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OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 30 PM 6:43
INTRODUCED BY COUNCILMEMBER _____

APPROVED AS TO FORM AND LEGALITY

A. Lewis

City Attorney

OAKLAND CITY COUNCIL
ORDINANCE No. 12934 C.M.S.

A City Ordinance Authorizing The Sale Of (1) 2100 Telegraph Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, To The Redevelopment Agency

WHEREAS, the City of Oakland (the "City") owns approximately 1.66 acres of real property located at 2100 Telegraph Avenue in the Central Redevelopment Project Area, known as the Telegraph Parking Plaza Garage and more fully described in Exhibit A ("Property 1"); and

WHEREAS, the City owns approximately 35,000 square feet ("s.f.") of real property located at the terminus of 73rd Avenue west of San Leandro Street in the Coliseum Redevelopment Project Area, known as the Intercity Rail Platform Parking Lot, and more fully described in Exhibit B ("Property 2"); and

WHEREAS, the City owns approximately 7,000 s.f. of real property located at the southeast corner of 73rd Avenue and International Boulevard in the Coliseum Redevelopment Project Area, more fully described in Exhibit C ("Property 3"); and

WHEREAS, the City Council has adopted Ordinance No. 11602 C.M.S., which establishes procedures for sale of City owned surplus real property; and

WHEREAS, California Health and Safety Code Section 33220 authorizes any public body, with or without consideration, to sell property to a redevelopment agency to promote redevelopment projects; and

WHEREAS, the Redevelopment Agency of the City of Oakland (the "Agency") desires to purchase Properties 1, 2, and 3 (collectively the "Properties") from the City for redevelopment purposes; and

WHEREAS, appraisals of the Properties have established the fair market value of Property 1 at \$7,000,000, Property 2 at \$500,000, and Property 3 at \$290,000; and

WHEREAS, the City is the Lead Agency for this project for purpose 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; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. In accord with Section 6 of Ordinance No. 11602 C.M.S., it is determined to be in the best interest of the City to sell the Properties by negotiated sale to the Agency, since the Properties need redevelopment, are located in redevelopment project areas and the Agency is responsible for promoting redevelopment in Oakland's redevelopment project areas.

Section 2. The City Council hereby authorizes the conveyance of the following properties to the Agency: Property 1 for \$7,000,000 in cash, Property 2 for \$500,000 in cash and Property 3 for \$290,000 in cash, and the acceptance of payments for the Properties from the Agency.

Section 3. The City Administrator, or his designee, is authorized to execute Quitclaim Deeds conveying the Properties, and to negotiate and execute any and all other documents necessary to effectuate the sale of the Properties.

Section 4. Proceeds from the sale of the Properties will be deposited as follows: \$4.84 million to Fund 2310 (LLAD)-Org 90591(Citywide Activities, in Non-Departmental), Non-project; \$2.95 million to Fund 5500 (Municipal Capital Improvement)-Org 90591 (Citywide Activities in Non-Departmental), Non-project.

Section 5. The City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Ordinance, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15061(b)(3) (no possibility of significant environmental impact), Section 15183 (projects consistent with a General Plan), Section 15301 (existing facilities), and Section 15308 (actions of regulatory agencies for protection of the environment) of the CEQA guidelines.

Section 6. The City Administrator, or his designee, shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (California Fish and Game Code Section 711.4) for this action.

Section 7. The Manager, Real Estate Services is hereby authorized to take any and all actions necessary, consistent with this Ordinance, to complete the sale of the Properties.

Section 8. The Purchase and Sales Agreement and all other documents necessary for the purchase of the Properties shall be approved as to form and legality by the City Attorney's Office and a copy shall be filed with the Office of the City Clerk.

Section 9. This Ordinance shall become effective immediately upon final adoption if it receives six or more affirmative votes; otherwise, it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 2 2009

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~REID~~, and PRESIDENT BRUNNER - 7

NOES- 0

ABSENT- Reid - 1

ABSTENTION- 0

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: **MAY 19 2009**

DATE OF ATTESTATION:

6/4/09

Exhibit A

Telegraph Parking Plaza Garage

The subject property is located within the Central District Redevelopment Project Area on the northeast corner of Telegraph Avenue and 21st Street. The property consists of one parcel acquired for a future mixed-use project site.

