central City East Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for this Project, and therefore no other reasonable means of financing this Project is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central City East Redevelopment Project for this Project is consistent with the Implementation Plan adopted for Central City East Redevelopment Project; and be it further

RESOLVED: That should additional funds be received for these projects, the City Administrator, or his designee, is hereby authorized to accept and allocate the same for the purposes described above; and be it further

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the TLC Program grants and this Project in accordance with this Resolution and its basic purposes; and be it further

RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15301 (minor alterations to existing streets, sidewalks, and pedestrian and bicycle ways) of the CEQA guidelines; and be it further

RESOLVED: That the City Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this Project; and be it further

RESOLVED: That the execution of any documents legally committing the City to fund this Project; shall be expressly conditioned upon compliance with the requirements of NEPA, as certified by the City Administrator or her designee; and be it further

RESOLVED: That all documents shall be reviewed and approved by the City Attorney's Office prior to execution, and all copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER

NOES-

ABSENT-

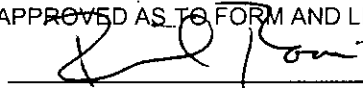
ABSTENTION-

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAY 27 AM 10:22

APPROVED AS TO FORM AND LEGALITY



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING APPLYING FOR, ACCEPTING, AND APPROPRIATING \$3.6 MILLION IN FEDERAL SURFACE TRANSPORTATION PROGRAM AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT GRANT FUNDS FROM THE METROPOLITAN TRANSIT COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM FOR THE TELEGRAPH TEMESCAL PEDESTRIAN STREETScape PROJECT; COMMITTING \$901,800 IN LOCAL MATCH FUNDS; STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECT; AND ACCEPTING A CONTRIBUTION FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR \$661,800 OF THE LOCAL MATCH FUNDS

WHEREAS, the Oakland Redevelopment Agency adopted a Five Year Implementation Plan for the Broadway/ MacArthur/ San Pablo Redevelopment Project, on December 8, 2009 (Resolution No. 2009-105 C.M.S.), that includes streetscape improvements within the project area; and

WHEREAS, the City of Oakland is submitting applications to the Metropolitan Transportation Commission ("MTC") Transportation for Livable Communities Program ("TLC") for \$3.6 million in funding from the federal Surface Transportation Program ("STP") and/or Congestion Mitigation and Air Quality Improvement ("CMAQ") program for the Telegraph Temescal Pedestrian Streetscape Project (herein referred to as the "Project") within the Broadway/MacArthur/San Pablo Redevelopment Project Area for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (the "Program"); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA") (Public Law 109-59, August 10, 2005) authorized the STP (23 U.S.C. § 133) and the CMAQ (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal STP and/or CMAQ funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, the City is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) The commitment of necessary local matching funds of at least 20%; and
- 2) That the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) That the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) That the project will comply with all the project-specific requirements as set forth in the Program; and

WHEREAS, the MTC TLC grant requires a local match of \$901,800 for the Project; and

WHEREAS, the Temescal Telegraph Business Improvement District has pledged \$240,000 of their funds as a portion of the local match; and

WHEREAS, the City and the Redevelopment 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 Redevelopment 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 Redevelopment Agency has authorized \$661,800 to fund a portion of the required local match for the MTC grant, which will be transferred from the Redevelopment Agency from Broadway/MacArthur/San Pablo Tax Allocation Bonds

Series 2006C-T Fund (9538) Land Acquisition Project (T315210) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established; and

WHEREAS, the City and the Redevelopment Agency agree 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 his designee; now therefore be it

RESOLVED: That the City is authorized to execute and file an application for funding for the Project under the STP/CMAQ of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

RESOLVED: That the City of Oakland by adopting this resolution does hereby state that:

1. The City will provide \$901,800 in non-federal matching funds; and
2. The City understands that the STP/CMAQ funding for the Project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other funds, and that the City does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. The City understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. The Project will be implemented as described in the complete application and in this Resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. The City and the Project will comply with the requirements as set forth in the Program; and be it further

