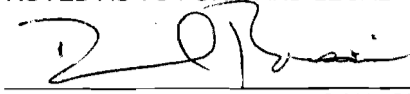


OFFICE OF THE CITY CLERK
2008 APR 17 11:4:20

APPROVED AS TO FORM AND LEGALITY:

BY:



AGENCY COUNSEL

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION No. 2008 - 0037 C.M.S.

RESOLUTION AUTHORIZING A CONTRIBUTION OF AN AMOUNT NOT TO EXCEED ONE MILLION SEVEN HUNDRED THIRTY-TWO THOUSAND TWO HUNDRED-ONE DOLLARS (\$1,732,201) FROM THE CENTRAL DISTRICT REDEVELOPMENT PROJECT TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT TO FUND THE CONSTRUCTION OF THE TELEGRAPH AVENUE PHASE ONE STREETScape IMPROVEMENT PROJECT

WHEREAS, the Five Year Implementation Plan for the Central District Redevelopment Project, adopted on December 7, 2004 (Resolution No. 2004-67 C.M.S.), includes streetscape improvements within the project area; and

WHEREAS, the Telegraph Avenue Phase One Streetscape Improvement Project (the "Project") is located on Telegraph Avenue from 18th to 20th Streets within the boundaries of the Central District Redevelopment Project Area and includes the following improvements:

- Replacement of existing deteriorated sidewalks with new concrete paving;
- Sidewalk improvements adjacent to the Fox Theater on the south side of 19th Street;
- Roadway resurfacing;
- Replacement with new and retrofit of existing streetlights;
- The addition of new pedestrian amenities including street trees, irrigation and tree grates, bike racks and trash receptacles;

and

WHEREAS, the Redevelopment Agency desires to fund the costs of construction, construction contingency, City staff costs, and consultant support services; 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 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 City Council is consenting to the use of Agency funds for the Project; and

WHEREAS, the Agency agrees that the City is the Lead Agency for the Project for purposes of environmental review under the California Environmental Quality Act of 1970 (“CEQA”); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the Agency hereby allocates One Million Seven Hundred Thirty-Two Thousand Two Hundred-One Dollars (\$1,732,201) from the Central District Redevelopment Project Subordinated Tax Allocation Bonds 2003 Series Fund (9532), Capital Improvement Projects Organization (94800), Downtown Streetscape Project (P128840) to reimburse the City of Oakland’s Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects Organization (94800), in a City Project to be established for the Telegraph Avenue Phase One Streetscape Improvement Project under the Cooperation Agreement to fund the Telegraph Avenue Phase One Streetscape Improvement Project; and be it

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

1. That the funding of the Project will benefit the Central District Redevelopment Project Area by improving the appearance of, and pedestrian safety and access on, Telegraph Avenue from 18th to 20th Streets;
2. That the City Capital Improvement Program (“CIP”) funds have been unable to provide financing for the Telegraph Phase One Streetscape Improvement Project in the CIP 2005-2010 Adopted Budget, 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 Central District Redevelopment Project Area for the Telegraph Phase One Sidewalk Improvement Project will assist in the elimination of blight in the Central District Project Area by installing streetscape improvements along Telegraph Avenue that will improve the appearance and functionality of Telegraph Avenue, and is consistent with the implementation plan adopted for the Central District Redevelopment Project Area; and be it

FURTHER RESOLVED: That the Agency finds and determines, based on the information in the staff report accompanying this resolution, that the Project is exempt from CEQA pursuant to Section 15301 (operation, repair, or minor alteration of existing structures or facilities) or Section 15302 (replacement or reconstruction of existing structures or facilities) of the CEQA guidelines; and be it

FURTHER RESOLVED: That the Agency hereby authorizes the Agency Administrator, or her designee, to take all actions necessary with respect to the Agency funding of the Project in accordance with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, MAY 6 2008, 2008


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, Redevelopment Agency
of the City of Oakland