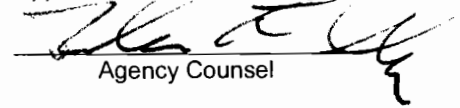


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 SEP -3 AM 9:12

Approved as to form and legality


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. 2009 - 0089 C.M.S.

AGENCY RESOLUTION AUTHORIZING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$908,000 FOR THE FOLLOWING PUBLIC FACILITY AND PARK PROJECTS IN THE CENTRAL DISTRICT REDEVELOPMENT PROJECT AREA: JEFFERSON SQUARE PARK, LINCOLN SQUARE PARK, AND MALONGA CASQUELOURD CENTER FOR THE ARTS

WHEREAS, the Agency wishes to fund costs to assist in the planning and construction of certain public facility and park projects in the Central District Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency is implementing the FY 2009-11 Agency Budget, including funding of the following improvement projects in the Central District Redevelopment Project Area:

- Jefferson Square Park
- Lincoln Square Park
- Malonga Casquelourd Center for the Arts; 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 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, improvements to public recreation areas, parks, and open space are redevelopment purposes under Section 33021 of the California Health and Safety Code; and

WHEREAS, a public hearing before the Agency was held on this funding on September 22, 2009; and

WHEREAS, notice of the public hearing was published pursuant to Health and Safety Code Section 33679, and the summary of the funding proposal required by Section 33679 was made available to the public prior to publication of the notice; and

WHEREAS, the Agency desires to contribute and utilize Agency funds to reimburse the City's Oakland Redevelopment Agency Projects Fund (7780), Engineer Design – Project Management Organization (92270), Jefferson Square Public Facility Project (T338410), Lincoln Recreation Center ORA Project (T314420), , and Malonga Public Facility Project (T338210); and

WHEREAS, the City Council has consented to the use of Agency funding for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects pursuant to Section 33445 of the California Health and Safety Code; now, therefore, be it

RESOLVED, That the Agency Administrator is authorized to contribute an amount not to exceed \$908,000, including contingencies, under the Cooperation Agreement to the City of Oakland for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts improvement projects; and be it

FURTHER RESOLVED: That \$908,000 in Agency funding will be allocated as follows:

Central District Tax Allocation Bond Series 2003 Fund (9532), Capital Improvement Project – Economic Development Organization (94800), Contract Contingencies (Budgetary Only) Account (54011), Central District Public Facilities Capital Project 9531 Project (T314520); and be it

FURTHER RESOLVED: That the Agency contribution is appropriated with contingency funding up to a total amount of \$908,000 as set forth in the Oakland Redevelopment Agency FY 2009-011 Adopted Budget; and be it

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

1. That the funding of the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects will benefit the Central District Redevelopment Project Area by improving the physical environment for the residents, business and property owners in this Project Area;
2. That due to fiscal constraints in the City's general fund and the high number of capital improvement projects competing for limited City funds, the City's Capital Improvement Program funds is unable to provide financing for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects in the period FY 2009- 11, and therefore no other reasonable means of financing the projects is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central District Project Area for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects will assist in the elimination of blight in the Project Area for the reasons set forth in the staff report accompanying this Resolution; and
4. That the renovation of Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts is consistent with the implementation plan adopted for the Central District Redevelopment Project Area; and be it

FURTHER RESOLVED: That the Agency Administrator or his designee is hereby authorized to take whatever action is necessary with respect to the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, OCT 6 2009, 2009

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BRUNNER~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND
CHAIRPERSON BRUNNER - 7


NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:



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