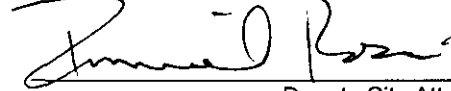


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAY 26 PM 5:28

APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 78642 C.M.S.

A RESOLUTION AUTHORIZING A COOPERATION AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

WHEREAS, the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.) provides for a cooperative relationship between redevelopment agencies and cities; and

WHEREAS, Health and Safety Code Section 33128 provides that a redevelopment agency shall have access to the services and facilities of city departments, Health and Safety Code Sections 33600 and 33601 authorize a redevelopment agency to accept financial or other assistance from any public source, such as a city, and to expend those funds for authorized redevelopment purposes, and Health and Safety Code Section 33610 authorizes a redevelopment agency to receive a loan or grant of funds from a city for its administrative expenses, including redevelopment planning; and

WHEREAS, Health and Safety Code Sections 33445 and 33679 authorize a redevelopment agency to pay for the development costs of publicly-owned buildings, facilities and improvements; and

WHEREAS, Health and Safety Code Section 33220(e) authorizes a local public agency to enter into an agreement with a redevelopment agency to further redevelopment purposes; and

WHEREAS, the City of Oakland and the Redevelopment Agency of the City of Oakland (the "Agency") have adopted a number of redevelopment projects within the City of Oakland pursuant to the California Community Redevelopment Law, including the Acorn, Broadway/MacArthur/San Pablo, Central City East, Central District, Coliseum, Oak Center, Oak Knoll, Oakland Army Base, Stanford/Adeline, and West Oakland Redevelopment Projects; and

WHEREAS, the Agency has established a Low and Moderate Income Housing Fund under the California Community Redevelopment Law; and

WHEREAS, in implementing these projects, the Agency is performing a public function of the City and therefore has access to the services and facilities of the City; and

WHEREAS, the City is pursuing certain activities that promote the redevelopment purposes of the Agency; and

WHEREAS, such services and payments have previously been provided under a series of repayment agreements and services agreements between the City and the Agency for each redevelopment project; and

WHEREAS, the City and the Agency desire to enter into one master Cooperation Agreement to provide for the provision of services and resources and the making of payments between the two agencies for all redevelopment projects; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Manager to negotiate and execute a Cooperation Agreement with the Redevelopment Agency of the City of Oakland (1) to provide for activities, services, facilities, and financial resources that the City will render and make available to the Agency in furtherance of the purposes of the Agency under the California Community Redevelopment Law; (2) to provide for Agency reimbursement to the City for actions undertaken and costs incurred by the City for and on behalf of the Agency; and (3) to provide for activities, services, facilities, and financial resources that the Agency will render and make available to the City as authorized under the California Community Redevelopment Law; and be it further

RESOLVED: That the Cooperation Agreement shall cover such services and payments with respect to all current and future redevelopment projects in the City of Oakland, including the Agency's Low and Moderate Income Housing Fund, subject to budget authorization and other authorization required from the City Council; and be it further

RESOLVED: That the Cooperation Agreement shall replace and supercede all previous repayment and service agreements between the City and the Agency; and be it further

RESOLVED: That the City Manager or his or her designee is authorized to accept such services and resources from the Agency, and provide such services and resources to the Agency under the Cooperation Agreement as may be authorized by the City Council; and be it further

RESOLVED: That the Mayor, the City Manager, the City Attorney, the City Auditor, and members of the City Council are authorized to assign staff or dedicate other resources under their respective control as is needed to provide services to or on behalf of the Agency pursuant to the Cooperation Agreement as may be authorized by the City Council; and be it further

RESOLVED: That the City Manager or his or her designee is authorized to transfer funds between the City and the Agency under the Cooperation Agreement as may be authorized by the City Council; and be it further

RESOLVED: That the City Manager or his or her designee is authorized to take whatever other action is authorized under the Cooperation Agreement, subject to budget authorization and other authorization required from the City Council, consistent with this Resolution and its basic purposes; and be it further

RESOLVED: That the Cooperation Agreement shall be reviewed and approved by the City Attorney as to form and legality, and copies shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 29 2004, 2004


PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND PRESIDENT DE LA FUENTE **-7**

NOES- **0**

~~ABSENT~~ EXCUSED - BROOKS -1

~~ABSTENTION~~ - **0**

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