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**REVISED 4/11/2006**

APPROVED AS TO FORM AND LEGALITY:

  
Agency Counsel

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

RESOLUTION No. 2006-0040 C.M.S.

**RESOLUTION AUTHORIZING AN AGENCY PAYMENT TO THE CITY  
UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO  
EXCEED \$725,000 TO COVER THE CITY'S COSTS FOR PLAN  
REVIEW, CONSTRUCTION MONITORING AND ADMINISTRATION  
FOR THE OAKLAND AIRPORT CONNECTOR PROJECT**

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

**WHEREAS**, BART and the City of Oakland have requested that the Redevelopment Agency fund plan review, construction monitoring and administration costs of the City for the Project in an amount not to exceed \$725,000 in lieu of contributing to the design and engineering work on the intermediate stations for the Oakland Airport Connector; and

**WHEREAS**, the proposed Oakland Airport Connector Project is within the boundaries of the Coliseum Redevelopment Project Area, and its development will contribute to the Agency's goals and objectives for the Project Area; and

**WHEREAS**, the Redevelopment Agency authorized an allocation of Agency funding in an amount not to exceed \$725,000 to the Oakland Airport Connector Project from the Coliseum Tax Allocation Bond Fund (9453), Capital Improvement Project – Economic Development Organization (94800), Miscellaneous Contract Services Account (54919), Coliseum Redevelopment Tax Allocation Bond Series 2003 Project (P233410) in the approval of its Fiscal Year 2005-2007 Budget; and

**WHEREAS**, the Agency will contribute and transfer Agency tax allocation bond funds to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Project – Economic Development Organization (94800), Work Order Expenditures Account (56611), with the City Project coding to be established after funding has been authorized; and

**WHEREAS**, BART certified an Environmental Impact Statement and Environmental Impact Report for the Project in March 2002, and thus the requirements of the California Environmental Quality Act ("CEQA"), the CEQA Guidelines as prescribed by the Secretary for

Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

**WHEREAS**, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies; now, therefore, be it

**RESOLVED:** That the Redevelopment Agency hereby authorizes a contribution of up to \$725,000 to the City with disbursements from the \$725,000 transferred to the City each year as needed and required by PWA and other agencies to implement the OAC project and to support the City's costs of permit and engineering review, construction monitoring and administration associated with the Oakland Airport Connector Project; and be it further

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

**RESOLVED:** That the Agency hereby allocates \$725,000 from Coliseum Tax Allocation Bond Fund (9453), Capital Improvement Project – Economic Development Organization (94800), Miscellaneous Contract Services Account (54919), and Coliseum Redevelopment Tax Allocation Bond Series 2003 Project (P233410); and be it further

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

**MAY 3 2006**

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006


**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NADAL~~, QUAN, REID, AND CHAIRPERSON DE LA FUENTE - 7

NOES- 0

ABSENT- Nadal - 1

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
Agency Secretary