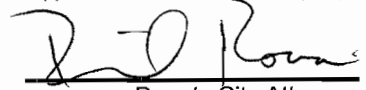


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2008 OCT 16 PM 6:55

Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 81645 C.M.S.

RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$500,000 FOR THE DESIGN AND REHABILITATION OF THE WEST OAKLAND TEEN CENTER AT 3233 MARKET STREET

WHEREAS, the Redevelopment Agency wishes to fund costs to assist in the design and rehabilitation of 3233 Market Street for use as the West Oakland Teen Center in the West Oakland Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency is implementing the FY 2007-09 Agency Budget for the West Oakland Redevelopment Project, including funding of the West Oakland Teen Center; and

WHEREAS, the Redevelopment Agency has authorized a contribution of \$500,000 to the West Oakland Teen Center 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 installation cost of construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, improvements to public facilities such as teen centers are redevelopment purposes under Section 233021 of the California Health and Safety Code; and

WHEREAS, a public hearing was held before the City Council on this funding on November 4, 2008; and

WHEREAS, notice of this hearing was published pursuant to Health and Safety Code Section 33679 and the summary of the funding proposal required by Section 33679 was made available to the public prior to publication of the notice; now, therefore, be it

RESOLVED: That the City Council hereby consents to the use of up to \$500,000 in Agency funds for the design and rehabilitation of the West Oakland Teen Center to be located at 3233 Market Street; and be it

FURTHER RESOLVED: That the City Council hereby accepts a total of \$500,000 from the Agency under the Cooperation Agreement and appropriates such funds to the City's Oakland City's Oakland Redevelopment Agency Projects Fund (7780), engineer Design-Project Management Organization (92270) City Project to be established for the West Oakland Teen Center; and be it

FURTHER RESOLVED: That \$22,000 will be used to reimburse the District 3 PayGo Fund for contract expenses related to the design of the Teen Center; and be it

FURTHER RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of the West Oakland Teen Center will benefit the West Oakland Redevelopment Project Area by increasing the services available to teens throughout the Project Area, especially in the Hoover-Foster neighborhood, encouraging them to pursue productive activities which will reduce crime and vandalism in the immediate area, and by improving the physical environment for residents, business and property owners in this Project Area;
2. That due to fiscal constraints on the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for the West Oakland Teen Center, and therefore no other reasonable means of financing the project is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the West Oakland Project Area for the West Oakland Teen Center will assist in the elimination of blight in the West Oakland Project Area for the reasons set forth in the staff report accompanying this Resolution; and
4. That the renovation of 3233 Market Street for use as the West Oakland Teen Center is consistent with the Implementation Plan adopted for the West Oakland Redevelopment Project Area; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take whatever action is necessary with respect to the West Oakland Teen Center project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 3 2008, 20

PASSED BY THE FOLLOWING VOTE:

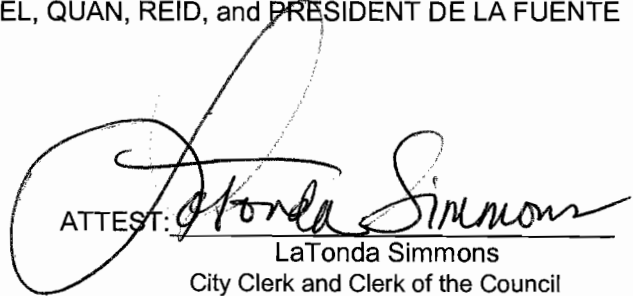
AYES - BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brunner - 1

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