

REVISED

Approved as to Form and Legality

OAKLAND CITY COUNCIL



City Attorney

RESOLUTION No. 81094 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE APPLICATION FOR, ACCEPTANCE AND APPROPRIATION OF UP TO \$750,000 FROM THE METROPOLITAN TRANSPORTATION COMMISSION'S STATION AREA AND FOCUS PLANNING GRANT PROGRAM FOR THE LAKE MERRITT BART STATION PROJECT, AND UP TO \$750,000 FOR THE UPPER BROADWAY CORRIDOR RETAIL PROJECT

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

WHEREAS, The Metropolitan Transportation Commission in partnership with the Association of Bay Area Governments is soliciting applications for localized planning efforts and associated environmental impact reports, and for specific plan elements; and

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

WHEREAS, The Lake Merritt BART Station and the Upper Broadway Corridor Retail projects meet the criteria established to compete successfully for a Station Area and FOCUS Planning Grant Program, and

WHEREAS, the City Council action authorized by this resolution is exempt from the California Environmental Quality Act, Public Resources Code sections 21000, et seq ("CEQA") pursuant to, among other provisions, CEQA Guidelines section 15262 (feasibility and planning studies) and 15183 (projects consistent with community plan, general plan or zoning), now therefore be it

RESOLVED: that the City Council hereby

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for assistance of up to \$750,000 each for the Lake Merritt BART Station and the Upper Broadway Retail Corridor; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements (including with BART and Peralta Community college District), amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the Metropolitan Transportation Commission funding program, subject to the approval of the City Attorney; and

3. Directs the Budget Office to appropriate grant funds received for this project to the Metropolitan Transportation Commission – Program Grant Fund (2163); and
4. Directs the Budget Office to appropriate matching funds as required for successful grant applications. A \$150,000 match requirement for the Upper Broadway will be equally split between the Central Redevelopment District Operations Fund (9533), Organization (94800), Project (P128670) and the Broadway/MacArthur/San Pablo Operations Fund (9529), Organization (88669), Project (P187510); and \$50,000 has been identified from the Central City East Redevelopment Operations Fund (9540), Organization (88699), Miscellaneous Operating Account (52921) for the Lake Merritt BART Station Project. An additional \$100,000 will be contributed by the Peralta Community College District (\$50,000) and BART (\$50,000) will be budgeted in the Central City East Redevelopment District Operations Fund (9540), Organization (88699), Revenue Account (48714) for the Lake Merritt BART Station Project for a total \$150,000 match contribution; and
5. Directs the City Administrator or her designee to file a Notice of Exemption in accordance with the CEQA.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2008, 20

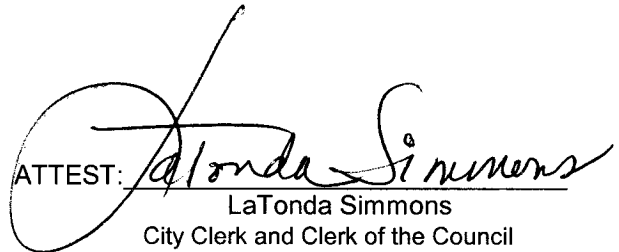
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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