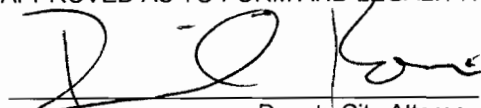


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 SEP -3 PM 5:05

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. 12974 - C. M. S.

AN ORDINANCE AUTHORIZING THE PURCHASE OF A PORTION (664 SQUARE FEET) OF REAL PROPERTY AT 1730 50TH AVENUE, OAKLAND, FROM OAK STOCK GROUP FOR \$47,500 PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FOR DEVELOPMENT AS ADDITIONAL PARKING FOR FIRE STATION 18, AND ACCEPTING A CONTRIBUTION OF \$47,500, PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR THE PURCHASE OF THE PROPERTY

WHEREAS, Fire Station #18 located at 1700 50th Avenue in Oakland is more than 80 years old, in need of immediate renovation and expansion to house new fire apparatus equipment and to better serve the neighborhoods of the City; and

WHEREAS, the City has retained consultant, Shah Kawasaki Architects, to evaluate expansion options for Fire Station #18 and as the result of the study, staff have identified the subject site, a portion of property located at 1730 50th Avenue as identified in Exhibit "A" adjacent to Fire Station # 18 as the best available site for expansion of parking for Fire Station #18; and

WHEREAS, the City of Oakland executed an option contract to enter into a sale and purchase agreement with Oak Stock Group, the owner of the property, and it is deemed to be in the public interest and necessity that the fee to said property be acquired by the City of Oakland to allow for the future expansion of Fire Station # 18; and

WHEREAS, the City wishes to purchase the referenced property pending the results of the environmental review, title search and other due diligence to be completed; and

WHEREAS, the City and Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for land costs or the cost of installation or construction of publicly-

owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the Redevelopment Agency has authorized a contribution of Agency funds from Central City East Project Area in a total amount of \$47,500 plus closing costs to the City to purchase the subject property; and

WHEREAS, the acquisition of the property is exempt from the California Environmental Quality Act (CEQA) under 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 by regulatory agencies to protect the environment) of the CEQA Guidelines; now, therefore,

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

Section 1: The City Council hereby authorizes the purchase of a portion of property located at 1730 50th Avenue for a purchase price of \$47,500 plus closing costs, for expansion of parking for the new fire station.

Section 2: The City Administrator, or his designee, is authorized to negotiate and execute an agreement to purchase the property.

Section 3: The City hereby consents to and accepts and appropriates to City's Oakland Redevelopment Agency Projects Fund (7780) Capital Improvement Project – Economic Development Organization (94800), Fire Station # 18 Project (C328310), a contribution of \$47,500 plus closing costs from the Redevelopment Agency under the Cooperation Agreement for the purchase of the property.

Section 4: The City Council hereby finds and determines as follows:

1. That the funding of the acquisition of the 1730 50th Avenue parcel from redevelopment funds will benefit the Central City East Redevelopment Project Area by creating a larger lot that would facilitate expansion of Fire Station #18 to better serve area residents and businesses and improve physical conditions in the Central City East Redevelopment Project Area;
2. That City General Funds are not available for acquisition of the property, and project specific funds have not been allocated by the City for financing the purchase of this property, and therefore no other reasonable means of financing are available to the City for the acquisition other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Central City East Redevelopment Project Area for the purchase will assist in the elimination of blight in the Project Area by redeveloping an underutilized parcel and upgrading a blighted, substandard, and obsolete facility into a new and expanded fire station, and is consistent with the implementation plan adopted for the Central City East Project Area.

Section 5: In accordance with the requirements of City Charter Article IV, the purchase agreement shall be approved as to form and legality by the City Attorney's Office prior to execution and a copy shall be filed with the Office of the City Clerk.

Section 6: 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, OCT 6 2009, 2009

PASSED BY THE FOLLOWING VOTE:

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

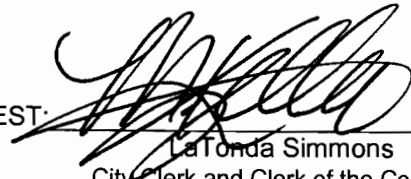
NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - BROOKS - 1

ATTEST:



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

Introduction Date: SEP 22 2009

Exhibit "A"

1730 50th Avenue

