  
OFFICE OF THE CITY CLERK  
Deputy City Attorney

2009 NOV 18 PM 5:56

# OAKLAND CITY COUNCIL

RESOLUTION No. 82427 C.M.S.

**RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) FOR THE CONSTRUCTION OF THE, WEST OAKLAND TRANSIT VILLAGE 7TH STREET STREETScape IMPROVEMENT PROJECT**

**WHEREAS**, the Redevelopment Agency wishes to fund costs to assist with the construction of capital improvements associated with the West Oakland Transit Village 7<sup>th</sup> Street Streetscape Improvement Project in the West Oakland Redevelopment Project Area; and

**WHEREAS**, the Redevelopment Agency has authorized a contribution of \$650,000 to the City for the construction of capital improvements associated with the West Oakland Transit Village 7<sup>th</sup> Street Streetscape Improvement Project; and

**WHEREAS**, the City and the 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 Agency financial contributions to City public improvements; and

**WHEREAS**, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the costs of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings with respect to such improvements; and

**WHEREAS**, the West Oakland Transit Village 7<sup>th</sup> Street Streetscape Improvement Project will include lane reconfiguration, traffic signal modifications, paving, sidewalk and curb and gutter work, street furniture and street lighting, construction of a gateway structure and pedestrian mall canopy, landscaping, public art, construction of new ADA ramps and pedestrian crossings: now, therefore be it

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

- 1) That the funding of the Project will benefit the West Oakland Redevelopment Project Area by improving the appearance of and pedestrian safety and access on 7<sup>th</sup> Street; and
- 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 Project, and therefore no other reasonable

means of financing the Project are available to the City other than Redevelopment Agency funding; and

- 3) That the use of tax increment funds from the West Oakland Project Area for the Project will assist in the elimination of blight by improving the functionality and the aesthetic appeal of the streetscape along 7<sup>th</sup> Street in the West Oakland Project Area and by replacing deteriorated and obsolete City facilities along the street, and is consistent with the implementation plan adopted for the West Oakland Project Area; and be it

**FURTHER RESOLVED:** That the City Council hereby accepts and appropriates up to \$650,000 in Redevelopment Agency funds for the West Oakland Transit Village 7<sup>th</sup> Street Streetscape Improvement Project under the Cooperation Agreement, and allocates these monies to the Oakland Redevelopment Agency Projects Fund (7780), Engineering Design: Streets and Structures Organization (92242), 7<sup>th</sup> Street /West Oakland Transit Village ORA Project (G313130).

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 8 2009, 20      

**PASSED BY THE FOLLOWING VOTE:**

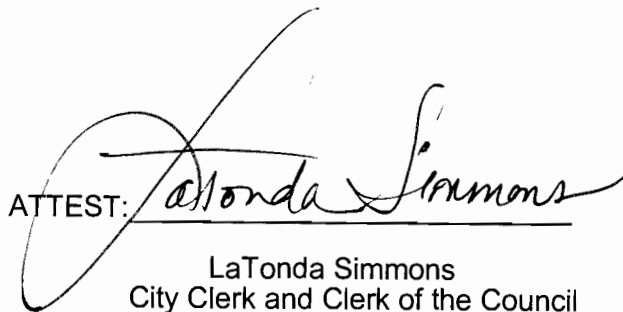
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California