

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION No. 78334 C.M.S. 2004 JAN 15 PM 6:37

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

**A RESOLUTION CONSENTING TO THE USE OF \$4 MILLION FROM REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND COLISEUM AREA REDEVELOPMENT PROJECT TAX ALLOCATION BOND FUNDS FOR STREET INFRASTRUCTURE IMPROVEMENTS AT THE COLISEUM GARDENS HOPE VI HOUSING PROJECT, TO BE CONSTRUCTED PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF OAKLAND**

**WHEREAS**, the Redevelopment Agency of the City of Oakland (the "Agency") has authorized the use of up to \$4 million from the Agency's Oakland Coliseum Area Redevelopment Project Tax Allocation Bond Fund to pay for the construction and administration of street infrastructure improvements in support of the Coliseum Gardens HOPE VI housing project, pursuant to an Owner Participation Agreement with the Housing Authority of the City of Oakland ("OHA"); and

**WHEREAS**, the OHA has entered agreements with the Oakland Coliseum Housing Partners, Limited Partnership, to redevelop and construct the Oakland Coliseum Gardens Housing Project (the "Project"), to include approximately 398 units of mixed-income, affordable housing, the development of 7,500 square feet of support office, retail and community meeting space along with the reconfiguration of the Coliseum Gardens Park into a more central recreation and open space along a restored and more natural creek bed for Lion Creek; and

**WHEREAS**, the proposed Project is located within the boundaries of the Coliseum Redevelopment Project Area, conforms to the Redevelopment Plan for the Coliseum Area Redevelopment Project adopted on July 25, 1995, and subsequently amended on July 29, 1997, as well as the Five Year Implementation Strategy adopted on July 11, 2000 (the "Coliseum Area Redevelopment Plan"); and its development will help meet the goals and objectives of the Coliseum Area Redevelopment Plan; and

**WHEREAS**, in 2000, the OHA received a \$34 million dollar grant commitment from the federal Department of Housing and Urban Development (HUD) Hope VI program to implement development under the master plan, but has identified a \$4 million dollar gap in financing for the Coliseum Gardens Hope VI Residential Subdivision Infrastructure project; and

**WHEREAS**, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay part or all of the cost of installation and construction of

improvements, inside or outside the project area, that will be publicly owned, if the City Council acting as the legislative body has consented to such funding and has made certain findings; and

**WHEREAS**, the Project street infrastructure improvements will benefit the project area and its immediate surrounding neighborhood, will assist in elimination of blighting conditions in the project area, and will require Agency funding assistance because no other reasonable means of financing the budget shortfall for necessary infrastructure improvements are available to OHA; and

**WHEREAS**, the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"), and the National Environmental Policy Act of 1969 ("NEPA"); and

**WHEREAS**, at the duly noticed June 4, 2003 Planning Commission meeting, the Commission independently reviewed and considered a Mitigated Negative Declaration/Finding of No Significant Impact (MND/FONSI) for the Coliseum Gardens project, together with comments received on the MND/FONSI and (1) determined that there was no substantial evidence that the project, as mitigated by adopted mitigation measures, would have a significant effect on the environment; (2) adopted the MND/FONSI; and (3) adopted a Mitigation and Monitoring Reporting Program in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; and

**WHEREAS**, the City has independently reviewed and considered the MND/FONSI, together with comments received on the MND/FONSI, and finds on the basis of substantial evidence in the record as a whole that (1) there is no substantial evidence that the project, together with adopted mitigation measures, will have a significant effect on the environment; and (2) the MND/FONSI reflects the City's independent judgment and analysis; and

**WHEREAS**, the City finds on the basis of substantial evidence in the record that the MND/FONSI fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present; now, therefore, be it

**RESOLVED:** That the City Council hereby consents to the use of Agency funds from the Agency's Oakland Coliseum Area Redevelopment Project Tax Allocation Bond Fund to pay for the construction and administration of street infrastructure improvements in support of the Coliseum Gardens HOPE VI housing project in an amount not to exceed \$4 million; and be it

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

1. That the funding of the street infrastructure improvements will benefit the Coliseum Project Area by generally improving the pedestrian environment for the Coliseum Gardens HOPE VI project and by creating a distinct pedestrian link between existing land uses and the growing transportation hub at the Coliseum BART station; and

2. That no other reasonable means for OHA or the City to finance the funding gap for the street infrastructure improvements are available at the same level of affordability; and
3. That the use of tax allocation bond funds will assist in the elimination of blight by funding the infrastructure improvements required for the replacement of an obsolete housing complex with a new, mixed-use, mixed-income transit village;

and be it

**FURTHER RESOLVED:** That the City Manager or her designee is hereby authorized to negotiate and enter into any agreement, and take actions necessary, appropriate and consistent with this Resolution and its basic purposes.

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In Council, Oakland, California, FEB 3 2004

**Passed By The Following Vote:**

AYES- ~~BRUNNER~~, CHANG, ~~MAXIE~~, NADEL, REID, WAN, ~~SPER~~ AND ~~BROOKS~~, ~~QUAN~~

AND PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



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