

  
OFFICE OF THE CITY CLERK  
Deputy City Attorney

2005 JUN -2 PM 3:01

# OAKLAND CITY COUNCIL

RESOLUTION No. 79323 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$950,000 FOR CONSTRUCTION OF RAILROAD AVENUE IMPROVEMENTS PHASE I - 85<sup>TH</sup> AVENUE TO LOUISIANA STREET (PROJECT NO. C230610)**

**WHEREAS**, the City will be performing work to alleviate substandard drainage, general blight and unsanitary conditions caused by the deterioration, obsolescence and blight on Railroad Avenue between 85<sup>th</sup> Avenue and Louisiana Street (the "Railroad Avenue Improvement Project") in the Coliseum Redevelopment Project Area; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland has authorized a contribution of \$950,000, including contingency, to the Railroad Avenue Improvement 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**, there are sufficient funds in the Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Structures and Improvements Account (57311), and Railroad Avenue Street Improvements Project (T248810) for the contract work; 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; now, therefore, be it

**RESOLVED:** That the City Council hereby consents to the use of up to \$950,000 in Redevelopment Agency funds, including contingency, for the Railroad Avenue Improvement Project, and appropriates such funds to the Railroad Avenue Improvement Project; and be it

**FURTHER RESOLVED:** That such funds shall be placed into the Oakland Redevelopment Agency City Fund (7780), Capital Improvement Projects – Street Design Organization (92242), Structures and Improvements Account (57311), and Railroad Avenue Improvements Phase I – 85th Avenue to Louisiana Street Project (C230620) for the Railroad Avenue Improvement Project; and be it

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

1. That the funding of the Railroad Avenue Improvement Project will benefit the Coliseum Redevelopment Project Area by installing drainage improvements to alleviate the substandard drainage, and unsanitary and obsolete street conditions which are a blighting influence in the Coliseum Project Area;
2. That no other reasonable means of financing the Railroad Avenue Improvement Project are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the Railroad Avenue Improvement Project will assist in the elimination of blight in the Coliseum Project Area by installing new drainage systems and elevating the roadway to alleviate the substandard drainage and flooding problems that created an unsafe and unsanitary road; and
4. That the use of tax increment funds from the Coliseum Project Area for the Railroad Avenue Improvement Project is consistent with the implementation plan adopted for the Coliseum Project Area.

and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to take whatever actions necessary with respect to this Project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 21 2005, 2005

**PASSED BY THE FOLLOWING VOTE:**

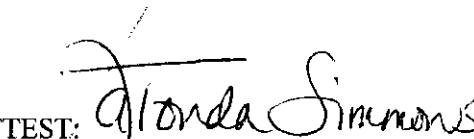
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NADEL~~, QUAN, ~~REID~~  
AND PRESIDENT DE LA FUENTE - 6

NOES- 0

ABSENT- NADEL & REID- 2

ABSTENTION- 0

ATTEST:

  
LATONDA SIMMONS

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