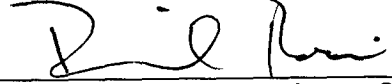


OFFICE OF THE CITY CLERK

2007 MAY 29 PM 4:05

APPROVED AS TO FORM AND LEGALITY:


Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

2007-0085

RESOLUTION NO. _____ C. M. S.

Agency Resolution Authorizing A Contribution Of Agency Funds to the City Under the Cooperation Agreement in the Additional Amount of \$1,828,650 For A Total Amount of \$3,498,650 For The Undergrounding of Utilities Along San Leandro Street and 73rd Avenue as Part of the Coliseum BART Station Area Underground Utility Project

WHEREAS, the Redevelopment Agency 2003-2005 Adopted Budget previously authorized a contribution by the Redevelopment Agency to the City of \$1,670,000 from the Coliseum Area Tax Allocation Bond Series 2003 pursuant to Resolution No. 2003-36 C.M.S. to fund infrastructure improvements by removing overhead wires and poles and under grounding utilities along San Leandro Street between 66th Avenue and 73rd Avenues, and 73rd Avenue, between San Leandro Street and the Intercity Rail Amtrak Platform Project (the "Coliseum BART Station Area Underground Utility Project"), and such funding is currently in Fund (9453), in the Economic Development (92228) and PWA Organizations (30528), in the San Leandro Street Utility Under grounding Project (T249410); and

WHEREAS, the Redevelopment Agency desires to authorize an additional \$1,828,650 in funding for the Coliseum BART Station Area Underground Utility Project; and

WHEREAS, the City of Oakland and the Redevelopment Agency are interested in implementing these infrastructure improvements in the Coliseum Redevelopment Project Area under the Coliseum BART Station Area Underground Utility Project to attract and retain businesses, improve the community, and to implement the Coliseum Transit Oriented Development envisioned in the overall Concept Plan for the Coliseum BART station area; and

WHEREAS, the City and Redevelopment Agency are jointly implementing projects such as the Coliseum Transit Hub Streetscape Project as part of the Transit Oriented Development in the overall Coliseum Concept Plan to complement other projects in the area such as Oakland Housing Authority's Lion Creek Crossing Development, the Intercity Rail Amtrak Platform Project, and the proposed Coliseum Transit Village and Oakland Airport Connector Project; and

WHEREAS, the City and the Agency concur that housing, economic development and redevelopment are goals of the Coliseum Redevelopment Project Area and that the under grounding of utilities along San Leandro Street will improve aesthetic and amenity of the overall infrastructure, while removing the appearance of blight in the area; and

WHEREAS, the Agency has supported City infrastructure improvements as part of its overall program for the Coliseum Redevelopment Project Area, and the Coliseum BART Station Area Underground Utility Project supports that effort; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which 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 Agency desires to reallocate the unspent balance of funds remaining from Coliseum Capital Projects and Operating funds including from the Intercity Rail Amtrak Platform Project in the amount of \$1,828,650 towards the construction and implementation of the Coliseum BART Station Area Underground Utility Project; and

WHEREAS, there are sufficient funds in the Oakland Redevelopment Agency's Coliseum Project Area's various underused and completed projects such as the Intercity Rail Platform Project for the construction and implementation of the improvements; and

WHEREAS, the Agency seeks authorization to provide additional funding for the Coliseum BART Station Area Underground Utility Project pursuant to Section 33445 of the California Health and Safety Code; now, therefore, be it

RESOLVED: That the Agency Administrator or her designee is hereby authorized to contribute an additional \$1,828,650 to the City for a total contribution of \$3,498,650 under the Cooperation Agreement towards the construction and implementation of the Coliseum BART Station Area Underground Utility Project; and be it

FURTHER RESOLVED: That the Agency contribution will be allocated as follows:

ORA FUNDS BY PROJECT

Project	Fund	Org	Project	Amount
Intercity Rail Platform	9453	88659	P233430	817,200.00
Fruitvale Transit Village	9453	94800	P233420	100,000.00
International Blvd. Streetscape	9455	94800	T315510	100,000.00
Airport Gateway Doolittle	9455	94800	S82674	180,000.00
Coliseum Redevelopment Project	9450	88659	S82600	500,000.00
Zhone Technologies	9450	88659	P207810	131,450.00
Total				1,828,650.00

and be it

FURTHER RESOLVED: These funds shall be appropriated to the City's Oakland Redevelopment Agency Projects Fund (7780), PWA Electrical Services Organization (92228), San Leandro Street Underground Utility Project (C332110); and be it

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

1. That the funding of the Coliseum BART Station Area Underground Utility Project will benefit the Coliseum Redevelopment Project Area by removing utility poles, overhead wires and alleviating the overall appearance of blight in the area;
2. That the City's Capital Improvement Program budget is unable to provide financing for the Coliseum BART Station Area Underground Utility Project and therefore no other reasonable means of financing are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the Coliseum BART Station Area Underground Utility Project will assist in the elimination of blight in the Coliseum Project Area by removing utility poles and overhead wires, upgrading inadequate utilities, and alleviating the overall appearance of blight in the area; and
4. That the use of tax increment funds from the Coliseum Project Area for the Coliseum BART Station Area Underground Utility Project is consistent with the implementation plan adopted for the Coliseum Project Area; and be it

FURTHER RESOLVED: That the Agency Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the Coliseum BART Station Area Underground Utility Project consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That a copy of this legislation and report shall be placed on file with the Secretary of the Redevelopment Agency.


IN AGENCY, OAKLAND, CALIFORNIA, DEC 18 2007, 2007

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0
ABSENT- 0
ABSTENTION- 0

ATTEST:



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