


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 78891 C.M.S.

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE UP TO \$200,000 IN REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT FOR THE ENVIRONMENTAL CLEAN UP OF WILLOW PARK

WHEREAS, Willow Park in West Oakland has received approximately \$1,000,000 in grant funding for park improvements; and

WHEREAS, it has been determined that there are high levels of lead in the soil on the east side of the park and the environmental clean up will cost approximately \$200,000; and

WHEREAS: the Redevelopment Agency is eligible to borrow an amount up to \$200,000 from the Environmental Protection Agency (EPA) revolving loan program with repayment from West Oakland tax increment funds for the environmental clean up of Willow Park; 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 Agency is applying for said loans funds from the EPA, and, if approved, has authorized the contribution of such funds to the City for Willow Park environmental cleanup costs; now therefore be it

RESOLVED: That the City Council hereby consents to the use of \$200,000 in Redevelopment Agency funds for Willow Park environmental cleanup, accepts such funds under the Cooperation Agreement, and appropriates such funds to the environmental clean up of Willow Park; and be it further

RESOLVED: That such funds shall be placed into a new West Oakland Grants/Loans Fund (to be set up) in the Redevelopment Agency and appropriated to the City's ORA Projects Fund (#7780) in a project to be set up ; and be it further

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

1. That the funding of the Willow Park environmental cleanup costs will benefit the West Oakland Project Area by helping to protect the public health and provide the community full use of a rehabilitated neighborhood park
2. That no other reasonable means of financing the Willow Park environmental cleanup costs 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 Willow Park environmental cleanup costs will assist in the elimination of blight and is consistent with the implementation plan adopted for the West Oakland 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, NOV 16 2004, 2004

PASSES BY THE FOLLOWING VOTE:


AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION_ 0

Excused - Brooks - 1

ATTEST 
CEDA FLOYD
City Clerk and Clerk of the Council