

OFFICE OF THE CITY CLERK  
APPROVED AS TO FORM AND LEGALITY:

By: J. 2005 FEB - 3 PM 4:34  
Deputy City Attorney

OAKLAND CITY COUNCIL  
RESOLUTION No. 79061 C.M.S.

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**A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE SALVATION ARMY AND THE REDEVELOPMENT AGENCY FOR THE SALE OF PORTIONS OF BROOKFIELD PARK AT EDES AND JONES AVENUES, AND DEVELOPMENT OF A NEW RECREATION CENTER AND OTHER USES ON THE SITE**

**WHEREAS**, the City owns real property known as Brookfield Park (the "Property"), located at Edes Avenue and Jones Avenue in the Coliseum Redevelopment Project Area; and

**WHEREAS**, the Property is currently a City park that contains a senior center, public library, open space, and a recreation center/gymnasium; and

**WHEREAS**, the City has contemplated redeveloping a portion of the Property with a new recreation center; and

**WHEREAS**, the Salvation Army has proposed acquiring and redeveloping a portion of the Property; and

**WHEREAS**, the Salvation Army's proposal calls for demolition of the existing recreation center/gymnasium and replacing that facility with a more extensive recreational facility (the "New Center"); and

**WHEREAS**, the New Center possibly could include a new gymnasium, library, tutoring facility, computer lab, swimming pool, recreational water feature, and bowling alley, among other uses; and

**WHEREAS**, the Salvation Army has also proposed acquiring another portion of the Property for the construction of an administrative facility and performing arts center/chapel; and

**WHEREAS**, the existing senior center would be retained by the City in its current use; and

**WHEREAS**, the Salvation Army will be applying for financial support from the Joan Kroc gift and other sources for the development and operation of the New Center; and

**WHEREAS**, the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.) authorizes a redevelopment agency to acquire real property in a redevelopment project area from another governmental agency, and to convey property for redevelopment purposes; and

**WHEREAS**, the City desires to enter into a Memorandum of Understanding (“MOU”) with the Redevelopment Agency and the Salvation Army to facilitate the sale and redevelopment of portions of the Property for recreational and other uses; now, therefore, be it

**RESOLVED**: That the City Council hereby declares its support for the development of a New Center on the Property by the Salvation Army; and be it further

**RESOLVED**: That the City Council hereby authorizes the City Administrator to negotiate and enter into a Memorandum of Understanding with the Salvation Army and the Redevelopment Agency for the sale of portions of the Property by the City to the Agency, the sale of such property by the Agency to the Salvation Army, and the development and operation of a New Center and other uses by the Salvation Army on the site; and be it further

**RESOLVED**: That the MOU shall provide for an 18-month negotiating period, with the option to extend such period up to an additional 12 months at the discretion of the City Administrator; and be it further

**RESOLVED**: That the MOU shall provide that, during the negotiating period, the parties will study and evaluate the feasibility of the project, apply for project funding, and negotiate the terms of a Disposition and Development Agreement, Use Agreement, and other documents governing the conveyance of the site and the development and operation of a New Center and other uses on the site; and be it further

**RESOLVED**: That the MOU shall be reviewed and approved as to form and legality by the City Attorney’s Office prior to execution; and be it further

**RESOLVED**: That the City Council finds and determines, upon its independent review and consideration, that the authorization of the MOU under this Resolution complies with the California Environmental Quality Act of 1970 (“CEQA”) because this action is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; and be it further

**RESOLVED**: That the City Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it further

**RESOLVED:** That the City Administrator is authorized to take whatever action is necessary with respect to the MOU and in support of the proposed project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 15 2005, 2005

**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: Latonda Simmons  
LATONDA SIMMONS  
Interim City Clerk  
of the City of Oakland