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APPROVED AS TO FORM AND LEGALITY:

[Signature]
2005 JUN - 2 PM 3:04
Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

2005 - 0036
RESOLUTION NO. _____ C.M.S.

**RESOLUTION AUTHORIZING A CONTRIBUTION OF AN AMOUNT
NOT TO EXCEED \$950,000 IN AGENCY FUNDS TO THE CITY OF
OAKLAND UNDER THE COOPERATION AGREEMENT FOR
CONSTRUCTION OF RAILROAD AVENUE IMPROVEMENTS PHASE
I -- 85TH AVENUE TO LOUISIANA STREET (PROJECT NO. C230610)**

WHEREAS, the Redevelopment Agency wishes to fund construction costs to assist in the alleviation of substandard drainage, general blight and unsanitary conditions caused by the deterioration, obsolescence and blight on Railroad Avenue between 85th Avenue and Louisiana Street (the "Railroad Avenue Improvement Project") in the Coliseum Redevelopment Project Area; and

WHEREAS, the City of Oakland and Redevelopment Agency are implementing the 2003-2005 Agency Budget for the Coliseum Redevelopment Project, including the Railroad Avenue Improvement Project, to retain businesses and improve the industrial edge of the Coliseum Project Area; and

WHEREAS, the City and Redevelopment Agency are jointly implementing projects such as the Railroad Avenue Improvement Project as part of the Coliseum Capital Improvement program which was approved in 2003 to complement other projects such as the Airport Gateway - Doolittle Drive Streetscape Improvement Project; and

WHEREAS, the City and the Agency agree that economic development and redevelopment are goals of the Coliseum Redevelopment Project and that the Railroad Avenue Improvement Project will improve a substandard street with better drainage, sidewalks and paving to alleviate blight and support the retention of businesses along the corridor and will complement and enhance economic development efforts; and

WHEREAS, the Agency has supported a business retention program as part of its overall economic development and redevelopment program for the Coliseum Redevelopment Project Area, and the Railroad Avenue Improvement Project supports that business retention program; 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, the Agency authorized an allocation of Agency funding in an amount not to exceed \$950,000, including contingency, to the Railroad Avenue Improvement Project from the Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Structures and Improvements Account (57311), and Railroad Avenue Street Improvements Project (T248810) in the approval of its Fiscal Year 2003-2005 Budget in 2003; and

WHEREAS, there are sufficient funds in the Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Structures and Improvements Account (57311), and Railroad Avenue Street Improvements Project (T248810) for the contract work; and

WHEREAS, these funds will be transferred on the City side to the Oakland Redevelopment Agency City Fund (7780), Capital Improvement Projects – Street Design Organization (92242), Structures and Improvements Account (57311), and Railroad Avenue Improvements Phase I – 85th Avenue to Louisiana Street Project (C230620) for the contract work; and

WHEREAS, the City Council is consenting to the use of Agency funding for the Railroad Avenue Improvement Project pursuant to Section 33445 of the California Health and Safety Code; now, therefore, be it

RESOLVED: That the Agency Administrator is authorized to contribute an amount not to exceed \$950,000, including contingency, under the Cooperation Agreement to the City of Oakland for the construction of Railroad Avenue Improvements Phase I –85th Avenue to Louisiana Street (Project No. C230610); and be it

FURTHER RESOLVED: That the Agency contribution is appropriated with contingency funding up to a total amount of \$950,000 as set forth in the 2003-05 Redevelopment Budget; and be it

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

1. That the funding of the Railroad Avenue Improvement Project will benefit the Coliseum Project Area by installing drainage improvements to alleviate the substandard drainage, and unsanitary and obsolete street conditions which are a blighting influence in the Coliseum Project Area;

2. That the City Capital Improvement Program ("CIP") funds have been unable to provide financing for the Railroad Avenue Project in the period 2003-2005 and that no other reasonable means of financing the Railroad Avenue Improvement Project are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the Railroad Avenue Improvement Project will assist in the elimination of blight in the Coliseum Project Area by installing new drainage systems and elevating the roadway to alleviate the substandard drainage and flooding problems that created an unsafe and unsanitary road; and
4. That the use of tax increment funds from the Coliseum Project Area for the Railroad Avenue Improvement Project is consistent with the implementation plan adopted for the Coliseum Project Area.

FURTHER RESOLVED: That the Agency Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the Railroad Avenue Improvement Project consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 21 2005, 2005


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NADEL~~, QUAN, ~~REID~~, AND
CHAIRPERSON DE LA FUENTE - 6

NOES- 0

ABSENT- REID & NADEL - 2

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland, California