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APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81003 C. M. S.

Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Additional Amount Of \$1,828,650 For A Total Amount of \$3,498,650 for the Under grounding Of Utilities Along San Leandro Street And 73RD Avenue As Part Of The Coliseum BART Station Area Underground Utility Project

WHEREAS, the City will be performing infrastructure improvements by removing overhead wires and poles and under grounding utilities along San Leandro Street between 66th Avenue and 73rd Avenues, and 73rd Avenue, between San Leandro Street and the Intercity Rail Amtrak Platform Project (the “Coliseum BART Station Area Underground Utility Project”); and

WHEREAS, the City and the Redevelopment Agency of the City of Oakland are interested in implementing these infrastructure improvements in the Coliseum Redevelopment Project Area to attract and retain businesses, improve the community, and work towards completing the overall Concept Plan for the Coliseum BART station area; and

WHEREAS, the Redevelopment Agency has authorized an additional contribution of \$1,828,650 for a total contribution of \$3,498,650 to the Coliseum BART Station Area Underground Utility Project; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which 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, there are sufficient funds in the Oakland Redevelopment Agency’s Coliseum Project Area’s various underused and completed projects for the construction and implementation of the 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 accepts and consents to the use of an additional \$1,828,650 in funding from the Redevelopment Agency for a total contribution of \$3,498,650 in Redevelopment Agency funds for the Coliseum BART Station Area Underground Utility Project, and appropriates such funds to the Coliseum BART Station Area Underground Utility Project; and be it

FURTHER RESOLVED: That such funds shall be appropriated to the City's Oakland Redevelopment Agency Projects Fund (7780), PWA Electrical Services Organization (92228), San Leandro Street Underground Utility Project (C332110); and be it

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

1. That the funding of the Coliseum BART Station Area Underground Utility Project will benefit the Coliseum Redevelopment Project Area by removing utility poles, overhead wires and alleviating the overall appearance of blight in the area;
2. That the City's Capital Improvement Program budget is unable to provide financing for the Coliseum BART Station Area Underground Utility Project and therefore no other reasonable means of financing the Coliseum BART Station Area Underground Utility 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 Coliseum BART Station Area Underground Utility Project will assist in the elimination of blight in the Coliseum Project Area by removing utility poles and overhead wires, upgrading inadequate utilities, and alleviating the overall appearance of blight in the area; and
4. That the use of tax increment funds from the Coliseum Project Area for the Coliseum BART Station Area Underground Utility Project is consistent with the implementation plan adopted for the Coliseum Project Area; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to take whatever action is necessary with respect to this Coliseum BART Station Area Underground Utility Project consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That a copy of this legislation and agenda report be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 18 2007, 2007

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