RESOLVED: That the City is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED: That City is authorized to submit an application for STP/CMAQ funds for the Project; and be it further

RESOLVED: That there is no legal impediment to the City making applications for the funds; and be it further

RESOLVED: That there is no pending or threatened litigation that might in any way adversely affect the proposed Project or the ability of the City to deliver such Project; and be it further

RESOLVED: That the City authorizes the City Administrator, or his designee to execute and file an application with MTC for STP/CMAQ funding for the Project as referenced in this Resolution; and be it further

RESOLVED : That a copy of this Resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED: That the MTC is requested to support the application for the Project described in the resolution and to include the Project, if approved, in MTC's TIP; and be it further

RESOLVED: That the City Council hereby appropriates any funds that are received for this Project under the TLC grant program into the Metropolitan Transportation Commission Grant Fund (2163) under a project number to be established; and be it further

RESOLVED: That the City Council hereby consents to the use of \$661,800 in Redevelopment Agency funds from Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-T Fund (9538) Land Acquisition Project (T315210) as matching funds, accepts such funds under the Cooperation Agreement, and appropriates such funds to the City repayment account in Fund 7780 under a project number to be established; and be it further

RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of this Project will benefit the Broadway/MacArthur/San Pablo Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for this Project, and therefore no other reasonable means of financing this Project is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Broadway/MacArthur/San Pablo Redevelopment Project for this Project is consistent with the Implementation Plan adopted for the Broadway/MacArthur/San Pablo Redevelopment Project;

and be it further

RESOLVED: That the City Council hereby accepts the contribution \$240,000 in funding from the Temescal-Telegraph Business Improvement District as a portion of the

required Local Match funds and appropriates such funds to Private Grant Fund (2190) under a project number to be established; and be it further

RESOLVED: That should additional funds be received for these projects, the City Administrator, or his designee, is hereby authorized to accept and allocate the same for the purposes described above; and be it further

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the TLC Program grants and this Project in accordance with this Resolution and its basic purposes; and be it further

RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15301 (minor alterations to existing streets, sidewalks, and pedestrian and bicycle ways) of the CEQA guidelines; and be it further

RESOLVED: That the City Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this Project; and be it further

RESOLVED: That the execution of any documents legally committing the City to fund this Project; shall be expressly conditioned upon compliance with the requirements of NEPA, as certified by the City Administrator or her designee; and be it further

RESOLVED: That all documents shall be reviewed and approved by the City Attorney's Office prior to execution, and all copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER

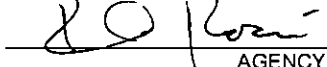
NOES-

ABSENT-

ABSTENTION-

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

2010 MAY 27 AM 10: 22


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

AN AGENCY RESOLUTION AUTHORIZING A CONTRIBUTION OF FUNDS FROM THE REDEVELOPMENT AGENCY TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT TO FUND THE REQUIRED LOCAL MATCHES FOR GRANT APPLICATIONS TO THE TRANSPORTATION FOR LIVEABLE COMMUNITIES PROGRAMS AS FOLLOWS: \$661,800 FOR THE TELEGRAPH TEMESCAL PEDESTRIAN STREETScape PROJECT FROM THE BROADWAY/MACARTHUR/SAN PABLO REDEVELOPMENT PROJECT AREA, \$3.3 MILLION FOR THE MACARTHUR BOULEVARD STREETScape PROJECT FROM THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA, AND \$1.37 MILLION FOR THE FRUITVALE/FOOTHILL BOULEVARD STREETScape PROJECT FROM THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Oakland ("City") is submitting applications to both the Metropolitan Transportation Commission ("MTC") and the Alameda County Congestion Management Agency ("ACCMA") Transportation for Livable Communities Programs ("TLC") funding from the federal Surface Transportation Program ("STP") and/or Congestion Mitigation and Air Quality Improvement ("CMAQ") program for the following three City projects ("Projects"):