Assessor Parcel Number: 008-0648-016-03
Total Size: 72,398 square feet more or less

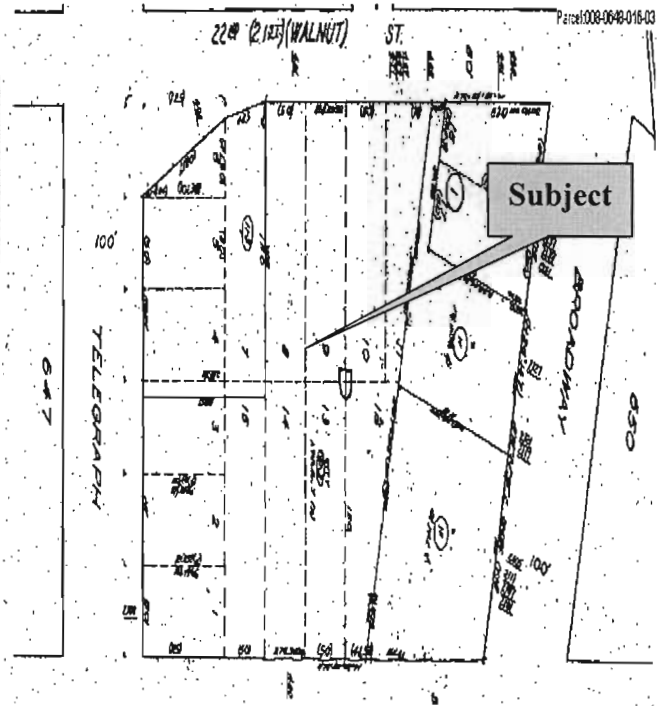
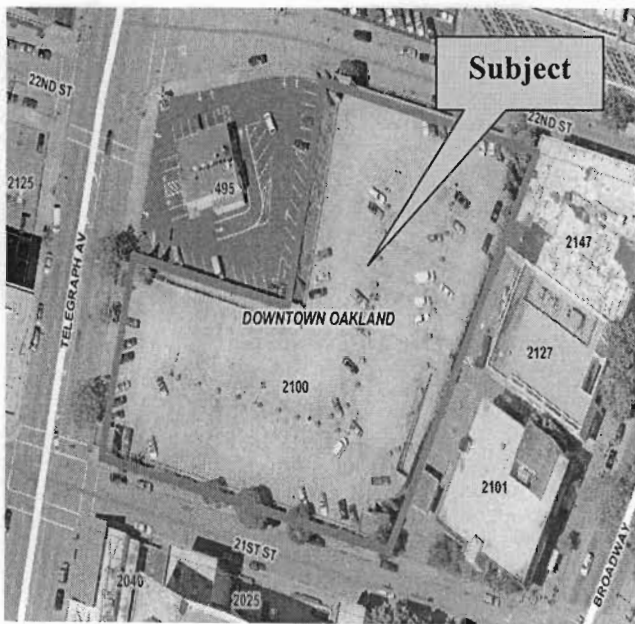


Exhibit B

The Oakland Coliseum Intercity Rail Parking Lot at 73rd Avenue

The subject property is located within the Oakland Coliseum Redevelopment Area at the terminus of 73rd Avenue, west of San Leandro Street. The property consists of two parcels containing a parking lot and access ramp built for use with the Amtrak Capitol Corridor passenger service.

