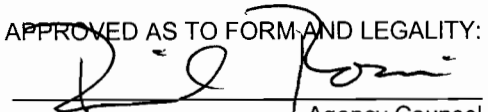


2009 OCT 29 PM 3:45

APPROVED AS TO FORM AND LEGALITY:


Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION NO. 2009-0094 C.M.S.

AN AGENCY RESOLUTION ALLOCATING UP TO AN ADDITIONAL \$350,000 FROM THE BROADWAY/MACARTHUR/SAN PABLO TAX ALLOCATION BOND SERIES 2006C-TE TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT FOR THE SAN PABLO GOLDEN GATE DISTRICT PEDESTRIAN STREETLIGHTS PROJECT, INCREASING THE TOTAL PROJECT BUDGET FROM \$1,500,000 TO \$1,850,000

WHEREAS, the Broadway/MacArthur/San Pablo Redevelopment Project Area Committee (PAC) has prioritized improving the lighting in the San Pablo Avenue Golden Gate District since the adoption of the Redevelopment Plan; and

WHEREAS, the Broadway/MacArthur/San Pablo Redevelopment Area was issued its first bond on October 12, 2006 and Broadway/MacArthur/San Pablo Tax Allocation Bonds Series 2006C-TE proceeds are available for capital improvement projects in the Project Area; and

WHEREAS, the San Pablo Golden Gate Pedestrian Streetlights Project is located on San Pablo Avenue between 53rd and 67th Streets within the boundaries of the Broadway/MacArthur/San Pablo Redevelopment Project Area and includes the installation of new ornamental pedestrian street lights along San Pablo Avenue between 53rd and 67th Streets; and

WHEREAS, the Five Year Implementation Plan for the Broadway/ MacArthur/ San Pablo Redevelopment Project, adopted on December 7, 2004 (Resolution No. 2004-66 C.M.S.), includes infrastructure upgrades including lighting and streetscape improvements within the Project Area; 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 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 cost of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, a total of \$1,500,000 of Redevelopment Agency funds for this project was included in the Fiscal Year 2007-08 Proposed Agency Budget from Broadway/MacArthur/San Pablo Tax Allocation Bonds, Series 2006C-TE Fund (9537), Redevelopment Projects Organization (88669), San Pablo Lights - ORA (T314910); and

WHEREAS, the budget for this project has increased by \$350,000 to a total project budget of \$1,850,000; and

WHEREAS, the City Council is consenting to the use of Agency funds for the implementation of the San Pablo Golden Gate Pedestrian Streetlights Project; now therefore be it

RESOLVED: That the Redevelopment Agency hereby authorizes the allocation of up to an additional \$350,000 of Redevelopment Agency Broadway/MacArthur/San Pablo Project Area funds from the Broadway/MacArthur/San Pablo Tax Allocation Bonds, Series 2006C-TE Fund (9537), Miscellaneous Infrastructure - ORA (T314810) to the San Pablo Lights - ORA (T314910) and the City of Oakland Repayment Fund (7780), San Pablo Lights Project - City (C315010) mirror project under the Cooperation Agreement between the City and the Redevelopment Agency to fund the San Pablo Golden Gate Pedestrian Streetlights Project; and be it further

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

1. That the funding of the San Pablo Golden Gate District Pedestrian Streetlights Project will benefit the Broadway/MacArthur/San Pablo Project Area by improving pedestrian safety along San Pablo Avenue between 53rd and 67th Streets;
2. That due to fiscal constraints on the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program is unable to provide financing for this work, and therefore no other reasonable means of financing the San Pablo Golden Gate District Pedestrian Streetlights Project are available to the City other than Redevelopment Agency funding; and
3. That the use of bond proceeds from the Broadway/MacArthur/San Pablo Project Area for the San Pablo Golden Gate District Pedestrian Streetlights Project will assist in the elimination of blight through streetscape improvements along San Pablo Avenue in the Broadway/MacArthur/San Pablo Project Area and is consistent with the

implementation plan adopted for the Broadway/MacArthur/San Pablo Project Area; and be it further

RESOLVED: That the Agency hereby authorizes the Agency Administrator, or his designee, to take all actions necessary with respect to the Agency funding in accordance with this resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, NOV 17 2009, 2009

PASSED BY THE FOLLOWING VOTE:

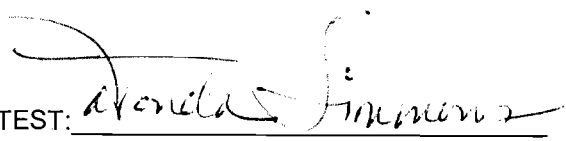
AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
~~CHAIRPERSON BRUNNER~~ - 7

NOES- 0

EXCUSED- Brunner - 1

ABSTENTION- 0

ABSENT- 0

ATTEST: 

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