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APPROVED AS TO FORM AND LEGALITY:  
  
AGENCY COUNSEL

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**  
**2008 - 0089**  
RESOLUTION No. \_\_\_\_\_ C.M.S.

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A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$200,000 UNDER THE BROADWAY/MACARTHUR/SAN PABLO NEIGHBORHOOD PROJECT INITIATIVE PROGRAM FOR 1) A TOT LOT IN MOSSWOOD PARK, 2) A WATER FOUNTAIN AT THE MOSSWOOD DOG RUN, 3) A TRAFFIC CIRCLE AT 38TH STREET AND WEBSTER OR RUBY STREETS, 4) SECURITY CAMERAS AT 60TH STREET AND SAN PABLO AVENUE, 5) KOREATOWN IDENTIFICATION BANNERS, AND 6) PEDESTRIAN LEVEL AND STREET LIGHTING ON TELEGRAPH AVENUE BETWEEN 40TH AND 42ND STREETS, AUTHORIZING A CONTRIBUTION OF AGENCY FUNDS TO THE CITY UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$97,500 FOR CITY PUBLIC IMPROVEMENTS UNDER THE PROGRAM, AND AUTHORIZING THE AGENCY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH PROJECT SPONSORS AND MAKE NECESSARY EXPENDITURES TO IMPLEMENT PROJECTS UNDER THE PROGRAM WITHOUT RETURNING TO THE AGENCY

**WHEREAS**, the Redevelopment Agency adopted the Broadway/ MacArthur/San Pablo Neighborhood Project Initiative ("NPI") program on February 7, 2006 (Resolution No. 2006-0005 C.M.S.) to assist in addressing general blight conditions within the Broadway/MacArthur/San Pablo Project Area, and allocated \$200,000 for each 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 second round of the NPI program in May 2008, and received a number of applications for NPI funding in response; and

**WHEREAS**, the Broadway/MacArthur/San Pablo Redevelopment Project Area Committee ("PAC") and the PAC's NPI Subcommittee reviewed all applications to the NPI program and made recommendations for funding under the program; and

**WHEREAS**, under the NPI program guidelines, all improvements proposed to be funded by the program must be submitted to the Agency for review and approval; and

**WHEREAS**, several of the projects recommended for funding under the NPI program by the PAC include improvements to City-owned property including public parks and streets; and

**WHEREAS**, under the NPI program guidelines improvements to City-owned property must be implemented by the City of Oakland; and

**WHEREAS**, the City of Oakland 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 City Council is consenting to the use of Agency funding for the improvements to City-owned property under the NPI program pursuant to Section 33445 of the California Health and Safety Code; and

**WHEREAS**, the PAC has recommended that \$97,500 of NPI program funds be allocated for the following improvements to City-owned property:

- \$50,000 for a tot lot in Mosswood Park;
- \$15,000 to add water fountains to the Mosswood Park Dog Run;
- \$32,500 for a feasibility analysis and design of a traffic circle at the intersection of 38<sup>th</sup> Street and Webster or Ruby Streets; and

**WHEREAS**, the funding for the improvements to City property will be transferred from the Broadway/MacArthur/ San Pablo Tax Allocation Bond Series 2006-TE Fund (9537), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Neighborhood Projects Initiative Project (T314710) to the Oakland Redevelopment Agency Projects Fund (7780) to the Neighborhood Projects Initiative program under project numbers to be established for each project; and

**WHEREAS**, the PAC has recommended that the remaining \$102,500 of NPI program funds be allocated for the following improvements within the Project Area to be implemented directly by the Redevelopment Agency and/or the project sponsors:

- \$11,500 for the installation of surveillance safety cameras on private properties along the San Pablo Golden Gate corridor;
- \$18,000 for KoreaTown identification banners along Telegraph Avenue from 27<sup>th</sup> to 34<sup>th</sup> Streets;

- \$73,000 for the installation of pedestrian scale street lights on private properties along Telegraph Avenue between 40<sup>th</sup> and 42<sup>nd</sup> Streets, as well as a design for pedestrian street lights along the public right-of-way; and

**WHEREAS**, the funding for the improvements to be implemented by the Agency will be transferred from the Broadway/MacArthur/ San Pablo Tax Allocation Bond Series 2006-TE Fund (9537), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Neighborhood Projects Initiative Project (T314710) to new project numbers to be established for each project within the same Fund and Organization; and

**WHEREAS**, the projects proposed to be funded under the 2008 cycle of the NPI program are consistent with and will further the purposes of the Broadway/MacArthur/San Pablo Redevelopment Plan and its Five-Year Implementation Plan adopted on December 7, 2004 (Resolution No. 2004-66 C.M.S.); and

**WHEREAS**, the Agency Administrator requests authorization to make all required expenditures and to enter into grant agreements with the project sponsors to implement all the improvements funded by the NPI Program within the project budgets without returning to the Agency for further approval; now therefore be it

**RESOLVED:** That the Redevelopment Agency hereby adopts the PAC's recommendations for funding allocations under the NPI program and authorizes funding for those improvements identified above; and be it further

**RESOLVED:** That the Agency hereby allocates \$97,500 in Redevelopment Agency funding from the Broadway/MacArthur/ San Pablo Tax Allocation Bond Series 2006-TE Fund (9537), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Neighborhood Projects Initiative Project (T314710) under the Cooperation Agreement for improvements to City owned property; and be it further

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

1. That the funding of the improvements to City-owned property under the NPI program will benefit the Broadway/MacArthur/San Pablo 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 Broadway/MacArthur/San Pablo for the above projects is consistent with the implementation plan adopted for the Broadway/MacArthur/San Pablo;

and be it further

**RESOLVED:** That for the remaining program funding in the amount of \$102,500 that is not being transferred to the City under the Cooperation Agreement, the Agency hereby authorizes the Agency Administrator to make all required expenditures and to negotiate and enter into grant agreements and other agreements with the project sponsors to implement all of the improvements funded by the NPI program within the project budgets without returning to the Agency for further approval; and be it further

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

IN AGENCY, OAKLAND, CALIFORNIA, OCT 21 2008, 2008

**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~BROOKS~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
CHAIRPERSON DE LA FUENTE - 7

NOES- 0

ABSENT- Brooks - 1

ABSTENTION- 0

Attest



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