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Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 80276 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AMENDING RESOLUTION NO. 79323 C.M.S. TO CONSENT TO THE REALLOCATION OF A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$70,000 REMAINING FROM THE CONSTRUCTION OF THE RAILROAD AVENUE STREET IMPROVEMENTS PROJECT PHASE I FROM 85TH AVENUE TO LOUISIANA STREET TO THE DESIGN OF THE RAILROAD AVENUE STREET IMPROVEMENTS PROJECT PHASE II FROM LOUISIANA STREET TO 98TH AVENUE INCLUDING ADJACENT STREETS IN THE COLISEUM REDEVELOPMENT AREA

WHEREAS, the City intends to design work to alleviate substandard drainage, general blight and unsanitary conditions caused by the deterioration, obsolescence and blight on Railroad Avenue between Louisiana Street and 98th Avenue (the "Railroad Avenue Street Improvements Project Phase II") in the Coliseum Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the City of Oakland contributed funds for the construction of the Railroad Avenue Street Improvements Project Phase I and has about \$70,000 remaining to design the Railroad Avenue Street Improvements Project Phase II; 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, Resolution No. 79323 C.M.S. consented to a contribution by the Redevelopment Agency of \$950,000 from Coliseum redevelopment funds to construction of Phase I of the Railroad Avenue Street Improvements Project from 85th Avenue to Louisiana Street; and

WHEREAS, there are sufficient funds remaining in City of Oakland's Redevelopment Agency fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue - Coliseum Project (C230620) for the contract work; and

WHEREAS, there is \$50,000 in funds remaining in the City of Oakland Redevelopment Agency's Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Project (C230620) and there is \$20,000 in funds available from the Agency's Coliseum Tax Allocation Fund (9453), Capital Improvements Organization – Economic Development Organization (94800), Railroad Avenue Project (T248810) that staff proposes to transfer to the City's Oakland Redevelopment Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Project (C230620); and

WHEREAS, the City wishes to reallocate funds remaining from the administration and construction of Phase I of the Railroad Avenue Street Improvements Project in the amount of \$70,000 to the design of the Railroad Avenue Street Improvements Project Phase II; 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 reallocation of up to \$70,000 in Redevelopment Agency funds remaining from the administration and construction of Railroad Avenue Street Improvements Phase I from 85th Avenue to Louisiana Street for the design of Railroad Avenue Street Improvements Phase II from Louisiana Street to 98th Avenue including adjacent streets in the Coliseum Redevelopment Area; and be it further

RESOLVED: That a total of \$50,000 is available in City's Oakland Redevelopment Agency Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Improvements – Coliseum Project (C230620); and be it further

RESOLVED; That the City Council hereby accepts and appropriates the balance of \$20,000 from the Agency, under the Cooperation Agreement, in the City's Oakland Redevelopment Agency Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Improvements – Coliseum Project (C230620); and be it

RESOLVED: That Resolution No. 79323 C.M.S is hereby amended to consent to the use of up to \$70,000 in Redevelopment Agency funds previously allocated to construction of Phase I of the Railroad Avenue Street Improvements Project, for the Railroad Avenue Street Improvements Project Phase II design, including contingency, and appropriates such funds to the Railroad Avenue Street Improvements Project Phase II design; and be it further

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

1. That the funding of the Railroad Avenue Street Improvements Project Phase II design will benefit the Coliseum Redevelopment Project Area by installing street, sidewalk, curb and gutter 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 the City Capital Improvement Program ("CIP") funds have been unable to provide financing for the Railroad Avenue Street Improvements Project Phase II in the period 2005-2010, and that therefore no other reasonable means of financing the Railroad Avenue Street Improvements Project Phase II design 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 Street Improvements Project Phase II will assist in the elimination of blight in the Coliseum Project Area by installing new drainage systems and constructing 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 Street Improvements Project Phase II 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, DEC 5 2006, 2006

PASSED BY THE FOLLOWING VOTE:

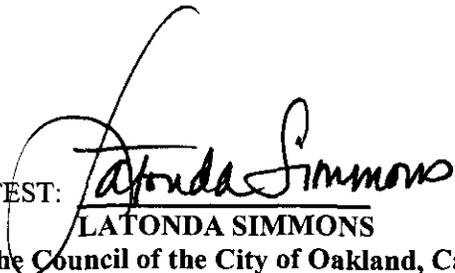
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:


LATONDA SIMMONS

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