


Deputy City Attorney

OFFICE OF THE CITY CLERK

OAKLAND CITY COUNCIL

2007 NOV 15 PM 3:24

RESOLUTION NO. 80960 C.M.S.

RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS TO THE CITY UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$5,064,910 FOR CERTAIN PUBLIC FACILITY AND PARK PROJECTS IN THE CENTRAL DISTRICT, COLISEUM, CENTRAL CITY EAST, AND WEST OAKLAND REDEVELOPMENT PROJECT AREAS FOR FY 2007-09

WHEREAS, the Redevelopment Agency wishes to fund costs to assist in the planning and construction of certain public facility and park projects in the Central District, Coliseum, Central City East, and West Oakland Redevelopment Project Areas; and

WHEREAS, the Redevelopment Agency is implementing the FY 2007-09 Agency Budget for the Central District Redevelopment Project, including funding of the following projects in the Central District, Coliseum, Central City East, and West Oakland Redevelopment Project Areas:

Project Area	Projects
Central District	Malonga Casquelourd Center, Jefferson Square Park, Chinese Garden Park
Coliseum	Sobrante Park, Officer Willie Wilkins Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library
Central City East	Cesar Chavez Park, Josie De La Cruz Park, Eastmont Library, Elmhurst Library, Melrose Library
West Oakland	Raimondi Park

and

WHEREAS, the Redevelopment Agency has authorized a contribution of \$5,064,910, including contingencies, to the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects; 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, 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 City Council was held on this funding on December 4, 2007; 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; now, therefore be it

RESOLVED: That the City Council hereby consents to the use of up to \$5,064,910 in Agency funds as follows:

Projects by Project Area	FY 2007-08	FY 2008-09
Central District:		
Malonga Casquelourd Center	\$ 550,000	
Jefferson Square Park	\$ 557,000	
Chinese Garden Park	\$ 243,000	
Coliseum:		
Sobrante Park		\$ 288,630
Officer Willie Wilkins Park		\$ 211,370
Brookfield Library	\$ 150,000	
Martin Luther King Jr. Library	\$ 350,000	
81st Avenue Library		\$ 500,000
Central City East:		
Cesar Chavez Park	\$ 50,000	
Josie De La Cruz Park	\$ 50,000	
Eastmont Library	\$ 60,000	
Elmhurst Library	\$ 100,000	
Melrose Library	\$ 380,000	
West Oakland:		
Raimondi Park	\$ 1,574,910	
Totals:	\$ 4,064,910	\$ 1,000,000

and be it

FURTHER RESOLVED: That the City Council hereby accepts a total of \$5,064,910 from the Agency under the Cooperation Agreement and appropriates such funds to the City's Oakland Redevelopment Agency Projects Fund (7780), Engineer Design – Project Management Organization (92270), Chavez ORA Project (C324910), De La Cruz ORA Project (C329510), and City Projects to be established for the Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects; and be it

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

1. That the funding of the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects will benefit the Central District, Coliseum, Central City East, and West Oakland Redevelopment Project Areas by improving the physical environment for the residents, business and property owners in these Project Areas;
2. That the City's Capital Improvement Program funds have been unable to provide financing for the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects in the period FY 2007- 09, 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, Coliseum, Central City East, and West Oakland Project Areas for the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects will assist in the elimination of blight in their respective Project Areas for the reasons set forth in the staff report accompanying this Resolution; and
4. That the renovation of the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park is consistent with the implementation plans adopted for the Central District, Coliseum, Central City East, and West Oakland Redevelopment Project Areas; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to take whatever actions necessary with respect to the Cesar Chavez Park, Josie De La Cruz Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, Chinese Garden Park, Sobrante Park, Officer Willie Wilkins (Elmhurst) Park, Brookfield Library, Martin Luther King Jr. Library, 81st Avenue Library, Eastmont Library, Elmhurst Library, Melrose Library, and Raimondi Park projects consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 4 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

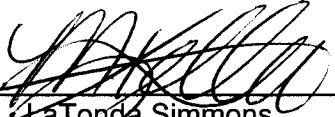
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brunner - 1

ATTEST:


LaTonda Simmons
City Clerk and Clerk of the
Council
of the City of Oakland,
California