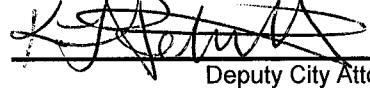


2015 DEC -3 PM 5:49

Approved as to Form and Legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 85932 C.M.S.

A Resolution Authorizing The City Administrator or Designee to Negotiate and Execute a Memorandum of Understanding (“MOU”) With The Bay Area Rapid Transit District (“BART”) for Purposes of Providing Additional Coliseum BART Station Surface Parking Between 69th and 75th Avenues on the City Owned Parking Lot Located on Snell Street (APN # 041-4170-005-04), and Along City Right of Way On A Portion of 71st Avenue and On Snell Street Between 69th and 75th Avenues

WHEREAS, in July 2013, the City adopted Resolution No. 84490 C.M.S. which authorized an Exclusive Negotiating Agreement (“ENA”) with the Oakland Economic Development Corporation (“OEDC”) and a \$400,000 predevelopment loan for the Coliseum Transit Village project at the Coliseum BART parking lot; and

WHEREAS, In November 2013, the Oakland Redevelopment Successor Agency (“ORSA”) and the City entered into a Bond Expenditure Agreement pursuant to City Council Resolution No. 84516 C.M.S. and ORSA Resolution No. 2013-023 which authorized the transfer to the City of pre-2011 bond proceeds held by ORSA. Council authorized the Bond Expenditure Agreement which allocated \$8,000,000 in excess bond proceeds for the Coliseum Transit Village Phase I project (“Project”); and

WHEREAS, BART owns a 1.3 acre surface parking lot at the Coliseum BART Station bounded by 70th and 71st Avenues and Snell Street, APN: 041-4166-031-02; and

WHEREAS, the current BART parcel has approximately 164 surface parking spaces for commuters and with the anticipated loss of these parking spaces as a result of the proposed Project, BART is currently interested in entering into a Memorandum of Understanding (“MOU”) with the City to convert: (1) a small recently improved City-owned lot consisting of approximately 20 surface parking spaces on Snell Street (APN: 041-4170-005-04) and (2) the existing street parking along a portion of 71st Ave and along Snell Street between 69th and 75th Avenues under BART’s parking permit fee program, respectively, with revenue to be evenly distributed between BART and the City; and therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or Designee to negotiate and enter into a MOU with BART regarding the additional surface parking replacement as a result of the construction and development of the Project consisting of a110 mixed-income housing units; and be it

FURTHER RESOLVED: That future parking revenues generated as a result of the proposed MOU shall be placed in Fund 5650 Coliseum Projects to be determined; and be it

FURTHER RESOLVED: That the MOU shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution; and be it

FURTHER RESOLVED: That the City Administrator or Designee is further authorized to negotiate and enter into the MOU and take whatever action is necessary with respect to the MOU consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 05 2016

PASSED BY THE FOLLOWING VOTE:

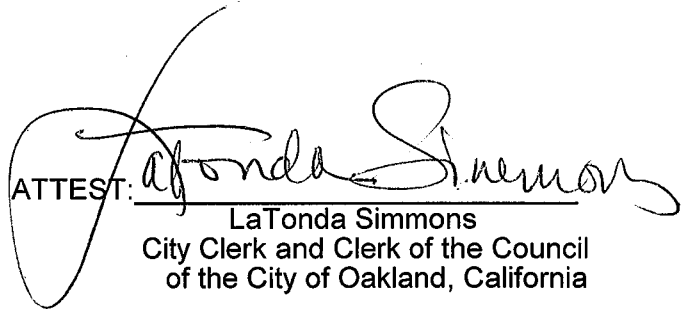
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, ~~REID~~, REID, and PRESIDENT GIBSON McELHANEY - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Recused - Kaplan - 1

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