

**CITY OF OAKLAND
AGENDA REPORT**

OFFICE OF THE CITY CLERK
2006 JUN 13 PM 4:17

TO: Office of the City/Agency Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: June 13, 2006

RE: A City Resolution Accepting and Appropriating \$2,469,700 Of Federal Funds For The Telegraph Avenue And Latham Square Streetscape Project Through The Metropolitan Transportation Commission's Transportation For Livable Communities Housing Incentive Program, Stating the Assurance Of The City To Complete The Project, And Accepting And Appropriating \$435,830 From The Redevelopment Agency Under The Cooperation Agreement As The Local Match

A Redevelopment Agency 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 Improvement Program Grant

SUMMARY

The Community and Economic Development Agency (CEDA) is recommending approval of a City of Oakland (City) resolution and a Redevelopment Agency (Agency) resolution for the acceptance and appropriation of a \$2,469,700 Transportation for Livable Communities (TLC) Housing Incentive Program capital grant (HIP Grant) from the Metropolitan Transportation Commission (MTC) and \$435,830 in Agency matching funds for the Telegraph Avenue and Latham Square Streetscape Improvement Project (Project). The HIP Grant Program is funded by federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Transportation Enhancements Program funds. The \$435,830 in matching funds for this Project will come from the Agency's Streetscape funds.

The funds will be used to construct pedestrian-oriented streetscape improvements on Telegraph Avenue from 15th to 20th Streets. The Project will assist the City and Agency in improving pedestrian safety and eliminating blight along this portion of Telegraph Avenue. The Project is consistent with the Mayor and City Council goal to provide for clean, well-maintained and

accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees. The Project is located in Council District 3.

FISCAL IMPACT

The total grant award is \$2,469,700 and the matching funds for this Project are \$435,830. In addition to HIP Grant funding, the Project will be funded through a combination of Redevelopment Agency Streetscape Funds and a 2002 Council approved ACTIA Measure “B” Local Streets and Roads (Local Transportation) allocation. The grant award will be applied to the construction phase of the project only. The total sources of construction funds include:

Funding Source	Amount
Redevelopment Agency	\$2,170,000
ACTIA Measure B Funds	\$3,923,500
MTC HIP Grant Funds	\$2,469,700
Total	\$8,563,200

The local match of \$435,830 to be provided by the Agency exceeds the minimum required local match for federal grant projects (which is 11.5%) in order to sufficiently cover ineligible project costs under the federal grant program. Such costs include Central Services Overhead expenses for Public Works staff time and project close-out costs. Funds for the match of \$435,830 will come from the 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). These match funds will be transferred to the City in Oakland Redevelopment Agency Project Fund (7780), in a to-be-established project.

Funds for the HIP Grant will be appropriated into a Metropolitan Transportation Commission Grant Fund (2163) in a to-be-established project.

Over the short term, the installation of new sidewalks in this Project will correct deferred maintenance issues. Over the long term, maintenance of the sidewalk will be addressed by the City’s Street and Sidewalk Maintenance Section in the Infrastructure Maintenance Division.

BACKGROUND

In June 2005, MTC qualified the City to receive \$3,000,000 in TLC HIP Grant funds. The grant program’s purpose is to encourage local jurisdictions to approve transit-oriented residential development projects. First, funds are preliminarily awarded on a per bedroom basis to housing projects meeting the following criteria:

- The housing projects have not yet obtained Planning Commission approval;
- They have a minimum density of 25 units per acre;
- They are located within 1/3 of a mile of a BART station, Ferry terminal, Rail station, or bus stop with 15 minute service during peak commute periods;

- To receive the funds, the housing projects must break ground by June 2007; and
- A maximum of \$3,000,000 per funding cycle and per jurisdiction will be granted.

Second, after the housing project criteria are met, the HIP funds must then be applied towards transportation capital projects meeting the following criteria:

- The capital projects are consistent with TLC goals, and can include streetscapes projects, transit villages, pedestrian plazas and bicycle facilities; and
- To obligate the funds, the capital project must receive all MTC approvals and be ready to go to construction by June 2008, the obligation deadline.

