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OAKLAND

2009 APR -8 PM 6:22

REVISED

Approved as to Form and Legality

D. Lewis

ORA Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. _____ C.M.S.

AN AGENCY RESOLUTION AUTHORIZING A CONTRIBUTION OF \$434,791 FROM COLISEUM REDEVELOPMENT PROJECT FUNDS, WEST OAKLAND REDEVELOPMENT PROJECT FUNDS, CENTRAL DISTRICT REDEVELOPMENT PROJECT FUNDS, OAKLAND ARMY BASE REDEVELOPMENT PROJECT FUNDS AND CENTRAL CITY EAST REDEVELOPMENT PROJECT FUNDS, TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT, FOR STAFFING, BUILD-OUT, OPERATIONS/LEASING, EQUIPMENT, MARKETING AND CONTINGENCIES FOR THE OAKLAND BUSINESS ASSISTANCE CENTER

WHEREAS, Redevelopment Plans for the Central District, Central City East and other redevelopment project areas include as objectives the attraction of new businesses and retention of existing businesses, and the revitalization of commercial areas; and

WHEREAS, approximately 90% of Oakland businesses are small businesses, employing fewer than 20 people, and the success of these businesses is crucial to the health of commercial areas in particular, and Oakland's economy in general; and

WHEREAS, members of the Oakland business community have expressed frustration in trying to navigate the City's permitting and licensing systems, and such frustration may impede Oakland's ability to successfully attract and retain businesses; and

WHEREAS, a number of jurisdictions throughout California have established programs to assist businesses in navigating city permitting processes, and in providing start-up, government compliance, and other information crucial to business operation and success; and

WHEREAS, the City of Oakland (the "City") desires to establish a Business Assistance Center ("BAC") to guide and assist businesses to efficiently secure necessary permits and licenses, and identify resources that may enhance business success, in order to expand job opportunities for Oakland residents, revitalize blighted commercial districts, and enhance the tax base; and

WHEREAS, many of Oakland's commercial districts are located in redevelopment project areas and therefore, the Redevelopment Agency of the City of Oakland (the "Agency") wishes to facilitate the creation of the BAC by funding costs for design, build-out, equipment, marketing, staffing and operation of the Center, which will address redevelopment project area goals of attracting and retaining businesses; and

WHEREAS, the City has requested a contribution from the Agency to fund a portion of the BAC related to assistance to businesses in redevelopment areas; and

WHEREAS, alteration of and improvements to public facilities are a redevelopment purpose under Section 33021 of the California Health and Safety Code, and section 33445 authorizes a redevelopment agency to pay for the construction of publicly-owned facilities and improvements; and

WHEREAS, the City and Agency entered into a Cooperation Agreement on July 1, 2004 which governs the provision of assistance and repayment of funds between the two agencies, including Agency financial contributions to the City to support City public improvements and activities related to the Agency's project areas; and

WHEREAS, the Agency will contribute Agency funds to reimburse the City's Oakland Redevelopment Agency from, Central District Operations Fund 9510, Org.88559 Business Development Central District Planning Project S00800;,Coliseum Operations Fund (9450), Org.88559 Business Development, Coliseum Project (S82600); and

WHEREAS, The West Oakland Project Area Committee ("PAC") has considered and recommended acceptance of the proposal to establish the BAC, but the proposal has not yet been presented to the Central City East PAC; and

WHEREAS, the City Council has consented to the use of Agency funding for the Business Assistance Center; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the Agency hereby authorizes a contribution of redevelopment project funds from the Central District, Central City East, West Oakland Base Reuse Project, and other redevelopment project areas with commercial enterprises, to the City of Oakland under the Cooperation Agreement in an amount not to exceed \$434,791 for the Build-out,

Staffing, Operations, Equipment, Marketing, Contracts, and Contingencies for one (1) year, for the City of Oakland Business Assistance Center; and be it

