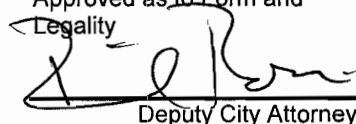


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 MAR 11 PM 1:54

Approved as to Form and
Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 81885 C.M.S.

**RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION
OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION
AGREEMENT IN AN AMOUNT NOT TO EXCEED \$85,000 FOR
REHABILITATION OF THE DEFREMERY HOUSE AND TENNIS
COURTS AT 1651 ADELINE STREET IN THE OAK CENTER
REDEVELOPMENT PROJECT AREA**

WHEREAS, the Redevelopment Agency wishes to fund costs for rehabilitation of the deFremery House and tennis courts at 1651 Adeline Street in the Oak Center Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency has authorized a contribution of \$85,000 to the deFremery House and tennis courts 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 of construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, improvements to public facilities such as recreation centers are redevelopment purposes under Section 233021 of the California Health and Safety Code; and

WHEREAS, a public hearing was held before the City Council on this funding on March 31, 2009; and

WHEREAS, notice of this 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 \$85,000 in Agency funds for rehabilitation of the deFremery House and tennis courts at 1651 Adeline Street; and be it

FURTHER RESOLVED: That the City Council hereby accepts a total of \$85,000 from the Agency under the Cooperation Agreement and appropriates such funds to the City's Oakland Redevelopment Agency Projects Fund (7780); Office of Parks and Recreation's deFremery Recreation Center (Org. 502232), City Project to be established; and be it

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

1. That the funding of the renovation activities for the deFremery House and tennis courts will benefit the Project Area by enhancing the use of these recreation facilities for residents of the Oak Center Redevelopment Project Area and other surrounding areas by increasing the their safety and comfort, and by eliminating blight conditions at the project site; 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 financing for the renovations to deFremery House and tennis courts, and therefore no other reasonable means of financing the project is available to the City other than Redevelopment Agency funding; and
3. That the use of tax increment funds from the Oak Center Project Area for the deFremery House and tennis courts will assist in the elimination of blight in the Oak Center Redevelopment Project Area for the reasons set forth in the staff report accompanying this Resolution; and
4. These renovations to deFremery House and tennis courts are consistent with the Five Year Implementation Plan adopted for the Oak Center Redevelopment Project Area; and be it

FURTHER RESOLVED: That the City Administrator or his or her designee is hereby authorized to take whatever action is necessary with respect to the deFremery House and tennis courts project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 31 2009, 2009

PASSED BY THE FOLLOWING VOTE:

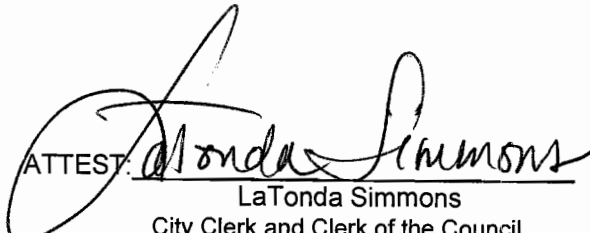
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST


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