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APPROVED AS TO FORM AND LEGALITY:

  
AGENCY COUNSEL

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND  
2006-0048**

RESOLUTION No. \_\_\_\_\_ C.M.S.

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**A RESOLUTION AUTHORIZING FUNDING FOR VARIOUS IMPROVEMENT PROJECTS IN AN AMOUNT NOT TO EXCEED \$200,000 UNDER THE BROADWAY/MACARTHUR/SAN PABLO NEIGHBORHOOD PROJECT INITIATIVE PROGRAM, AUTHORIZING A CONTRIBUTION OF AGENCY FUNDS TO THE CITY UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$151,100 FOR CITY PUBLIC IMPROVEMENTS UNDER THE PROGRAM, AND AUTHORIZING THE AGENCY ADMINSTRATOR TO ENTER INTO AGREEMENTS WITH PROJECT SPONSORS AND MAKE NECESSARY EXPENDITURES TO IMPLEMENT PROJECTS FUNDED UNDER THE PROGRAM WITHOUT RETURNING TO THE AGENCY**

**WHEREAS**, the Redevelopment Agency adopted the Broadway/ MacArthur/San Pablo Neighborhood Project Initiative ("NPI") program on February 7, 2006 (Resolution No. 2006-0005 C.M.S.) to assist in addressing general blight conditions within the Broadway/MacArthur/San Pablo Project Area, and allocated \$200,000 as the budget for the first year of the program; and

**WHEREAS**, City staff on behalf of the Agency issued a Call for Projects to the community for the NPI program in February 2006, and received a number applications for NPI funding in response; and

**WHEREAS**, the Broadway/MacArthur/San Pablo Redevelopment Project Area Committee ("PAC") reviewed all applications to the NPI program and made recommendations for funding under the program; and

**WHEREAS**, under the NPI program guidelines, all improvements proposed to be funded by the program must be submitted to the Agency for review and approval; and

**WHEREAS**, several of the projects recommended for funding under the NPI program by the PAC include improvements to City-owned property including public parks and streets; and

**WHEREAS**, under the NPI program guidelines improvements to City-owned property must be implemented by the City of Oakland; and

**WHEREAS**, the City of Oakland 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 or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

**WHEREAS**, the City Council is consenting to the use of Agency funding for the improvements to City-owned property under the NPI program pursuant to Section 33445 of the California Health and Safety Code; and

**WHEREAS**, the PAC has recommended that \$151,100 of NPI program funds be allocated for the following improvements to City-owned property:

- \$19,100 for upgrades to the 40<sup>th</sup> Street median between Broadway and Telegraph Avenue;
- \$5,000 for improvements to the bus waiting areas at 40<sup>th</sup> and Broadway;
- \$50,000 for the installation of exterior lighting at the Golden Gate Recreation Center;
- \$30,000 for electrical upgrades and a new water fountain for a Teen Center at Mosswood Park;
- \$10,000 for landscaping improvements to the Golden Gate Library;
- \$13,000 for the installation of street trees on Telegraph Avenue between the 580 underpass and 40<sup>th</sup> Street;
- \$24,000 for the construction of a dog run at Mosswood Park; and

**WHEREAS**, the funding for the improvements to City property will be transferred from the Broadway/MacArthur/ San Pablo Redevelopment Operations Fund (9529), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Redevelopment Project (P187510) to the Oakland Redevelopment Agency Projects Fund (7780) to the Neighborhood Projects Initiative program under a project number to be established; and

**WHEREAS**, the PAC has recommended that the remaining \$48,900 of NPI program funds be allocated for the following improvements within the redevelopment project area to be implemented directly by the Redevelopment Agency and/or the project sponsors:

- \$24,400 for planters and banners on Telegraph Avenue from 40<sup>th</sup> to 42<sup>nd</sup> Street to be implemented by the Temescal Telegraph Community Association;
- \$8,000 for a mural on the exterior of the building occupied by the Ella Baker Center for Human Rights at 344 40<sup>th</sup> Street;
- \$16,500 for crime surveillance cameras on Gallagher's Liquors at 3849 Martin Luther King, Jr. Way and Café Dejena at 3939 Martin Luther King, Jr. Way; and

**WHEREAS**, the above improvements will be funded from the Broadway/MacArthur/ San Pablo Redevelopment Operations Fund (9529), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Redevelopment Project (P187510); and

**WHEREAS**, the above projects proposed to be funded under the NPI program are consistent with and will further the purposes of the Broadway/MacArthur/San Pablo Redevelopment Plan and its Five-Year Implementation Plan adopted on December 7, 2004 (Resolution No. 2004-66 C.M.S.); and

**WHEREAS**, the Agency Administrator requests authorization to make all required expenditures and to enter into grant agreements with the project sponsors to implement all the improvements funded by the NPI Program within the project budgets without returning to the Agency for further approval; now therefore be it

**RESOLVED:** That the Redevelopment Agency hereby adopts the PAC's recommendations for funding allocations under the NPI program and authorizes funding for those improvements identified above; and be it further

**RESOLVED:** That the Agency hereby allocates \$151,100 in Redevelopment Agency funding from the Broadway/MacArthur/San Pablo Redevelopment Operations Fund (9529), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Redevelopment Project (P187510) under the Cooperation Agreement for the improvements to City-owned property; and be it further

**RESOLVED:** That the Agency hereby finds and determines as follows:

1. That the funding of the improvements to City-owned property under the NPI program will benefit the Broadway/MacArthur/San Pablo Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to those public facilities;
2. That no other reasonable means of financing the above projects is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Broadway/MacArthur/San Pablo for the above projects is consistent with the implementation plan adopted for the Broadway/MacArthur/San Pablo;

and be it further

**RESOLVED:** That for the remaining program funding that is not being transferred to the City under the Cooperation Agreement, the Agency hereby authorizes the Agency Administrator to make all required expenditures and to negotiate and enter into grant agreements and other agreements with the project sponsors to implement all of the improvements funded by the NPI program within the project budgets without returning to the Agency for further approval; and be it further

**RESOLVED:** That the Agency Administrator or her designee is authorized to take any other actions with respect to the above projects and the NPI program consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 20 2006, 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
CHAIRPERSON DE LA FUENTE, - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

Attest:



LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California