Per an MTC resolution in June 2005, MTC qualified the following housing projects for the HIP award in June 2005. It should be noted that although the City qualified for over \$7,000,000, the City cannot receive more than \$3,000,000 in HIP Grant funds for this funding cycle:

Housing Project	Amount
Fruitvale Gateway	\$3,522,500
100 Grand	\$815,000
Coliseum Gardens Phases 3 & 4	\$471,800
Uptown Project	\$2,469,700

In reviewing the four qualifying housing projects, staff evaluated each project and assessed their likelihood of groundbreaking by 2007, which is an established MTC criterion for accessing HIP funds.

It is unlikely that the Fruitvale Gateway project will meet the MTC deadline for groundbreaking, as the environmental work is only now beginning.

The 100 Grand project will likely start construction in Summer 2006, in time to make the MTC deadline. The associated capital project is sufficiently funded.

Coliseum Gardens Phases 3 and 4 may make the June 2007 deadline for ground break, and therefore staff has reserved \$471,800 in HIP funds for this capital project. Staff intends to bring an item to Committee in two weeks to accept and appropriate these funds for a capital project adjacent to the Coliseum Gardens.

The Uptown Project broke ground in February of 2006. Based on the Uptown project's projected number of bedrooms, the City will be eligible to receive \$2,469,700. Therefore, City staff has selected and is recommending that \$2,469,700 of HIP funds be allocated to this Project for the following reasons:

- The Telegraph/Latham project is directly adjacent to the Uptown Project;
- The Telegraph/Latham project has a clearly demonstrated funding need;
- The Telegraph/Latham project has the highest likelihood of meeting MTC's deadlines for the June 2008 funding obligation deadline; and
- The Telegraph/Latham project has reached 95% design completion.

It is extremely important for the City to receive and obligate these funds as quickly as possible. During the last MTC HIP Grant cycle, the City failed to receive its full allocation as most of the housing projects did not break ground by MTC's deadline. The Telegraph Avenue and Latham Square Streetscape project can be obligated and delivered expeditiously and within MTC's very short timeframe. When another qualified project breaks ground, staff will return to the City Council to seek approval for the remaining HIP grant allocation.

KEY ISSUES AND IMPACTS

The acceptance and appropriation of this grant will provide the City with the required additional funds to complete the construction of the Telegraph Avenue and Latham Square Streetscape improvements.

In February of 2006, staff received updated consultant cost estimates for construction of the Telegraph Avenue and Latham Square Streetscape improvements. The estimates totaled \$8.5 million dollars. The original estimate prepared by DKS Associates and RHL Design in 2004 was \$5.1 million dollars and was based on concept plans. In the course of design development significant technical issues were encountered, including: 1) planned road reconstruction work resulting from sidewalk widening and new bulb-out work; and 2) extensive traffic signal modernization work; and 3) structural strengthening of sidewalks, which was not anticipated in the original estimate. In addition, there has been a significant amount of cost escalation in the market in the last two years. Therefore, the project faces a projected \$3.5 million dollar funding shortfall for construction of these improvements. With acceptance of this grant and programming of \$1 million dollars in FY05-07 Agency Streetscape funds, the shortfall for will be eliminated.

The key milestones for the Telegraph Avenue and Latham Square Streetscape Project are as follows:

- | | | |
|--|----------|------|
| ▪ Completion of Construction Documents and Specifications | July | 2006 |
| ▪ Informational Report on Latham/Telegraph Streetscape Project | October | 2006 |
| ▪ Work with MTC & Caltrans to meet June 2008 obligation deadline | May–Oct. | 2006 |
| ▪ Bid and Council Award | Nov–Feb | 2007 |
| ▪ Construction Start | March | 2007 |

The federal funds for this Project will be programmed in the 2005/07 Transportation Improvement Program (TIP), which is administered by MTC. Acceptance of federal funds will facilitate the initiation of the Project and will help ensure meeting the June 2008 obligation deadline.

PROJECT DESCRIPTION

As part of the overall strategy to revitalize the Uptown Area of the Downtown Central Business District, the Agency and the City are proposing improvements to the streetscape of Telegraph Avenue and Latham Square below 20th Street. The street improvements include traffic-calming elements, improved pedestrian movement, increased traffic efficiency by modernizing traffic signals, providing for shared bicycle lanes, and complimenting the public and private investments being made at the adjacent Forest City Uptown Project and the Fox Theater renovation.

