


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JAN 15 PM 12: 52

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81781 C.M.S.

A RESOLUTION APPROVING AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND OLSON 737 – OAKLAND 1, LLC, FOR THE CITY CENTER T-10 RESIDENTIAL PROJECT AT 14TH STREET, 13TH STREET PEDESTRIAN WALK, JEFFERSON STREET AND MARTIN LUTHER KING, JR. WAY, (A) TO PERMIT THE PROJECT TO BE A RENTAL PROJECT, (B) TO EXTEND THE DATES FOR PROJECT DEVELOPMENT AND COMPLETION, (C) TO AUTHORIZE TRANSFER OF THE PROJECT AND PROPERTY TO DCA CITY WALK, L.P., OR TO ANOTHER QUALIFIED ENTITY, (D) TO ADD LOCAL CONSTRUCTION EMPLOYMENT REQUIREMENTS, AND (E) TO MODIFY THE PROFIT-SHARING PROVISION

WHEREAS, per Health and Safety Code Section 33433, the City Council approved a Disposition and Development Agreement ("DDA") between the Redevelopment Agency of the City of Oakland (the "Agency") and Olson 737 – Oakland I, LLC ("Olson") for the sale of certain property located on the block bounded by 14th Street, the 13th Street pedestrian walk, Jefferson Street, and Martin Luther King, Jr., Way (the "Property") to Olson, and the development of the City Center T-10 Residential Project, 252 residential condominium units, and approximately 3,000 square feet of retail space (the "Project") on the Property; and

WHEREAS, on September 26, 2004, Olson purchased the Property from the Agency in order to develop the Project; and

WHEREAS, the DDA requires that Olson complete the Project by December 31, 2007; and

WHEREAS, construction of the Project has been suspended; and

WHEREAS, Olson has requested an extension of the DDA Project development and completion dates; and

WHEREAS, Olson has requested the option to operate the Project as a rental project; and

WHEREAS, Olson has requested changes to the profit-sharing provisions of the DDA; and

WHEREAS, Olson is seeking to transfer the Project to DCA City Walk, L.P., a new limited partnership set up by Simpson Housing Corporation, or another developer; and

WHEREAS, Olson has agreed to accept local employment obligations for the remainder of the Project; and

WHEREAS, the Agency is considering entering into an amendment to the DDA to provide for these changes; now, therefore, be it

RESOLVED: That the City Council hereby approves an amendment to the DDA with Olson for the City Center T-10 Residential Project (A) to permit the Project to be developed and operated as a rental housing project, (B) to extend the completion of Project deadline from December 31, 2007, to December 31, 2010, and extend other Project development deadlines, (C) to add local employment requirements for the remainder of Project construction, (D) to modify the profit-sharing provisions to reduce development costs by the amount received by Olson from construction bond proceeds, to allow for a cost-of-living escalation of development costs, and to make other changes, and (E) to authorize the transfer of the Project and the Property to DCA City Walk L.P. or to another qualified developer approved by the Agency Administrator in his or her discretion.

FEB 3 2009

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

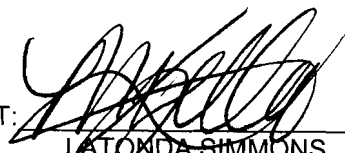
AYES- 7 ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks - 1

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council,
City of Oakland