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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. 81622 C.M.S.

A RESOLUTION ACCEPTING AND APPROPRIATING REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$97,500 FOR CITY PUBLIC IMPROVEMENTS WITHIN THE BROADWAY/MACARTHUR/SAN PABLO REDEVELOPMENT PROJECT AREA UNDER THE NEIGHBORHOOD PROJECT INITIATIVE PROGRAM, AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS AND MAKE NECESSARY EXPENDITURES TO IMPLEMENT PROJECTS FUNDED UNDER THE PROGRAM WITHOUT RETURNING TO THE CITY COUNCIL

WHEREAS, the Redevelopment Agency of the City of Oakland adopted the Broadway/MacArthur/San Pablo Neighborhood Project Initiative ("NPI") program on February 7, 2006 (Resolution No. 2006-0005 C.M.S.) to assist in addressing general blight conditions within the Broadway/MacArthur/San Pablo Project Area, and allocated \$200,000 for each grant cycle of the program as part of the Fiscal Year 2007-2009 Agency budget; and

WHEREAS City staff on behalf of the Agency issued a Call for Projects to the community for the second round of the NPI program in May 2008, and the City submitted several proposals for improvements to City-owned property including public parks and streets; and

WHEREAS, several projects on City-owned property have been recommended for funding under the NPI program by the Broadway/MacArthur/San Pablo Project Area Committee ("PAC") and the PAC's NPI Subcommittee; and

WHEREAS, under the NPI program guidelines improvements to City-owned property must be implemented by the City of Oakland; 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 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 Redevelopment Agency has authorized \$97,500 of NPI program funds for improvements to City-owned property, which will be transferred from the Broadway/MacArthur/ San Pablo Tax Allocation Bond Series 2006-TE Fund (9537), Redevelopment Projects Organization (88669), Broadway/MacArthur/San Pablo Neighborhood Projects Initiative Project (T314710) to the Oakland Redevelopment Agency Projects Fund (7780) to the Neighborhood Projects Initiative program under project numbers to be established; now therefore be it

RESOLVED: That the City Council hereby consents to the use of \$97,500 in Redevelopment Agency funding under the Broadway/MacArthur/San Pablo NPI program for the following City public projects:

- \$50,000 for a tot lot in Mosswood Park;
- \$15,000 to add water fountains to the Mosswood Park Dog Run;
- \$32,500 for a feasibility analysis and design of a traffic circle at the intersection of 38th Street and Webster or Ruby Streets;

and be it further

RESOLVED: That the City Council accepts the \$97,500 in Redevelopment Agency funds under the Cooperation Agreement for the above projects and appropriates such funds to the City repayment account in Oakland Redevelopment Agency Projects Fund (7780); and be it further

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

1. That the funding of the above projects will benefit the Broadway/MacArthur/San Pablo Redevelopment Project Area, and will assist in the elimination of blighting conditions in the Project Area by addressing needs related to the physical appearance, safety, and needed renovations to those public facilities and by developing new facilities on underutilized public facilities;
2. That due to fiscal constraints in the City's general fund and the high number of capital projects for limited City funds, the City's Capital Improvement Program budget is unable to provide financing for these projects, and therefore no other reasonable means of financing the above projects is available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Broadway/MacArthur/San Pablo for the above projects is consistent with the implementation plan adopted for the Broadway/MacArthur/San Pablo;

and be it further

RESOLVED: That the City Administrator or his designee is authorized to enter into agreements and make necessary expenditures to implement projects funded under the program without returning to the City Council; and be it further

RESOLVED: That the City Administrator or his designee is authorized to take any other actions with respect to the above projects consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 21 2008, 2008

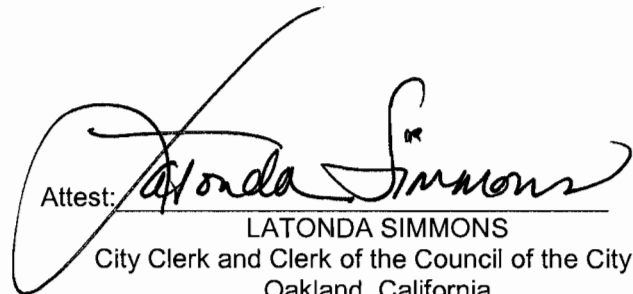
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- Brooks - 1

ABSTENTION- 0

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