The concept and final designs for Telegraph Avenue and Latham Square were developed by DKS Engineers, Bottomley Design Associates and RHL Design Group, with input and recommendations from a Technical Advisory Committee (TAC). The TAC was comprised of representatives from the Redevelopment Agency, Planning, and Public Works, including the divisions of Transportation Services, Street Design, Engineering Design, BART, and AC Transit. Two community meetings were held in the summer and fall of 2005. Formal presentations were also made to the Landmarks Preservation Board, the Bicycle and Pedestrian Advisory Committee, the Uptown Merchants Group, the Oakland Metropolitan Chamber of Commerce and the Forest City development team.

Specifically, the street improvements will include: lane reduction on Telegraph Avenue below 20th Street and Latham Square at Broadway, widening the sidewalks to improve pedestrian movement and accommodate outdoor seating, constructing bulb-outs and disabled access ramps at the intersections to improve pedestrian safety and shorten crossing distances, modernizing traffic signals, replacing and waterproofing the sidewalks, creating shared bicycle lanes, planting new trees, replacing the existing lighting fixtures along the street with the City of Oakland historic light fixtures, and installing new street furniture, including bicycle racks, benches and trash receptacles.

RHL Design Group performed a detailed environmental analysis of the proposed project. The analysis revealed that through careful project design combined with implementation of best management practices (BMPs) during construction, substantial impacts to the surrounding environment can either be mitigated or avoided. Based on results of these analysis, the City determined that the project as proposed is categorically exempt from the environmental analysis requirements of CEQA under either Class 1 exemption (operation, repair, or minor alteration of existing facilities, 14CCR 15301) or Class 2 exemption (replacement or reconstruction of existing structures or facilities, 14 CCR 15302).

SUSTAINABLE OPPORTUNITIES

Economic: This Project will result in over \$8.5 million in capital improvements on Telegraph Avenue and Latham Square within the Central District Redevelopment Project Area. The implementation of this Project will catalyze economic development in the surrounding neighborhoods.

Environmental: These improvements are intended to revitalize the area by eliminating blight, promote increased use of public transportation and improve public safety by increasing access to the regional BART and AC Transit transportation hubs. Recycled content materials will be incorporated into this project.

Social Equity: The Project will improve transportation options for all pedestrians by improving safety and access to major Downtown transportation hubs. The contractor will achieve and adhere to the ACTIA local and small local business participation goals, and all other City of Oakland business and employment program requirements.

DISABILITY AND SENIOR CITIZEN ACCESS

This Project will address senior and disability access by improving pedestrian safety and ease of access in the area and, to the 17th Street and 19th Street BART Stations, and to both of AC Transit’s 14th and 20th Street transit hubs. The Project will comply with the Americans with Disabilities Act (ADA) and all City of Oakland regulations that ensure adequate access for senior citizens and persons with disabilities. Approval of these resolutions will enable staff to proceed with initiation of the NEPA clearance process.

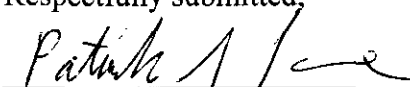
RECOMMENDATIONS AND RATIONALE

Staff recommends that the City Council authorize the City Administrator, or her designee, to accept and appropriate \$2,469,700 in Housing Incentive Program Grant funds from the Metropolitan Transportation Commission, and \$435,830 in local matching funds for the Telegraph Avenue and Latham Square Streetscape Improvement Project. The grant funds for the streetscape improvement project are needed to offset an existing shortfall in funding for the Telegraph Avenue and Latham Square Streetscape project and to support public and private investments being made at the adjacent Forest City Uptown Project and the Fox Theater renovation. Funds for the Project will allow the City to significantly improve a blighted area in the Downtown.

ACTION REQUESTED OF THE CITY COUNCIL/REDEVELOPMENT AGENCY

Staff recommends that the City Council and Redevelopment Agency approve two resolutions regarding the acceptance and appropriation of a \$2,469,700 HIP Grant from the MTC, and \$435,830 in local matching funds for the Telegraph Avenue and Latham Square Streetscape Improvement Project. The acceptance and appropriation of these grant funds will provide the Agency with the required additional funds to complete the construction of the Telegraph Avenue and Latham Square Streetscape improvements.

