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OAKLAND

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Approved As To Form And Legality:



Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION NO. 2010 - 0077 C.M.S.

AN AGENCY RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 7001 SNELL STREET, IN THE COLISEUM REDEVELOPMENT PROJECT AREA, FROM UNION PACIFIC RAILROAD, FOR \$295,350, AND AUTHORIZING UP TO \$250,000 FOR DEMOLITION, ENVIRONMENTAL REMEDIATION, FENCING, AND REAL ESTATE CLOSING COSTS

WHEREAS, the Coliseum Redevelopment Plan adopted by the City Council on July 29, 1995, includes alleviation of general blight and unsafe conditions as a goal for the Coliseum area; and

WHEREAS, the Redevelopment Agency of the City of Oakland (the "Agency") is implementing projects in the Coliseum Redevelopment Project Area as part of the Redevelopment Plan to improve the Redevelopment Area; and

WHEREAS, Section 33391 of the California Community Redevelopment Law (Health & Safety Code Sections 33000, et seq.) authorizes a redevelopment agency to purchase real property in a project area for purposes of redevelopment; and

WHEREAS, real property located at 7001 Snell Street, Oakland, (Assessors Parcel Number: 041-04170-005-3) (the "Property") is within the Coliseum Redevelopment Project Area; and

WHEREAS, the Property consists of a railroad owned parcel which is currently blighted and underutilized, encompassing approximately 51,008 square feet, including an excess area of 19,690 square feet outside of the required railroad right-of way (the "Parcel"), as shown on the attached Exhibit A; and

WHEREAS, Union Pacific Railroad ("UPRR"), the owner, offered to sell the portion of the Property outside the required right-of-way to the Agency at a negotiated value of \$295,350, reduced in consideration of the cost of site remediation, to assist the Agency in its redevelopment efforts in the Coliseum Redevelopment Project Area; and

WHEREAS, the sale by the Owner was not induced, the sale price is a negotiated price based on the fair market value as established by an appraisal, less the cost of \$190,000 for site remediation, and no federal funds will be used for acquisition of the Parcel; and

WHEREAS, Phase I and Phase II environmental investigations have been completed for the Parcel and the cost of site remediation is estimated at \$190,000; and

WHEREAS, the Agency will execute a purchase and sale agreement with the Owner to acquire the Parcel for \$295,350, and will bear the costs for environmental site remediation; and

WHEREAS, the estimated cost of real estate closing is \$10,000, the cost to construct a fence is \$15,000, and \$35,000 is estimated for demolition costs; and

WHEREAS, the Agency issued and received proceeds from the Coliseum Area Redevelopment Project Taxable Tax Allocation Series 2006-T bonds for the Coliseum Area Redevelopment Project to be used for, among other things, the acquisition of vacant, blighted, obsolete and or underutilized properties; and

WHEREAS, the funding for the acquisition of the Parcel is available from the Coliseum Area: Tax Allocation Bond Series 2006 (Taxable) Bond Fund (9456), Capital Improvement Project (CIP) Economic Development Organization (94800), Coliseum Area Land Acquisition –Taxable Bond Project (T315820); 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, be it

RESOLVED: That the Agency hereby authorizes the Agency Administrator to negotiate and execute a Purchase and Sale Agreement for the purchase of the 19,960 square feet Parcel located at 7001 Snell Street for an amount of \$295,350, plus environmental site remediation costs of \$190,000, and authorizes \$10,000 for the cost of real estate closing, \$15,000 for construction, and \$35,000 for demolition costs; and be it

FURTHER RESOLVED: That \$545,350 will be allocated from the Coliseum Area: Tax Allocation Bond Series 2006 (Taxable) Bond Fund (9456), Capital Improvement Project-Economic Development; Organization (94800), Coliseum Area Land Acquisition –Taxable Bond Project (T315820); and be it

FURTHER RESOLVED: That the Agency Administrator or his designee is hereby authorized to negotiate, execute and amend all agreements and take whatever other actions are necessary with respect to purchasing the Parcel, consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with CEQA because this action on the part of the Agency is exempt from CEQA under Section 15061(b) (3) (activity covered by the general rule, no significant effect on the environment),

Section 15304 (b) (new landscaping) and Section 15311 (b) (small parking lot accessory to an institutional facility) of the CEQA Guidelines; and be it

FURTHER RESOLVED: That the Agency 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; and be it

FURTHER RESOLVED: That Agency Counsel shall review and approve all documents and agreements related to this acquisition as to form and legality, and a copy shall be placed on file with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, JUL 6 2010, 2010

PASSED BY THE FOLLOWING VOTE:

AYES-KERNIGHAN, NADEL, QUAN, ~~DE LA FUENTE, BROOKS~~, REID, KAPLAN, AND
CHAIRPERSON BRUNNER - 6

NOES- 0

ABSENT- ~~Brooks~~ - 1

ABSTENTION- 0

Excused- De La Fuente - 1

ATTEST:

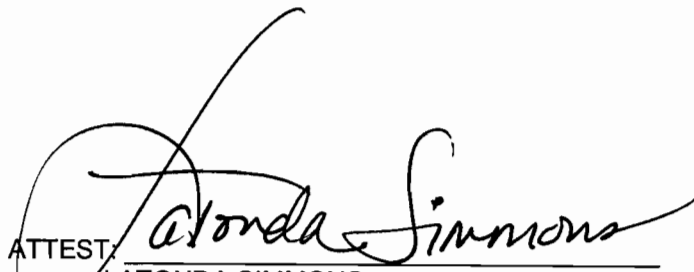

LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland, California

EXHIBIT "A"



701 Snell Street, Oakland CA