FURTHER RESOLVED: That \$434,791 in Agency funding shall be allocated from

- Central District Operations Fund 9510, Business Development Org.(88559) Central District Planning Project S00800; \$153,858
- Coliseum Operations Fund (9450), Coliseum Redevelopment Organization (88659), Coliseum Project (S82600) \$207,858,
- West Oakland Operations Fund (9590), West Oakland Base Reuse Organization (88679), Oakland Redevelopment Agency West Oakland Repayment Project (S233510) \$54,000,
- Central District Tax Allocation Bond Series 2003 Fund (9532), CIP Economic Development Organization (94800), Uptown Forest City DDA Project (T245610), for this purpose; \$54,000 and be it

FURTHER RESOLVED: That the plan for development of the BAC shall be presented to the Central City East PAC, and if they recommend against funding the BAC, this item, with the PAC recommendation, shall be presented to the Agency for reconsideration prior to expenditure of any funds authorized by this Resolution; and be it

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

1. That the funding of the Business Assistance Center will benefit the respective Redevelopment Areas through the creation of new businesses, and the growth and expansion of existing businesses, by provision of advocacy and assistance to businesses requiring inter-departmental solutions to difficulties they have encountered with City processes;
2. That by assisting in the creation of new business and retention of existing businesses, the BAC will help generate re-use of underutilized structures, thereby contributing to the reduction and elimination of blight in commercial portions of the redevelopment project areas;
3. That no other reasonable means of funding creation of the BAC are available; and
4. That creation of the BAC will assist in the development of new job opportunities for Redevelopment Area residents; and be it;

FURTHER RESOLVED: That the Agency Administrator or his designee is authorized to solicit bids and select construction contractors for the build out without returning to the Agency; negotiate and execute, amend, modify and extend all agreements, and take all other actions necessary to carry out the intent of this Resolution; and be it

FURTHER RESOLVED: That the Agency concurs with the finding and determination of the City Council, which has independently reviewed and considered this environmental determination based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this Resolution is exempt from

CEQA pursuant to CEQA Guidelines Section 15061 (b)(3) (general rule) and Section 15301(existing facilities); and, be it

FURTHER RESOLVED: That the Agency Administrator, or his designee, shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (California Fish and Game Code Section 711.4) for this action; and be it

FURTHER RESOLVED: That all agreements shall be approved as to form and legality by the Office of Agency Counsel, and a copy shall be kept on file in the Office of the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR -8 PM 6:22

REVISED

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

A CITY RESOLUTION APPROPRIATING AND ALLOCATING UP TO \$100,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO HIRE STAFF AND NEGOTIATE AND EXECUTE AGREEMENTS FOR BUILD-OUT, OPERATIONS/LEASING, EQUIPMENT, MARKETING AND CONTINGENCIES FOR THE OAKLAND BUSINESS ASSISTANCE CENTER, AND ACCEPTING A CONTRIBUTION OF \$434,791 FOR THIS PURPOSE FROM THE OAKLAND REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT

WHEREAS, approximately 90% of Oakland businesses are small businesses, employing fewer than 20 people, and the success of these businesses is crucial to the health of commercial areas in particular, and Oakland's economy in general; and

WHEREAS, members of the Oakland business community have expressed frustration in trying to navigate the City's permitting and licensing systems, and such frustration may impede Oakland's ability to successfully attract and retain businesses; and

WHEREAS, a number of jurisdictions throughout California have established programs to assist businesses in navigating city permitting processes, and in providing start-up, government compliance, and other information crucial to business operation and success; and

WHEREAS, the City of Oakland (the "City") desires to establish a Business Assistance Center ("BAC") to guide and assist businesses to efficiently secure necessary permits and licenses, and identify resources that may enhance business success, in order to expand job opportunities for Oakland residents, revitalize blighted commercial districts, and enhance the tax base; and

WHEREAS, the City finds and determines that improvements to the facility housing the BAC will allow the creation of a center to provide services that will foster greater business success, thereby retaining businesses and attracting new businesses to redevelopment project areas; and