1. Telegraph Temescal Pedestrian Streetscape Project within the Broadway/MacArthur/San Pablo Redevelopment Project Area;
2. MacArthur Boulevard Streetscape Project within the Central City East Redevelopment Project Area; and
3. Fruitvale/Foothill Streetscape Project within the Central City East Redevelopment Project Area;

and

WHEREAS, the TLC grant programs require a minimum local match equal to twenty percent of the total project costs; and

WHEREAS, the City Council is consenting to the use of Redevelopment Agency funds for the required TLC grant local match funding for each of the three Projects pursuant to Section 33445 of the California Health and Safety Code; 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 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, the Agency has identified matching funds for each of the following three Projects from each of the respective redevelopment project areas:

1. The Telegraph Temescal Pedestrian Streetscape Project: \$661,800 to be transferred from the Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-T Fund (9538) Land Acquisition Project (T315210) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established;
2. The MacArthur Boulevard Streetscape Improvement Project: \$400,000 from JPFA Capital Project, Series 2005 Fund (5200) MacArthur/International Streetscape Project (C167630); \$2,500,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-T Fund (9540) MacArthur Streetscape Improvement Project (S233370); and \$400,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-TE Fund (9542) MacArthur Streetscape Improvement Project (S233370); all three sources will be transferred from the Agency to the City under the Cooperation Agreement, Fund (7780), under a project number to be established; and
3. The Fruitvale/Foothill Streetscape Project: \$1.37 million to be transferred from the Central City East Redevelopment Project Area Tax Allocation Bond Series 2006A Taxable Bond Fund (9543) Land Acquisition Project (S233351) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established; and

WHEREAS, each Project is consistent with and will further the purposes of their respective Redevelopment Plans and Five Year Implementation Plans adopted for the Broadway/MacArthur/San Pablo Redevelopment Project, on December 8, 2009 (Resolution No. 2009-105 C.M.S.) and the Central City East Redevelopment Project on

July 15, 2008 (Resolution No. 2008-70 C.M.S.), each of which includes streetscape improvements within the project area; now, therefore, be it

RESOLVED: That the Agency hereby authorizes and allocates a contribution of Agency funds as the local matches for MTC/ACCMA TLC grants for each of the following Projects:

1. The Telegraph Temescal Pedestrian Streetscape Project: a local match of \$661,800 from the Agency to be transferred from the Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-T Fund (9538) Land Acquisition Project (T315210) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established;
4. The MacArthur Boulevard Streetscape Improvement Project: \$400,000 from JPFA Capital Project, Series 2005 Fund (5200) MacArthur/International Streetscape Project (C167630); \$2,500,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-T Fund (9540) MacArthur Streetscape Improvement Project (S233370); and \$400,000 from the Central City East Redevelopment Project Area Tax Allocation Bonds Series 2006A-TE Fund (9542) MacArthur Streetscape Improvement Project (S233370); all three sources will be transferred from the Agency to the City under the Cooperation Agreement, Fund (7780), under a project number to be established; and
2. The Fruitvale/Foothill Streetscape Project: a total local match of \$1.37 million to be transferred from the Central City East Redevelopment Project Area Tax Allocation Bond Series 2006A Taxable Bond Fund (9543) Land Acquisition Project (S233351) to the City of Oakland under the Cooperation Agreement, Fund (7780), under a project number to be established;

and be it further

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

1. That the funding of these Projects will benefit the respective Broadway/MacArthur/San Pablo and Central City East Redevelopment Project Areas, and will assist in the elimination of blighting conditions in each of the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for this Project, and therefore no other reasonable means of financing this Project is available to the City other than Redevelopment Agency funding;

- 3. That the use of tax increment funds from the Broadway/MacArthur/San Pablo and Central City East Redevelopment Project Areas for each Project is consistent with the Implementation Plan adopted for each Redevelopment Project Area, as amended;

and be it further

RESOLVED: That the Agency hereby authorizes the Agency Administrator or his designee to appropriate revenue and make expenditures and take all other actions necessary in accordance with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
Secretary, Redevelopment Agency
of the City of Oakland