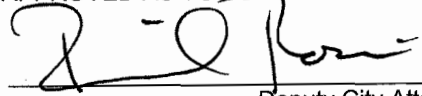


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OFFICE OF THE CITY CLERK  
OAKLAND  
2008 OCT -1 PM 5:16

APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. 81627 C.M.S.

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**A RESOLUTION ACCEPTING AND APPROPRIATING COLISEUM REDEVELOPMENT FUNDS IN THE AMOUNT OF \$2,000,000 UNDER THE COOPERATION AGREEMENT FOR THE CONSTRUCTION OF THE EAST OAKLAND SPORTS COMPLEX AT 9175 EDES AVENUE**

**WHEREAS**, the City of Oakland plans to construct the East Oakland Sports Complex (the "Project"), at 9175 Edes Avenue, a sports and recreation complex at Ira Jenkins Park in Brookfield Village within the Coliseum Redevelopment Project Area so that the City can alleviate general blight and unsafe conditions at the site; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland has authorized a contribution to the City in an amount not to exceed \$2,000,000 to fund the Project from the Coliseum Tax Increment Operating Fund (9450); Coliseum Redevelopment Organization (88659), Coliseum Redevelopment Project (S82600); and

**WHEREAS**, the City certified an Environmental Impact Report for the Project in April 2008, and thus the requirements of 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 have been satisfied; and

**WHEREAS**, the City and the Redevelopment Agency entered into a Cooperation Agreement in July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Agency assistance to City public improvement projects; 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**, Section 33679 of the California Health and Safety Code provides that, prior to the use of tax increment funds for improvements to a public building, the legislative body must hold a noticed public hearing and make available to the public a summary of the proposed funding; and

**WHEREAS**, the City Council has held a noticed public hearing on the proposed use of Agency funding for the Project; now, therefore, be it

**RESOLVED:** That the City of Oakland hereby accepts a contribution from the Redevelopment Agency of up to \$2,000,000 to cover the construction costs and contingencies for the East Oakland Sports Complex Project; and be it further

**RESOLVED:** That in FY 2008-09, \$1,000,000 in Agency funds will be contributed to the City and allocated to the Oakland Redevelopment Agency Projects Fund (7780), CEDA Capital Improvement Project org (94800), Project to be determined, and in FY 2009-10, the remaining \$1,000,000 will be contributed to the same City coding block; and be it further

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

1. That the development of the East Oakland Sports Complex will benefit the Coliseum Redevelopment Project Area by increasing recreational opportunities for residents of the project area, and by alleviating blight conditions; and
2. That due to fiscal constraints on the City's general fund and the high number of capital projects competing for limited City funds, the City's Capital Improvement Program budget is unable to provide adequate financing for the East Oakland Sports Complex and therefore no other reasonable means of financing are available to the City other than Redevelopment Agency funding; and
3. That the use of tax increment funds from the Coliseum Redevelopment Project Area for the East Oakland Sports Complex will assist in the elimination of physical and economic blight such as recurrent vandalism of public facilities, graffiti, and other criminal activity that arises from the current condition of the project site, and by developing an underutilized parcel; and
4. That the use of tax increment funds from the Coliseum Redevelopment Project Area for the East Oakland Sports Complex is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it further

**RESOLVED:** That the City Administrator or his or her designee is hereby authorized to take whatever other action is necessary with respect to the East Oakland Sports Complex Project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 21 2008, 2008

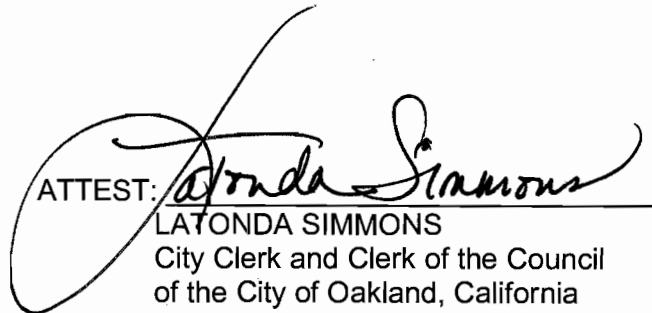
**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California