


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 MAR 11 PM 1:56

Approved as to Form and Legality

Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. 2009 - 0040 C.M.S.

AN AGENCY RESOLUTION ALLOCATING REDEVELOPMENT FUNDS IN AN AMOUNT NOT TO EXCEED \$100,000 FOR IMPROVEMENTS TO FITZGERALD AND UNION PLAZA PARKS IN WEST OAKLAND, AND AUTHORIZING A CONTRIBUTION OF AGENCY FUNDS TO THE CITY UNDER THE COOPERATION AGREEMENT FOR THIS PURPOSE

WHEREAS, the Agency wishes to fund costs for improvements to Fitzgerald and Union Plaza Parks, now owned by the City, for use as the Fitzgerald Community Market Farm; and

WHEREAS, the City and 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 construction of publicly-owned facilities if the legislative body has consented to such findings and has made certain findings; and

WHEREAS, improvements to public facilities such as parks, open space, and recreational areas are redevelopment purposes under Section 33021 of the California Health and Safety Code; and

WHEREAS, the Agency will contribute and utilize Agency funds to reimburse the City's Oakland Redevelopment Agency Projects Fund (7780), Office of Parks and Recreation's Capital Improvement Projects (Org. 94500), City Project to be established for the Fitzgerald Community Market Farm; and

WHEREAS, the City Council is consenting to the use of Agency funding for the Fitzgerald Community Market Farm 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 \$100,000 under the Cooperation Agreement to the City of Oakland for the construction of the Fitzgerald Community Market Farm at Fitzgerald and Union Plaza Parks; and be it

FURTHER RESOLVED: That \$100,000 in Agency funding will be allocated from the West Oakland Operations Fund (Fund 9590, Organization 88679, Project S233510) for this purpose; and be it

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

1. That the funding of the Fitzgerald Community Market Farm will benefit the West Oakland Redevelopment Project Area by eliminating two blighted and underutilized parks and developing a community farm that will contribute by providing organic food for low income residents, serve as an attractive open space gathering place for community events, provide a place for Project Area residents to learn about gardening, provide open green space in an area that presently lacks this amenity, and improve the physical environment for residents, business and property owners in this 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 Fitzgerald Community Market Farm, and therefore no other reasonable means of financing the project is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the West Oakland Project Area for the Fitzgerald Community Market Farm will assist in the elimination of blight in the West Oakland Project Area for the reasons set forth in the staff report accompanying this Resolution; and
4. That the renovation of Fitzgerald and Union Plaza Parks for use as the Fitzgerald Community Market Farm is consistent with the Implementation Plan adopted for the West Oakland Redevelopment Project Area; and be it

FURTHER RESOLVED: That the Agency Administrator or his or her designee is hereby authorized to take whatever action is necessary with respect to Agency funding of the improvements to Fitzgerald and Union Plaza Parks for use as the Fitzgerald Community Market Farm project consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, MAR 31 2009, 2009

PASSED BY THE FOLLOWING VOTE:


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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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