


2006 NOV -1 PM 3: 59

APPROVED AS TO FORM AND LEGALITY:

  
Agency Counsel

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

RESOLUTION NO. 2006-0080 C.M.S.

---

**RESOLUTION AMENDING RESOLUTION NO. 2005-0036 C.M.S. TO REALLOCATE AGENCY FUNDS REMAINING FROM CONSTRUCTION OF THE RAILROAD AVENUE STREET IMPROVEMENT PROJECT PHASE I FROM 85<sup>TH</sup> AVENUE TO LOUISIANA STREET IN THE AMOUNT OF \$70,000 TO THE DESIGN OF THE RAILROAD AVENUE STREET IMPROVEMENT PROJECT PHASE II FROM LOUISIANA STREET TO 98<sup>TH</sup> AVENUE INCLUDING ADJACENT STREETS IN THE COLISEUM REDEVELOPMENT AREA**

**WHEREAS**, the Redevelopment Agency intends to fund design costs to assist in the alleviation of substandard drainage, general blight and unsanitary conditions caused by the deterioration, obsolescence and blight on Railroad Avenue between Louisiana Street and 98<sup>th</sup> Avenue, including adjacent streets (the "Railroad Avenue Street Improvement Project Phase II") in the Coliseum Redevelopment Project Area; and

**WHEREAS**, the City of Oakland and Redevelopment Agency are implementing the 2005-2007 Agency Budget for the Coliseum Redevelopment Project, including the Railroad Avenue Street Improvement Project Phase II, to retain businesses and improve the industrial edge of the Coliseum Project Area; and

**WHEREAS**, the City and Redevelopment Agency are jointly implementing projects such as the Railroad Avenue Street Improvement Project as part of the Coliseum Capital Improvement program which was approved in 2005 to complement other projects such as the Airport Gateway Streetscape Improvement Project; and

**WHEREAS**, the City and the Agency agree that economic development and redevelopment are goals of the Coliseum Redevelopment Project and that the Railroad Avenue Street Improvement Project Phase II design will prepare the plans to improve a substandard street with better drainage, sidewalks and paving to alleviate blight and support the retention of businesses along the corridor and will complement and enhance economic development efforts; and

**WHEREAS**, the Agency has supported a business retention program as part of its overall economic development and redevelopment program for the Coliseum Redevelopment Project

Area, and the Railroad Avenue Street Improvement Project Phase II design supports that business retention program; 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 installation cost or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

**WHEREAS**, Resolution No. 2005-0036 C.M.S. authorized a contribution by the Redevelopment Agency to the City of \$950,000 from Coliseum redevelopment funds to the construction of Phase I of the Railroad Avenue Street Improvement Project from 85<sup>th</sup> Avenue to Louisiana Street; and

**WHEREAS**, the Agency wishes to reallocate funds remaining from the construction of Phase I of the Railroad Avenue Street Improvement Project in the amount of \$70,000 to the design of the Railroad Avenue Street Improvement Project Phase II; and

**WHEREAS**, there are sufficient funds in the Oakland Redevelopment Agency's Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Architectural and Engineering Services Account (54411), Railroad Avenue Street Improvements Project (T248810) for the Phase II contract design work; and

**WHEREAS**, there is \$50,000 of available in the Oakland Redevelopment Agency Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Coliseum Project (C230620) for the Phase II contract design work; and

**WHEREAS**, the City Council is consenting to the use of Agency funding for the Railroad Avenue Street Improvement Project Phase II pursuant to Section 33445 of the California Health and Safety Code; now, therefore, be it

**RESOLVED:** That Resolution No. 2005-0036 C.M.S is hereby amended to reallocate an amount not to exceed \$70,000 including contingency, from construction of Railroad Avenue Street Improvement Project Phase I to the design of the Railroad Avenue Street Improvement Project Phase II ; and be it

**FURTHER RESOLVED:** That the Agency contribution totaling \$70,000 is available in Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Railroad Avenue Street Improvements Project (T248810); and be it

**FURTHER RESOLVED:** That the Redevelopment Agency is authorized to contribute an amount not to exceed \$20,000 from the Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Railroad Avenue Street Improvements Project (T248810), under the Cooperation Agreement to the City’s Oakland Redevelopment Agency Fund (7780), Coliseum Redevelopment Organization (88659), Railroad Avenue Improvements – Coliseum Project (C230620); and be it

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

1. That the funding of the Railroad Avenue Street Improvement Project Phase II will benefit the Coliseum Project Area by installing drainage improvements to alleviate the substandard drainage, and unsanitary and obsolete street conditions which are a blighting influence in the Coliseum Project Area;
2. That the City Capital Improvement Program (“CIP”) funds have been unable to provide financing for the Railroad Avenue Street Improvement Project Phase II in the period 2005-2010, and that therefore no other reasonable means of financing the Railroad Avenue Street Improvement Project Phase II 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 Railroad Avenue Street Improvement Project Phase II will assist in the elimination of blight in the Coliseum Project Area by installing new drainage systems, new curbs and gutters and at least one sidewalk and elevating the roadway to alleviate the substandard drainage and flooding problems that created an unsafe and unsanitary road; and
4. That the use of tax increment funds from the Coliseum Project Area for the Railroad Avenue Street Improvement Project Phase II 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 Railroad Avenue Street Improvement Project Phase II design consistent with this Resolution and its basic purpose as required to complete the design of the project.

IN AGENCY, OAKLAND, CALIFORNIA, DEC 5 2006, 2006

**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, California