Assessor Parcel Numbers: 041-3901-007-03 and 041-3901-007-05

Total Size: 35,010 square feet more or less

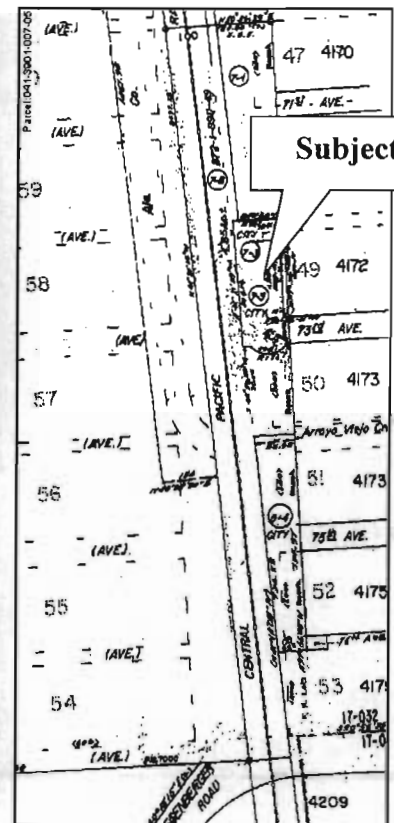
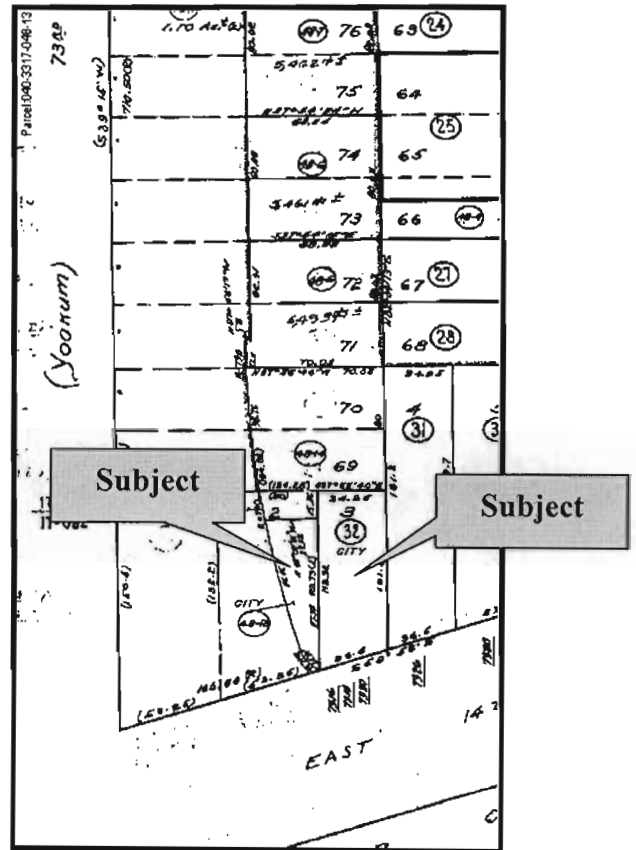
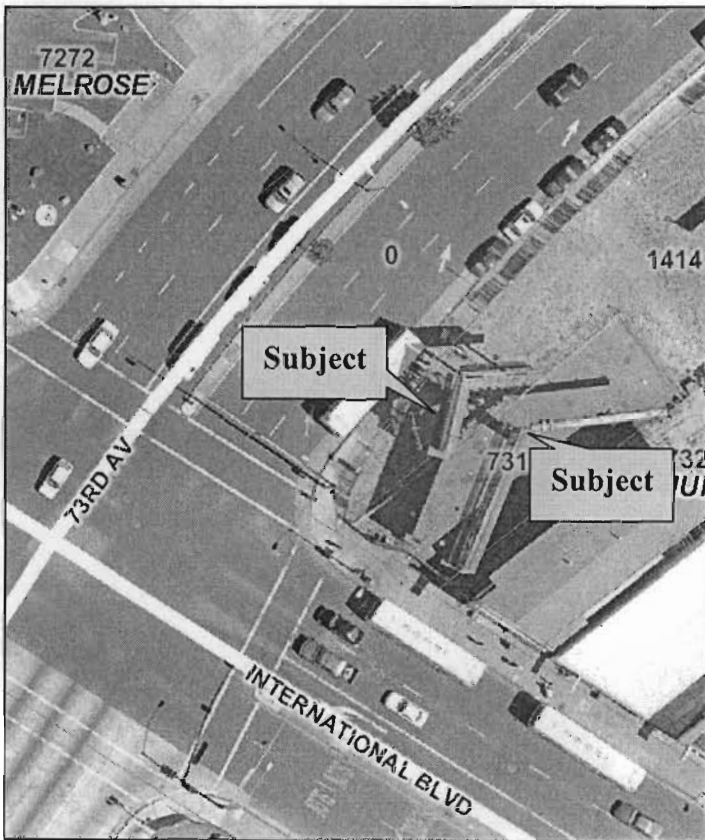


Exhibit C

Vacant Land Located At the Southeast Corner of 73rd Avenue and International Blvd

The subject property is located within the Oakland Coliseum Redevelopment Area on the southeast corner of 73rd Avenue and International Boulevard. The property consists of two parcels acquired for a future streetscape project.

Assessor Parcel Numbers: 040-3317-048-13 and 040-3317-032
Total Size: 7,158 square feet more or less



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NOTICE AND DIGEST

A CITY ORDINANCE AUTHORIZING THE SALE OF (1) 2100 TELEGRAPH AVENUE IN THE CENTRAL DISTRICT REDEVELOPMENT PROJECT AREA FOR \$7,000,000, (2) THE OAKLAND COLISEUM INTERCITY RAIL PARKING LOT AT 73RD AVENUE IN THE COLISEUM REDEVELOPMENT PROJECT AREA FOR \$500,000, AND (3) VACANT LAND LOCATED AT THE SOUTHEAST CORNER OF 73RD AVENUE AND INTERNATIONAL BOULEVARD IN THE COLISEUM REDEVELOPMENT PROJECT AREA FOR \$290,000, TO THE REDEVELOPMENT AGENCY

This Ordinance authorizes the City Administrator to sell surplus City-owned Property to the City of Oakland Redevelopment Agency.