WHEREAS, the City finds and determines that the BAC's assistance to businesses will enhance business development and growth, reducing blight through reuse of properties and strengthening of commercial corridors in the City's redevelopment project areas; and

WHEREAS, the City has requested a contribution from the Redevelopment Agency of the City of Oakland (the "Agency") to fund a portion of the BAC related to assistance to businesses in redevelopment areas; and

WHEREAS, many of Oakland's commercial districts are located in redevelopment project areas and therefore, the Agency wishes to facilitate the creation of the BAC and will fund a portion of the City's costs for design, build-out, equipment, marketing, staffing and operation of the Center, in order to attract and retain businesses; and

WHEREAS, the Redevelopment Agency is authorizing a contribution not to exceed \$434,791 to the City for the BAC; and

WHEREAS, the City and Agency entered into a Cooperation Agreement, on July 1, 2004, which generally governs the provision of assistance and repayment of funds between the two agencies, including Agency financial contributions to the City to support City public improvements and activities related to the Agency's project areas; and

WHEREAS, the City shall contribute \$100,000 in Community Development Block Grant ("CDBG") funds for the City's costs for design, build-out, equipment, marketing, staffing and operation of the BAC, in order to attract and retain businesses in CDBG-eligible areas; and

WHEREAS, the City Council consents to the use of Agency funds for the BAC; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, the provisions of the Environmental Review Regulations of the City of Oakland, and the National Environmental Protection Act ("NEPA") have been satisfied; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the creation of a Business Assistance Center to provide services to businesses in an effort to retain existing business and attract new businesses, and expenditure of up to \$434,791 of City and Redevelopment Agency funds to establish the Center and operate it for the first year; and, be it

FURTHER RESOLVED: That the City Council hereby appropriates and allocates \$100,000 of CDBG funds from Housing & Urban Development (HUD) Community Development Block Grant (CDBG) Fund (2108), Neighborhood Commercial Revitalization SDS Organization (88569), Neighborhood Commercial Revitalization Public Improvement Project (G04600) for build-out, staffing, operations, equipment, marketing, contracts, and contingencies for the City of Oakland Business Assistance Center; and, be it

FURTHER RESOLVED: That the City Council hereby accepts a contribution of funds from the Redevelopment Agency in the amount of \$434,791 under the Cooperation Agreement to help establish the BAC; and, be it

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

1. That the funding of the Business Assistance Center will benefit the respective Redevelopment Project Areas in particular, and the City of Oakland, in general, by provision of advocacy and assistance to businesses requiring inter-departmental solutions to difficulties they have encountered with City processes, yielding creation of new businesses, the growth and expansion of existing businesses.
2. That by assisting in the creation of new businesses and retention of existing businesses, the BAC will help generate re-use of underutilized structures, thereby contributing to the reduction and elimination of blight in redevelopment project areas.
3. That the BAC will assist in the development of new job opportunities for Redevelopment Area residents;
4. That the BAC will help in the generation of new tax revenue through increased business license fees, planning fees, fire inspection fees and permits fees.
5. That no other reasonable means of funding creation of the BAC are available; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to solicit bids and select construction contractors for the build out without returning to the Council; negotiate and execute, amend, modify and extend all agreements, and take all other actions necessary to carry out the intent of this Resolution; and, be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered this environmental determination based on the information in the staff report accompanying this Resolution, and finds and determines that this action complies with CEQA because this Resolution is exempt from CEQA pursuant to CEQA Guidelines Section 15061 (b) (3) (general rule) and Section 15301(existing facilities), and this action is exempt from NEPA pursuant to 24 CFR 58.35(b) (3); and, be it

FURTHER RESOLVED: That the City Administrator, or his designee, shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (California Fish and Game Code Section 711.4) for this action; and, be it

FURTHER RESOLVED: That all agreements shall be approved as to form and legality by the Office of City Attorney, and a copy shall be kept on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California