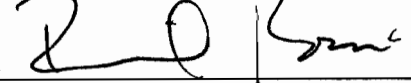


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OFFICE OF THE CITY CLERK  
OAKLAND  
2008 OCT -1 PM 5:16

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Agency Counsel

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

RESOLUTION No. 2008-0090 C.M.S.

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**AN AGENCY RESOLUTION CONTRIBUTING COLISEUM  
REDEVELOPMENT FUNDS IN THE AMOUNT OF  
\$2,000,000 TO THE CITY OF OAKLAND UNDER THE  
COOPERATION AGREEMENT FOR THE  
CONSTRUCTION AND DEVELOPMENT OF THE EAST  
OAKLAND SPORTS COMPLEX AT 9175 EDES AVENUE**

**WHEREAS**, the City of Oakland plans to construct the East Oakland Sports Complex Project (the "Project"), at 9175 Edes Avenue to improve the recreation amenity of the Coliseum Redevelopment area with swim, dance and fitness facilities; and

**WHEREAS**, the City of Oakland has requested that the Redevelopment Agency fund the Project in an amount not to exceed \$2,000,000 to support the construction of the Project; and

**WHEREAS**, the proposed East Oakland Sports Complex Project is within the boundaries of the Coliseum Redevelopment Project Area, and its development will contribute to the Agency's goals and objectives for the Project Area; and

**WHEREAS**, adequate funds are available from the proceeds of the Coliseum Area Redevelopment Project Tax Increment funds; and

**WHEREAS**, the City of Oakland certified an Environmental Impact Report for the Project in April 2008, and thus the requirements of the California Environmental Quality Act ("CEQA"), the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; 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; 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**, Section 33679 of the California Health and Safety Code provides that, prior to the use of tax increment funds for improvements to a public building, the legislative body must hold a noticed public hearing and make available to the public a summary of the proposed funding; and

**WHEREAS**, the City Council has held a public hearing and is consenting to the use of Agency funding for the East Oakland Sports Complex Project pursuant to Sections 33445 and 33679 of the California Health and Safety Code; now, therefore, be it

**RESOLVED:** That the Redevelopment Agency hereby authorizes a contribution of up to \$2,000,000 to the City to support construction and contingencies for the East Oakland Sports Complex Project; and be it further

**RESOLVED:** That the Agency hereby allocates \$2,000,000 from Coliseum Area Redevelopment Project for this purpose from the FY 2008-2010 budget allocation at the rate of \$1,000,000 per fiscal year from the Coliseum Area Redevelopment Tax Increment Operations (Fund 9450), the Coliseum Area Redevelopment Project (Organization 88659) and the Coliseum Area Redevelopment Project (S82600); and be it further

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

1. That the development of the East Oakland Sports Complex will benefit the Coliseum Redevelopment Project Area by increasing recreational opportunities for residents of the project area, and by alleviating blight conditions; and
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 budget is unable to provide adequate financing for the East Oakland Sports Complex and therefore no other reasonable means of financing are available to the City other than Redevelopment Agency funding; and
3. That the use of tax increment funds from the Coliseum Redevelopment Project Area for the East Oakland Sports Complex will assist in the elimination of physical and economic blight such as recurrent vandalism of public facilities, graffiti, and other criminal activity that arises from the current condition of the project site, and by developing an underutilized parcel; and
4. That the use of tax increment funds from the Coliseum Redevelopment Project Area for the East Oakland Sports Complex is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it further

**RESOLVED:** That the Agency Administrator or his or her designee is hereby authorized to take whatever other action is necessary with respect to the East Oakland Sports Center Project consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, OCT 21 2008, 2008

**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



LA TONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California