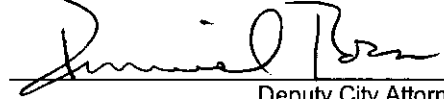


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAR 11 PM 3:02

APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 78462 C.M.S.

RESOLUTION CONSENTING TO THE USE OF REDEVELOPMENT AGENCY FUNDS FOR PUBLIC IMPROVEMENTS TO CITY FACILITIES IN THE OAK CENTER REDEVELOPMENT PROJECT AREA

WHEREAS, the Oak Center Urban Renewal Plan was adopted by the Oakland City Council on November 30, 1965 and amended September 15, 1970; and

WHEREAS, the Oak Center Redevelopment Area was designated as the Oak Center Historic District by Ordinance No. 12513 C.M.S. July 15, 2003; and

WHEREAS, the Oak Center Neighborhood Association and staff wish to obtain signage, lighting and markers to identify the area as a historic district, and implement other capital improvements, repairs and upgrades to City buildings and facilities in the Project Area.; and

WHEREAS, the Redevelopment Agency has funds available to fund capital improvements in the Oak Center Redevelopment Project Area, including improvements to City buildings and other facilities; 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 improvements, if the City Council acting as the legislative body has consented to such funding and has made certain findings; and

WHEREAS, Section 33679 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned buildings, if the legislative body has held a hearing on the funding; and

WHEREAS, the City and the Redevelopment Agency have entered into a Repayment Agreement for the Oak Center Redevelopment Project providing for the provision of funding and services by the City and the Agency to support redevelopment activities in the Oak Center Project Area; now therefore be it

RESOLVED: That the City Council hereby consents to the use of Redevelopment Agency funds for improvements to City buildings and facilities in the Oak Center Redevelopment Project Area; and be it

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

1. That the funding of capital improvements to City buildings and facilities in the Oak Center Project Area will benefit the Project Area by providing signage and landscape improvements to identify the area as a historic preservation district, and provide needed public and neighborhood improvements at DeFremery Park and other areas; and
2. That no other reasonable means of financing these capital improvements are available to the City other than Redevelopment Agency funding, because funding has not been identified or set aside from any other source; and
3. That the use of tax increment funds from the Oak Center Project Area will assist in the elimination of blight by helping to preserve the historic beauty of the community, and is consistent with the implementation plan adopted for the Oak Center Project;

and be it

FURTHER RESOLVED: That the City Manager or his or her designee as agent of the City is hereby authorized to negotiate and enter into an appropriate amendment to the Repayment Agreement with the Redevelopment Agency for the Oak Center Redevelopment Project to provide for the Agency funding of City improvements in the Oak Center Project Area; and be it

FURTHER RESOLVED: That all agreements shall be reviewed and approved as to form and legality by the City Attorney and shall be filed with the City Clerk; and be it

FURTHER RESOLVED: That the City Manager or his or her designee is hereby authorized to take whatever other action is necessary with respect to the funding and the project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 6 2004, 2004


PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- REID - 1

ABSTENTION- 0

ATTEST: 
SARAH H. FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California