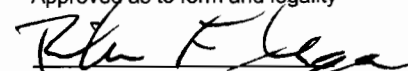


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to form and legality

  
Deputy City Attorney

2009 SEP -3 AM 9:12

# OAKLAND CITY COUNCIL

RESOLUTION No. 82333 C.M.S.

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**RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$908,000 FOR THE FOLLOWING PUBLIC FACILITY AND PARK PROJECTS IN THE CENTRAL DISTRICT REDEVELOPMENT PROJECT AREA: JEFFERSON SQUARE PARK, LINCOLN SQUARE PARK, AND MALONGA CASQUELOURD CENTER FOR THE ARTS**

**WHEREAS**, the Redevelopment Agency wishes to fund costs to assist in the planning and construction of certain public facility and park projects in the Central District Redevelopment Project Area; and

**WHEREAS**, the Redevelopment Agency is implementing the FY 2009-11 Agency Budget for the Central District Redevelopment Project Area, including funding of the following improvement projects:

- Jefferson Square Park
- Lincoln Square Park
- Malonga Casquelourd Center for the Arts; and

**WHEREAS**, the Redevelopment Agency has authorized a contribution of \$908,000, including contingencies, to the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects; 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**, improvements to public recreation areas, parks, and open space are redevelopment purposes under Section 33021 of the California Health and Safety Code; and

**WHEREAS**, a public hearing before the City Council was held on this funding on September 22, 2009; and

**WHEREAS**, notice of the public hearing was published pursuant to Health and Safety Code Section 33679, and the summary of the funding proposal required by Section 33679 was

made available to the public prior to publication of the notice; now, therefore be it

**RESOLVED:** That the City Council hereby consents to the use of up to \$908,000 in Agency funds as follows:

<b>Projects</b>	<b>FY 2009-11</b>
Jefferson Square Park	\$ 88,000
Lincoln Square Park	\$ 500,000
Malonga Casquelourd Center	\$ 320,000
<b>Totals:</b>	<b>\$ 908,000</b>

and be it

**FURTHER RESOLVED:** That the City Council hereby accepts a total of \$908,000 from the Agency under the Cooperation Agreement for said projects and appropriates such funds to the City's Oakland Redevelopment Agency Projects Fund (7780), Engineer Design – Project Management Organization (92270), Jefferson Square Public Facility Project (T338410), Lincoln Recreation Center ORA Project (T314420), and Malonga Public Facility Project (T338210); and be it

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

1. That the funding of the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects will benefit the Central District Redevelopment Project Area by improving the physical environment for the residents, business and property owners in this Project Area;
2. That due to fiscal constraints in the City's general fund and the high number of capital improvement projects competing for limited City funds, the City's Capital Improvement Program funds have been unable to provide financing for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects in the period FY 2009- 11, and therefore no other reasonable means of financing the projects is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central District Project Area for the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects will assist in the elimination of blight in the Project Area for the reasons set forth in the staff report accompanying this Resolution; and
4. That the renovation of the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts is consistent with the implementation plan adopted for the Central District Redevelopment Project Area; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized to take whatever actions necessary with respect to the Jefferson Square Park, Lincoln Square Park, and Malonga Casquelourd Center for the Arts projects consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 6 2009, 2009

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND  
PRESIDENT BRUNNER - 7


NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST: \_\_\_\_\_

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