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CITY ATTORNEY
OAKLAND
2003 OCT -2 PM 1:34
CITY CLERK

ORDINANCE NO. _____ C. M. S.

A CITY ORDINANCE AUTHORIZING THE SALE FROM THE CITY OF OAKLAND TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND FOR \$419,407, OF A PORTION OF THE FORMER RAILROAD SPUR (A PORTION OF APN 041-3902-013) LOCATED BETWEEN HASSLER WAY AND DAMON SLOUGH WHICH WAS USED FOR VARIOUS REDEVELOPMENT PROJECTS KNOWN AS THE LEXUS AND INFINITI AUTOMOBILE DEALERSHIPS

WHEREAS, the City of Oakland (the "City") owns approximately 19,064 square feet of real property located between Hassler Way and Damon Slough, as more fully described in Exhibit A attached to this Ordinance (the "Property"); and

WHEREAS, the City Council has adopted Ordinance Nos. 10142 and 11602 C.M.S., which establish procedures for the sale and lease of City-owned property; and

WHEREAS, the Property is located within the Coliseum Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the City of Oakland ("Agency") desires to purchase the Property from the City for redevelopment purposes; and

WHEREAS, the \$419,407 sales proceeds that the City receives from the Agency for the sale of the Property will be deposited into the City's General Fund; and

WHEREAS, 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 City is the Lead Agency for this sale 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 met because this transaction is exempt from CEQA under section 15312 of the CEQA Guidelines (sale of surplus government property);

NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Pursuant to Sections 1 and 8 of Ordinance No. 10142 C.M.S., and Sections 4 and 6 of Ordinance No. 11602 C.M.S., it is determined to be in the best interest of the City to sell the Property by negotiated sale to the Agency, since the Property is located in a redevelopment project

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area and the Agency is the agency responsible for promoting redevelopment in Oakland's project areas.

Section 2. The City Council hereby authorizes the conveyance of the Property to the Redevelopment Agency for the fair market price of \$419,407 in cash; the City will deposit the sales proceeds from the Agency into the City's General Fund.

Section 3. The City Manager is authorized to negotiate and execute a grant deed or other agreements or documents as necessary to convey the Property to the Agency upon satisfaction of any pre-conveyance conditions imposed by the City Manager or her designee.

Section 4. The City Manager or her designee is authorized to file a notice of exemption for this action.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003
PASSED BY THE FOLLOWING VOTE

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

NOES-

ABSENT-

ABSTENTION-

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

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