

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2011/FEB/13 PM 6:20

APPROVED AS TO FORM AND LEGALITY:

  
DEPUTY CITY ATTORNEY

## OAKLAND CITY COUNCIL

RESOLUTION No. 88343 C.M.S.

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**A RESOLUTION ACCEPTING A CONTRIBUTION OF \$100,000 FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT TO UNDERTAKE DISABLED ACCESS IMPROVEMENTS TO THE FACILITY LOCATED AT 655 INTERNATIONAL BOULEVARD IN CLINTON PARK**

**WHEREAS**, the Clinton Park facility is a public facility owned and operated by the City of Oakland, and located within the Central City East Redevelopment Project Area at 655 International; and

**WHEREAS**, the Clinton Park facility if not improved for accessibility improvements may become blighted and in need of other improvements; and

**WHEREAS**, the City wishes to make disabled access improvements to the single story facility so that it will be compliant with federal and state regulations, including renovation of one men's and one women's restroom, the addition of a shallow ramp to the interior courtyard, hazardous materials assessment, replacement of door knobs with lever handles, relocation of fire extinguishers, and minor associated work; and

**WHEREAS**, the City and Agency agree that improving public facilities is one of the goals of the Central City East Redevelopment Project and that the proposed Clinton Park improvements will improve the quality of life for residents and businesses throughout the Project Area and will complement and enhance other economic development and redevelopment efforts along the International Boulevard commercial corridor; and

**WHEREAS**, the City and 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**, 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 Redevelopment Agency has approved a contribution of \$100,000 in Central City East funds to the Clinton Park project; and

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

**RESOLVED**: That the City Council hereby consents to and accepts a contribution of Redevelopment Agency funds under the Cooperation Agreement in an amount up to \$100,000 for the Clinton Park improvements project, and appropriates such funds to the Clinton Park improvements project; and be it further

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

1. That the funding of the Clinton Park improvements will benefit the Central City East Redevelopment Project Area by improving physical conditions at a public facility that prevent or substantially hinder the viable use of the facility and that is a blighting influence in the Central City East Project Area, complementing and enhancing other economic development and redevelopment efforts along the International Boulevard commercial corridor within the Project Area, and enhancing recreational and service facilities for residents of the Project Area;

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 financing for the Clinton Park facility and therefore no other reasonable means of financing are available to the City other than Redevelopment Agency funding;

3. That the use of tax increment funds from the Central City East Project Area for the Clinton Park improvements project is consistent with the implementation plan adopted for the Central City East Project Area; and be it further

**RESOLVED**: That the City Administrator or his or her designee is hereby authorized to take whatever actions are necessary with respect to this project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 3 2011, 2011

**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Kaplan- 1

Attest: 

LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, Califor