Respectfully submitted,

for 
Daniel Vanderprien

Director of Redevelopment, Economic
Development, Housing & Community Development

Reviewed By:
Natalie Fay
Senior Transportation Planner
Planning and Zoning

Prepared By:
George Durney
UEA IV
Redevelopment Div.

APPROVED AND FORWARDED TO
COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE:


OFFICE OF THE CITY/AGENCY ADMINISTRATOR

OFFICE OF THE CITY CLERK
OAKLAND

2006 MAY 31 PM 4:17

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION ACCEPTING AND APPROPRIATING \$2,469,700 OF FEDERAL FUNDS FOR THE TELEGRAPH AVENUE AND LATHAM SQUARE STREETScape IMPROVEMENT PROJECT THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES HOUSING INCENTIVE PROGRAM, STATING THE ASSURANCE OF THE CITY TO COMPLETE THE PROJECT, AND ACCEPTING AND APPROPRIATING \$435,830 FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT AS THE LOCAL MATCH

WHEREAS, the City of Oakland submitted an application to the Metropolitan Transportation Commission's (MTC) Transportation for Livable Communities Housing Incentive Program (HIP) in March 2005, requesting capital grant funds to fund the Telegraph Avenue and Latham Square Streetscape Improvement Project (the "Project"); and

WHEREAS, MTC administers the HIP Grant from Federal Congestion Mitigation and Air Quality Program (CMAQ) and Transportation Enhancements (TE) Program funds; and

WHEREAS, in April 2006, MTC staff made a recommendation to their commission to program \$2,469,700 of Federal CMAQ and TE Program funding for the Project; and

WHEREAS, this grant will fund the following improvements on Telegraph Avenue from 15th to 20th Streets:

- 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 Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the CMAQ and the TE funding programs (23 U.S.C. § 149); and

WHEREAS, pursuant to TEA 21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive CMAQ or TE Program funds for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

WHEREAS, the MTC HIP Grant requires a local match of \$435,830 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 Agency has authorized \$435,830 to fund the required local match for the MTC HIP Grant, which will be transferred from the 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 Oakland Redevelopment Agency Project Fund (7780) to the Telegraph Avenue and Latham Square Streetscape Improvement Project under a project number to be established; and

WHEREAS, the City and the 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 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 City Council authorizes the City Administrator to accept \$2,469,700 in Federal CMAQ or TE funds under MTC's HIP Grant program and hereby appropriates such funds for the Project into the Metropolitan Transportation Commission Grant Fund (2163) under a project number to be established; and be it further

RESOLVED: That the City Council by adopting this Resolution does hereby state that:

- 1) The City will provide \$435,830 in local matching funds; and
- 2) The City understands that the CMAQ and TE Program funding for the Project is fixed at \$2,469,700 and that any cost increases must be funded by the City from local matching funds, and that the City does not expect any cost increases to be funded with CMAQ and TE Program funds; and
- 3) The Project will be built as described in the application and, if approved, for the amount as programmed in MTC's TIP; and
- 4) The program funds are expected to be obligated by June 28, 2008 for the MTC HIP grant program, or the Project may be removed from the program;

and be it further

RESOLVED: That the City is an eligible sponsor of projects for the CMAQ and TE Program programs; and be it further

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

RESOLVED: That there is no pending or threatened litigation which 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 a copy of this Resolution will be transmitted to the MTC; and be it further

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

RESOLVED: That the City Council hereby consents to the use of \$435,830 in Redevelopment Agency funds as matching funds, accepts such funds under the Cooperation Agreement, and appropriates such funds to the City repayment account in Oakland Redevelopment Agency Project Fund (7780); and be it further

RESOLVED: That the City Council 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 City Council hereby authorizes the City Administrator or her designee to negotiate grant terms, execute, modify, amend and extend agreements, appropriate revenue, make expenditures, and take all other actions with respect to the MTC HIP grant 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 (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 City Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for the 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, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

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

2006 MAY 31 PM 4:17

APPROVED AS TO FORM AND LEGALITY:

BY: 
AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ 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.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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