

INTRODUCED BY COUNCILMEMBER _____

2003 JUL 10 PM 5:55

OAKLAND CITY COUNCIL

ORDINANCE NO. 12534 C.M.S.

AN ORDINANCE RESCINDING ORDINANCE NO. 12219 C.M.S. AND AUTHORIZING THE SALE OF CITY-OWNED PROPERTY AT 9507 EDES AVENUE TO THE REDEVELOPMENT AGENCY AT ITS FAIR MARKET VALUE

WHEREAS, the City of Oakland is the owner of the vacant lot (the "Property") in the City of Oakland, Alameda County, State of California, commonly known as 9507 Edes Avenue; and

WHEREAS, Ordinance 12219 C.M.S., passed on March 14, 2000, authorized the City Manager to negotiate a Disposition and Development Agreement with Oakland Community Housing Incorporated for the Property; and

WHEREAS, that Disposition and Development Agreement was not successfully negotiated, and Oakland Community Housing Incorporated has indicated that it will not pursue the negotiations further; and

WHEREAS, the City is the Lead Agency for this project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, the City Council concludes that it is in the best interests of the City to transfer ownership of the Property to the Redevelopment Agency of the City of Oakland (the "Agency"); now, therefore

The Council of the City of Oakland does ordain as follows:

SECTION 1. The City Council hereby rescinds Ordinance No. 12219 C.M.S.

SECTION 2. Pursuant to Section 6 of Ordinance No. 11602 C.M.S., it is determined to be in the best interest of the City to transfer ownership of the Property by sale for its fair market value as determined by the Manager of Real Estate Services to the Agency for the special purpose of pursuing development and sale of housing on the site.

SECTION 3. The Council hereby authorizes the sale of the Property to the Agency at its fair market value as determined by the Manager of Real Estate Services. Proceeds from the sale shall be allocated to Community Development Block Grant funds, Fund 2108.

SECTION 4. The City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines that this action complies with CEQA, because this project is exempt from CEQA pursuant to Sections 15303 (new construction of small structures), and 15312 (surplus government property sales) of the CEQA Guidelines.

SECTION 5. The City Manager or his or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action.

SECTION 6. The City Manager or his or her designee is authorized to execute a grant deed to convey the Property to the Agency.

SECTION 7. All documents shall be approved as to form and legality by the City Attorney.

Introduction Date: JUL 29 2003

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 16 2003, 20__

PASSED BY THE FOLLOWING VOTE:

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


~~DE LA FUENTE~~

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- DE LA FUENTE -1

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