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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. 81480 C.M.S.

**A RESOLUTION ACCEPTING AND APPROPRIATING FUNDS FROM
THE REDEVELOPMENT AGENCY IN THE AMOUNT OF \$800,000
UNDER THE COOPERATION AGREEMENT FOR EXTERIOR
RENOVATION IMPROVEMENTS TO THE FREMONT POOL FACILITY
AT 4559 FOOTHILL BOULEVARD**

WHEREAS, the Fremont Pool Facility is a public facility owned and operated by the City of Oakland, and located within the Central City East Redevelopment Project Area at 4559 Foothill Boulevard; and

WHEREAS, the Fremont Pool is blighted and in need of various exterior and interior improvements; and

WHEREAS, the proposed improvements include exterior painting, landscaping, lighting, hardscape treatments, and other miscellaneous exterior improvements (the "Fremont Pool Improvements Project"); and

WHEREAS, the City and Agency agree that improving public facilities is one of the goals of the Central City East Redevelopment Project and that the proposed Fremont Pool Improvements Project will improve the quality of life for residents and businesses throughout the Project Area and will complement and enhance other economic development and redevelopment efforts along the Foothill corridor; and

WHEREAS, the City and 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, 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 Redevelopment Agency is contributing \$800,000 in Central City East funds to the Fremont Pool Improvements Project; and

WHEREAS, the City Council has held a public hearing on the proposed use of Agency funding for the Fremont Pool Improvements Project; now, therefore, be it

RESOLVED: That the City Council hereby accepts and appropriates up to \$800,000 in Redevelopment Agency funds for the Central City East Fremont Pool Improvements Project, and appropriates such funds to the Central City East Fremont Pool Improvements Project; and be it further

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

1. That the funding of the Fremont Pool Improvements Project will benefit the Central City East Redevelopment Project Area by improving a dilapidated public facility that is a blighting influence in the Central City East Project Area and enhancing recreational facilities for residents of the Project Area;
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 financing for the Fremont Pool Facility and therefore no other reasonable means of financing are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central City East Project Area for the Fremont Pool Improvements Project will assist in the elimination of blight in the Central City East Project Area by improving serious dilapidated and deteriorated physical conditions, improving conditions at the facility that prevent or substantially hinder the viable use of the facility, and complementing and enhancing other economic development and redevelopment efforts along the Foothill corridor within the Project Area; and
4. That the use of tax increment funds from the Central City East Project Area for the Fremont Pool Improvements Project is consistent with the implementation plan adopted for the Central City East 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, JUL 15 2008, 2008

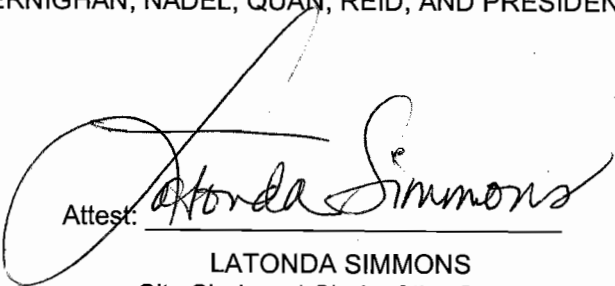
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

Attest: 

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