

APPROVED AS TO FORM AND LEGALITY:

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2007 AUG 30 PM 2:05

  
Deputy City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. 80845 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN THE AMOUNT OF ONE HUNDRED FIFTY THOUSAND (\$150,000.00) FOR THE MADISON SQUARE PARK INTERIM RENOVATION PROJECT**

**WHEREAS**, the Redevelopment Agency of the City of Oakland wishes to fund construction costs to assist in the renovation of Madison Square Park including the removal of contaminated soils; and

**WHEREAS**, the Redevelopment Agency has authorized a contribution of \$150,000.00, including contingency, to the Madison Square Park Interim Renovation Project; 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; now, therefore, be it

**RESOLVED:** That the City Council hereby consents to the use of up to \$150,000.00 in Redevelopment Agency funds, including contingency, for the Madison Square Park Interim Renovation Project, and appropriates such funds to the Madison Square Park Interim Renovation Project; and be it further

**RESOLVED:** That such funds shall be placed into a City Project to be established under Oakland Redevelopment Agency Projects Fund 7780 for the Madison Square Park Interim Renovation Project; and be it

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

1. That the funding of the Madison Square Park Interim Renovation Project will benefit the Central District Redevelopment Project Area by installing needed park improvements, including new recreational facilities and vegetation, removing contaminated soils, and otherwise alleviating substandard park conditions, which will benefit residents, business owners and property owners in the Central District who are the principal users of the park;
2. That the City's Capital Improvement Program ("CIP") funds have been unable to provide financing for the Madison Square Park Interim Renovation Project in the period 2007-2009, and therefore no other reasonable means of financing the Madison Square Park Interim Renovation Project 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 Madison Square Park Interim Renovation Project will assist in the elimination of blight in the Central District by remediating contaminated soils and improving a substandard park facility adjacent to the Central Redevelopment Project Area; and
4. That the use of tax increment funds from the Central District Redevelopment Project Area for the Madison Square Park Interim Renovation Project is consistent with the implementation plan adopted for the Central District Redevelopment Project Area; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to take whatever actions necessary with respect to this Project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 18 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**

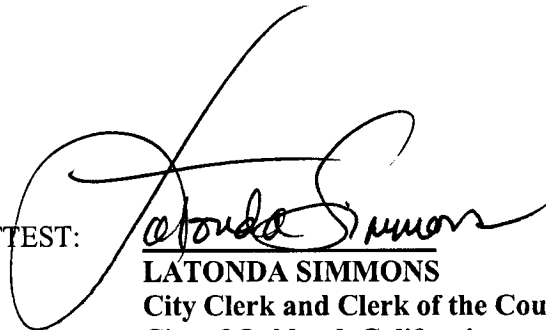
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, ~~REX~~ Kernighan  
AND PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Reid- 1

ABSTENTION- 0

ATTEST:

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