


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 DEC -3 PM 5:06

Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

Resolution No. 82471 C.M.S.

RESOLUTION TO (1) ACCEPT AND APPROPRIATE \$997,000 IN GRANT FUNDS FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT FOR THE OAKLAND BROADWAY SHUTTLE; (2) ACCEPT AND APPROPRIATE \$80,000 IN FISCAL YEAR 2009/2010 AND \$80,000 IN FISCAL YEAR 2010/2011 IN MATCHING FUNDS FOR THE BROADWAY SHUTTLE FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT; (3) AUTHORIZE THE CITY ADMINISTRATOR WITHOUT RETURNING TO COUNCIL TO ACCEPT AND APPROPRIATE ANY ADDITIONAL PUBLIC AND PRIVATE GRANTS AND FINANCIAL SUPPORT FOR THE BROADWAY SHUTTLE; AND (4) AUTHORIZE AN AGREEMENT WITH AC TRANSIT TO OPERATE THE BROADWAY SHUTTLE FOR TWO YEARS

WHEREAS, the City Council desires to improve transit connectivity between the Jack London waterfront and the downtown commercial districts north of Interstate 880; and

WHEREAS, the City Council wishes to reduce automobile emission and improve the environment by replacing downtown automobile trips with transit trips; and

WHEREAS, the City desires to support local businesses, property owners and office tenants by improving downtown mobility so that residents and workers can more conveniently reach downtown businesses and offices; and

WHEREAS, the City desires to operate a shuttle that will run on Broadway between Jack London Square and the Uptown Entertainment District (the "Oakland Broadway Shuttle"); and

WHEREAS, the Bay Area Air Quality Management District ("BAAQMD") has awarded the City of Oakland a \$997,000 grant to fund the operations of the Oakland Broadway Shuttle; and

WHEREAS, the BAAQMD requires the City to contribute matching funds in the amount of \$160,000 over a two year period in order to accept the grant award; and

WHEREAS, the Redevelopment Agency and the City entered into a Cooperation Agreement on July 1, 2004, which governs the provision of assistance and the payment of

funds between the two agencies, including funding by the Agency of City programs that promote the Agency's redevelopment activities; and

WHEREAS, the Redevelopment Agency of the City of Oakland has authorized a contribution of funds from the Central District Redevelopment Project to the City under the Cooperation Agreement in the amount of \$80,000 in Fiscal Year 2009/2010 and \$80,000 in Fiscal Year 2010/2011 for a total of \$160,000, to be used as matching funds for the implementation of the Oakland Broadway Shuttle; and

WHEREAS, the City wishes to contract with AC Transit to operate the Oakland Broadway Shuttle for two years; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature, are temporary in nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council hereby accepts and appropriates the \$997,000 grant from the BAAQMD for the Oakland Broadway Shuttle; and be it

FURTHER RESOLVED: That these BAAQMD funds and any future Broadway Shuttle grants, financial support and revenue will be deposited into the Bay Area Air Quality Management District Fund (2166); Business Development Organization (88559); Broadway Shuttle Project (number to be assigned); Business Creation, Attraction, Retention and Expansion Program (SC11); and be it

FURTHER RESOLVED: That the City Council hereby accepts and appropriates a contribution of \$80,000 in Fiscal Year 2009/2010 and \$80,000 in Fiscal Year 2010/2011 from the Redevelopment Agency under the Cooperation Agreement to be used as matching funds for the Oakland Broadway Shuttle; and be it

FURTHER RESOLVED: That these matching funds will be deposited into the Oakland Redevelopment Projects Fund (7780); Economic Development Capital Improvement Organization (94800); Downtown Capital Project (C339410); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to accept and appropriate any additional public and private grants and financial support for the operations, marketing, surveys and data collection for the Oakland Broadway Shuttle without returning to Council; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to negotiate and execute an agreement with AC Transit to operate the Oakland Broadway Shuttle for two years; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to negotiate, execute, and submit all documents, applications, agreements and amendments which may be necessary to implement the Oakland Broadway Shuttle; and be it

FURTHER RESOLVED: That the Office of the City Attorney shall approve the agreements and all such other documents, applications, agreements, and amendments, as to form and legality; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to take any actions with respect to the Oakland Broadway Shuttle consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN - 5 2010

PASSED BY THE FOLLOWING VOTE:

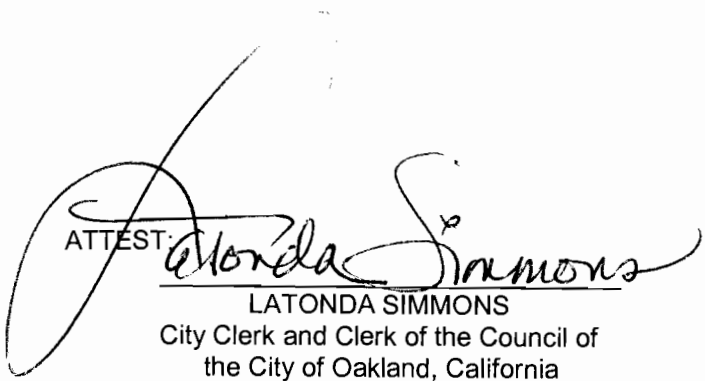
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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