

2007 APR 12 PM 7:26

Approved as to Form and Legality



Deputy City Attorney

## OAKLAND CITY COUNCIL

Resolution No. 80538 C.M.S.

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**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$300,000 FOR THE MACARTHUR BOULEVARD UNDERGROUNDING PROJECT ON MACARTHUR BOULEVARD FROM 73<sup>RD</sup> AVENUE TO THE SAN LEANDRO BORDER IN THE CENTRAL CITY EAST PROJECT AREA**

**WHEREAS**, the City plans to complete the MacArthur Boulevard Undergrounding Project by December 2008 to alleviate substandard neighborhood street lighting, general blight and unsafe conditions caused by the deterioration, obsolescence and blight along MacArthur Boulevard from 73<sup>rd</sup> Avenue to MacArthur Boulevard; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland has authorized a contribution of \$300,000 to the MacArthur Boulevard Undergrounding Project from Central City East redevelopment funds; and

**WHEREAS**, the City and 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 installing and constructing public improvements, 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 a contribution of Redevelopment Agency funds in an amount up to \$300,000 under the cooperation agreement for the MacArthur Boulevard Undergrounding Project; and be it further

**RESOLVED**: A total of \$300,000 will be transferred from the Agency's Central City East Tax Allocation Bonds Series 2006A-TE Fund (9542), Capital Improvement Program - Economic Development organization (94800) to the City's Redevelopment Agency Projects Fund (7780), Capital Projects - Electrical Projects organization (92228), MacArthur

Underground Project (C211750) for the MacArthur Boulevard undergrounding work; and be it further

**RESOLVED:** That such Agency funds be placed into the City Project established for the MacArthur Boulevard Undergrounding Project; and be it further

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

1. That Redevelopment Agency funding of the MacArthur Boulevard Undergrounding Project will benefit the Central City East Redevelopment Project Area by completing the undergrounding project to alleviate the substandard, unsafe, obsolete lighting conditions which are blighting influence in the Central City East Redevelopment Project Area;
2. That the City's Capital Improvement Project ("CIP") and the Landscape and Lighting Assessment District have been unable to provide financing for this portion of the undergrounding work for the MacArthur Boulevard Undergrounding Project in the period 2005-07, and therefore no other reasonable means of financing this portion of the MacArthur Boulevard Undergrounding Project are available to the City other than Redevelopment Agency funding;
3. That the use of Central City East Redevelopment Agency funds for the undergrounding project will assist in the elimination of crime and blight in the Central City East Project Area by upgrading the infrastructure for undergrounding the utilities and improving the lighting and safety of the street by improving the illumination along MacArthur Boulevard which may alleviate the crime and blight problems along the street, and will benefit the residents, property owners, merchants, and community in general in the Project Area by improving the utility wires and upgrading the physical environment of the street;
4. That the use of Central City East Redevelopment funds for the MacArthur Boulevard Undergrounding Project is consistent with the implementation plan adopted for the Central City East Project Area; and be it further

**RESOLVED:** That the City Administrator or her designee is hereby authorized to take whatever actions necessary with respect to this project consistent with this Resolution and its basic purpose.

**IN COUNCIL, OAKLAND, CALIFORNIA, MAY 1 2007, 2007**

**PASSED BY THE FOLLOWING VOTE:**

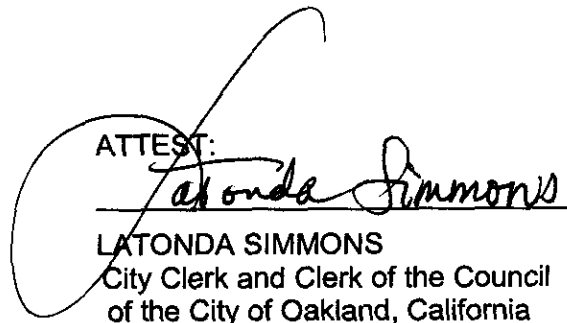
**AYES-** BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE **-8**

**NOES-** 0

**ABSENT-** 0

**ABSTENTION-** 0

ATTEST:

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