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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:

  
DEPUTY CITY ATTORNEY

## OAKLAND CITY COUNCIL

RESOLUTION No. 82011 C.M.S.

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A RESOLUTION ACCEPTING AND APPROPRIATING REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$90,000 FOR CITY PUBLIC IMPROVEMENTS WITHIN THE WEST OAKLAND REDEVELOPMENT PROJECT AREA UNDER THE NEIGHBORHOOD PROJECT INITIATIVE PROGRAM, AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS AND MAKE NECESSARY EXPENDITURES TO IMPLEMENT PROJECTS FUNDED UNDER THE PROGRAM WITHOUT RETURNING TO THE CITY COUNCIL

**WHEREAS**, the Redevelopment Agency of the City of Oakland adopted the West Oakland Neighborhood Project Initiative ("NPI") program on March 4, 2008 (Resolution No. 2008-0011 C.M.S.) to assist in addressing general blight conditions within the West Oakland Project Area, and allocated \$200,000 for a one-year grant cycle of the program as part of the Fiscal Year 2007-2009 Agency budget; and

**WHEREAS**, City staff on behalf of the Agency issued a Call for Projects to the community for the first round of the NPI program in July 2008, and several proposals were submitted for improvements to City-owned property including public parks and streets; and

**WHEREAS**, several projects on City-owned property have been recommended for funding under the NPI program by the West Oakland Project Area Committee ("WOPAC") and the WOPAC's NPI Subcommittee; and

**WHEREAS**, under the NPI program guidelines improvements to City-owned property must be implemented by the City of Oakland; 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 cost of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

**WHEREAS**, the Redevelopment Agency has authorized \$90,000 of NPI program funds for improvements to City-owned property, which will be transferred from the West Oakland Operations Fund (9590), Redevelopment Projects Organization (88679), West Oakland Neighborhood Projects Initiative Project (T342610) to the Oakland Redevelopment Agency Projects Fund (7780), Neighborhood Projects Initiative program under project numbers to be established; now therefore be it

**RESOLVED:** That the City Council hereby consents to the use of \$90,000 in Redevelopment Agency funding under the West Oakland NPI program for the following City public projects:

- \$40,000 for construction for a dog park in Grove Shafter Park;
- \$50,000 to design and install median landscaping on West MacArthur Blvd. between Martin Luther King Jr. Way and Market Street

and be it further

**RESOLVED:** That the City Council accepts the \$90,000 in Redevelopment Agency funds under the Cooperation Agreement for the above projects and appropriates such funds to the City repayment account in Oakland Redevelopment Agency Projects Fund (7780), West Oakland Projects Organization (88679), Project to be determined; and be it further

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

1. That the funding of the above projects will benefit the West Oakland Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to those public facilities and by developing new facilities on underutilized public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for these projects, and therefore no other reasonable means of financing the above projects is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the West Oakland Redevelopment Project Area for the above projects is consistent with the implementation plan adopted for the West Oakland Redevelopment Project Area;

and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to enter into agreements and make necessary expenditures to implement projects funded under the program without returning to the City Council; and be it further

**RESOLVED:** That the City Administrator or his designee is authorized to take any other actions with respect to the above projects consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 19 2009, 2009

**PASSED BY THE FOLLOWING VOTE:**


AYES - ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, ~~QUAN~~, ~~REID~~, AND PRESIDENT BRUNNER - 5

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Quan, Reid, Brooks - 3

Attest:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the City of  
Oakland, California