  
Agency Counsel

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. 2003-51 C.M.S.

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**A RESOLUTION APPROPRIATING \$1,000,000 IN REDEVELOPMENT AGENCY FUNDING FOR CITY LEASE PAYMENTS ASSOCIATED WITH THE CESAR CHAVEZ BRANCH PUBLIC LIBRARY IN THE FRUITVALE TRANSIT VILLAGE PROJECT, AND AUTHORIZING AN AMENDMENT TO THE REPAYMENT AGREEMENT WITH THE CITY FOR THESE COSTS**

**WHEREAS**, the City of Oakland, through its Life Enrichment Agency, has negotiated and executed a lease for space within the Fruitvale Transit Village for use as the City of Oakland Cesar Chavez Branch Library, and provided \$1,000,000 in advance lease payments to assist project development; and

**WHEREAS**, the Agency wants wishes to authorize the use of \$1,000,000 from its Coliseum Redevelopment Project Area Tax Allocation Bonds, Series 2003, to cover the City's advance lease costs in order to assist project development; 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 has consented to the use of Agency funding of advance library lease payments to assist the project, and made the requisite findings; and

**WHEREAS**, the proposed Fruitvale Transit Village is within the boundaries of the Coliseum Redevelopment Project Area, and its development will contribute to the Agency's goals and objectives for the Project Area; and

**WHEREAS**, funds in the amount of \$1,000,000 are available from the reprogramming from unspecified projects of the Coliseum Redevelopment Project Area Tax Allocation Bond, Series 2003, which can be transferred to the ORA Coliseum Capital Fund for the Cesar Chavez Branch Public Library in the Fruitvale Transit Village project; 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; and

**WHEREAS**, a mitigated negative declaration for the Fruitvale Transit Village was approved by the Planning Commission on June 17, 1998; now, therefore, be it

**RESOLVED:** That the Redevelopment Agency hereby appropriates \$1,000,000 from Coliseum Tax Allocation Bonds, Series 2003, issued in January 2003, for the Cesar Chavez Branch Public Library Project in the Fruitvale Transit Village project, to the City of Oakland to cover advance library lease costs for the Cesar Chavez Branch Public Library Project in the Fruitvale Transit Village; and be it further

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

1. That the funding of library improvements at the Fruitvale Transit Village project through advance lease payments will benefit the Coliseum Project Area by improving public library services for Project Area residents, enhancing the financial feasibility of the Fruitvale Transit Village project as a whole, and enhancing the aesthetic and functional appeal of the Project Area for property owners, residents, visitors, and developers;
2. That no other reasonable means of financing the library improvements are available to the City other than Redevelopment Agency funding of advance lease payments; and
3. That the use of tax increment funds from the Coliseum Project Area for library improvements will assist in the elimination of blight and is consistent with the implementation plan adopted for the Coliseum Project.

and be it further

**RESOLVED:** That the Agency Administrator or his or her designee as agent of the Agency is hereby authorized to negotiate and enter into an appropriate amendment to the Repayment Agreement with the City for the Coliseum Redevelopment Project to provide for the additional \$1,000,000 in advance Cesar Chavez Branch library lease payments for the Fruitvale Transit Village project by the Agency; and be it further

**RESOLVED:** That all agreements shall be reviewed and approved as to form and legality by Agency Counsel and shall be filed with the Agency Secretary; and be it further

**RESOLVED:** That the Agency Administrator or his or her designee is hereby authorized to take whatever other action is necessary with respect to the Fruitvale Transit Village consistent with this Resolution and its basic purposes.

**JUL 15 2003**

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003


**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
CEDA FLOYD  
Secretary of the Redevelopment Agency  
of the City of Oakland, California