

2008 JUL 10 PM 3:36


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. 2008 - 0006 C.M.S.

AN AGENCY RESOLUTION: (1) ADOPTING THE CENTRAL DISTRICT BASEMENT BACKFILL PROGRAM, (2) ALLOCATING \$1,000,000 FOR THE PROGRAM FROM FY 2007-2008 CENTRAL DISTRICT FUNDS, (3) AUTHORIZING THE AGENCY ADMINISTRATOR TO MAKE GRANTS AND LOANS UNDER THE PROGRAM WITHOUT RETURNING TO THE AGENCY, (4) AUTHORIZING A CONTRIBUTION OF \$100,000 FROM CENTRAL DISTRICT FUNDS TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT TO FUND STAFF COSTS FOR THE PROGRAM, AND (5) AMENDING RESOLUTION NO. 2007-0053 TO REDUCE THE CONTRIBUTION OF AGENCY FUNDS TO THE BROADWAY PHASE II AND III SIDEWALK IMPROVEMENT PROJECT IN AN AMOUNT TO BE NEGOTIATED BY THE CITY ADMINISTRATOR UNDER THE CITY'S CONTRACT WITH SPOSETO ENGINEERING, INC., FOR THE PROJECT

WHEREAS, Agency Resolution No. 2007-0053 authorized a contribution of redevelopment funds in the amount of \$680,412 to the City of Oakland for the Broadway Phase II and III Sidewalk Improvement Project (C194920) (the "Project"); and

WHEREAS, on June 19, 2007, per Resolution 80660 C.M.S., the City awarded a construction contract for the Project to Sposeto Engineering, Inc., in accordance with the terms of the project plans and specifications prepared by the Director of Public Works and the contractor's bid dated April 9, 2007, in the amount of Two Million Six Hundred Fifty-One Thousand Three Hundred Seventy-Six Dollars And Forty-Five Cents (\$2,651,376.45) (the "Contract"); and

WHEREAS, work on the Project has been suspended because of deteriorated conditions of the subsidewalk basement structures beneath the Project site; and

WHEREAS, the City Council has authorized the City Administrator to negotiate an amendment to the Contract to change the scope of the Project; and

WHEREAS, the Agency desires to amend Resolution No. 2007-0053 to reduce the contribution of Agency funds by the amount of any reduction in the Contract that the City Administrator negotiates to reflect the change in scope of the Project; and

WHEREAS, the staff of the Community and Economic Development Agency have prepared a pilot program known as the Central District Basement Backfill Program (the "Program") to provide incentives for property owners to backfill their subsidewalk basement spaces within this area so sidewalk improvements can be completed; and

WHEREAS, such backfill will assist in the elimination of blight and assist with retaining and attracting businesses and properties and increasing job opportunities in the Project Area; and

WHEREAS, the program is consistent with and will further the purposes of the Central District Redevelopment Plan and its Five-Year Implementation Plan; and

WHEREAS, the Agency desires to authorize the Agency Administrator or her designee to make grants and loans for the pilot program within the budget available for this purpose; and

WHEREAS, the City and the 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 Agency financial contributions and other assistance to support City public improvements; now, therefore, be it

RESOLVED: That Agency Resolution No. 2007-0053 is hereby amended to reduce the contribution of Agency funds to the City for the Project by the amount of any reduction in the Contract that the City Administrator negotiates to reflect the change in scope of the Project; and be it

FURTHER RESOLVED: That the Agency hereby adopts the Central District Basement Backfill Program as a pilot program to provide grants of up to \$20,000 per property owner to assist with the cost of obtaining third party engineering design services, and to provide loans of up to \$4,000 per linear foot of basement to said owners to assist with the construction costs associated with the backfill of their subsidewalk basements; and be it

FURTHER RESOLVED: That the Agency hereby allocates \$1,000,000 from FY 2007-2008 Central District Tax Allocation Bond Fund (9532), Capital Improvement Project Organization (94800), Downtown Streetscape Implementation (P128840) for the Basement Backfill Program; and be it

FURTHER RESOLVED: That the Agency authorizes the Agency Administrator or her designee to adopt guidelines for the Program, to make grants and loans under the Program within the budget available for these purposes and negotiate and execute contracts without returning to the Agency, and to take other action with respect to the Program and the grants and loans consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That the Agency hereby authorizes a contribution of Central District funds to the City of Oakland under the Cooperation Agreement in the amount of \$100,000 from Central District Redevelopment Project Subordinated Tax Allocation Bonds Series 2003 Fund (9532), Capital Improvement Project Organization (94800), in City Projects to be established to fund City staff costs associated with the Central District Basement Backfill Program.

IN AGENCY, OAKLAND, CALIFORNIA, FEB 19 2008, 2008

PASSED BY THE FOLLOWING VOTE:

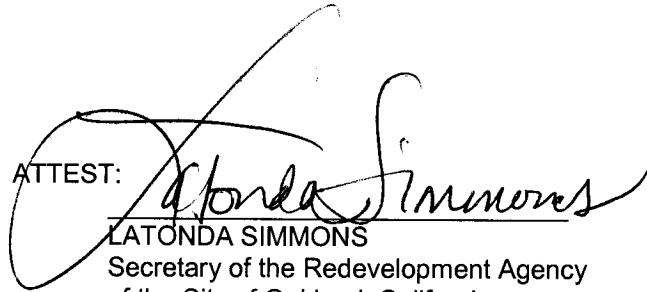
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
CHAIRPERSON DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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