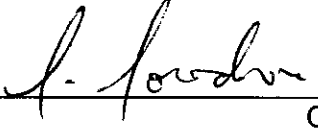


APPROVED AS TO FORM AND LEGALITY:



City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. 78185 C.M.S.

INTRODUCED BY
COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS IN AN AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6.5 MILLION) FROM THE STATE OF CALIFORNIA PROPOSITION 14 FUNDS (CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000) FOR THE FISCAL YEAR 2003-2004 FOR THE DEVELOPMENT OF A JOINT-USE SCHOOL AND PUBLIC LIBRARY WITH THE OAKLAND UNIFIED SCHOOL DISTRICT AND CONSENTING TO THE USE OF REDEVELOPMENT AGENCY FUNDS AS MATCHING FUNDS FOR THIS GRANT, AND AUTHORIZING AN AMENDMENT TO THE REPAYMENT AGREEMENT WITH THE REDEVELOPMENT AGENCY TO ACCEPT THIS FUNDING OF \$3.5 MILLION IN COLISEUM REDEVELOPMENT SET-ASIDE FUNDS

WHEREAS, the Oakland Public Library has embarked on the development of a long-range Master Facilities Planning process that includes the development of community libraries providing a wide range of services and collections; and

WHEREAS, the City of Oakland and the Oakland Unified School District are committed to developing cooperative relationships that further the quality of life for the community; and

WHEREAS, the City of Oakland, the Oakland Public Library and the Oakland Unified School District have been working on the development of a co-located school/public library in East Oakland; and

WHEREAS, the Oakland Public Library intends to submit a Proposition 14 application to the State of California to assist in funding construction of the new 20,000 square foot joint-use library between the Oakland Public Library and the Oakland Unified School District; and

WHEREAS, based on assessments of current and future library sites and the potential for ensuring a strong Proposition 14 application project, this is a very competitive application; and

WHEREAS, the co-located library, to be sited on land provided by the Oakland Unified School District, holds tremendous potential for benefits to the children and underserved residents of this neighborhood; and

WHEREAS, The Oakland Unified School District reviewed and certified the Final Environmental Impact Report (EIR) for the original proposed New Woodland Elementary School project, and an Addendum to the Certified EIR has been prepared by City staff to address the project modification from a School Library to a Public Library/School Library and finds that this is a minor modification that would not result in any new significant impacts nor would there be an increase in the severity of impacts from those that were identified; and

WHEREAS, the local match funding commitment from the City is a necessary component of the Proposition 14 application; and

WHEREAS, the Redevelopment Agency has authorized the use of up to \$3.5 million from current and future Coliseum school set-aside funds, to cover the City's local match for the Proposition 14 grant; 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 improvements, if the City Council acting as the legislative body has consented to such funding and has made certain findings; and

WHEREAS, Section 33679 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned buildings, if the legislative body has held a hearing on the funding; and

WHEREAS, the City Council has provided the published notice, prepared a summary of the transaction for public inspection, and held the public hearing as required by Section 33679, and wishes to consent to the use of Redevelopment Agency funding for the local match for the Proposition 14 grant; and

WHEREAS, the City and the Redevelopment Agency have entered into a Repayment Agreement for the Coliseum Redevelopment Project providing for the provision of funding and services by the City and the Agency to support redevelopment activities in the Coliseum Project Area; now, therefore be it

RESOLVED: That the City Manager is authorized to apply for, accept, and appropriate funds in an amount not to exceed \$6.5 million from the State of California Proposition 14 Funds (California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000) for the Fiscal Year 2003-2004 for the Development of a Joint-Use School and Public Library with Oakland Unified School District; and, be it

FURTHER RESOLVED: That the City Council hereby approves the Addendum to the New Woodland Elementary School Final Environmental Impact Report that addresses the project modification from a School Library to a Public Library/School Library, and finds that this action complies with the California Environmental Quality Act (CEQA), the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland; and be it

FURTHER RESOLVED: That the City Council hereby consents to the use of Redevelopment Agency funding from the Redevelopment Agency Coliseum School Set-Aside Fund in an amount not-to-exceed \$3.5 million to provide the local match toward the Proposition 14 grant for a joint use public library at 81st and Rudsdale; and be it

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

1. That the funding of the joint use public library project will benefit the Coliseum Project Area by increasing the educational opportunities available to area residents, providing community meeting space, classrooms for adult education, after school programs for school age children, and programs for area teens, and
2. That no other reasonable means of financing the local match for the Proposition 14 grant are available to the City other than Redevelopment Agency funding, because the economic downturn has reduced the City's ability to provide for general capital funds for construction, and
3. That the use of tax increment funds from the Coliseum Project Area for the local match will assist in the elimination of blight by contributing to the transformation and enhancement of a vacant former industrial site and is consistent with the implementation plan adopted for the Coliseum Project; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to receive reimbursement from the Agency in the amount of \$3.5 million and appropriate it to the project stated above; and be it

FURTHER RESOLVED: That the City Manager or his or her designee as agent of the City is hereby authorized to negotiate and enter into an appropriate amendment to the Repayment Agreement with the Redevelopment Agency for the Coliseum Redevelopment Project to provide for the funding of the local match by the Agency; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 04 2003, 2003

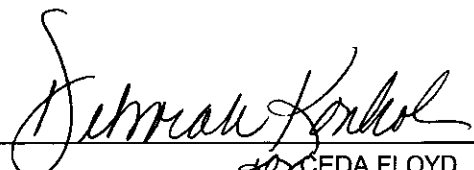
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE -8

NOES-

ABSENT-

ABSTENTION-

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California