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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:

  
Agency Counsel

D. Anne  
Miller

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

2011-0004  
RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**AN AGENCY RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 8280 MACARTHUR BOULEVARD IN THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA FROM YAN LI LIANG FOR \$230,000, LESS THE COST OF ANY ENVIRONMENTAL SITE REMEDIATION, AND AUTHORIZING UP TO \$15,000 FOR REAL ESTATE CLOSING COSTS, AND \$50,000 FOR DEMOLITION COSTS**

**WHEREAS**, the Central City East Redevelopment Plan adopted by the City Council on July 29, 2003, includes alleviation of general blight and unsafe conditions as a goal for the Central City East Project Area; and

**WHEREAS**, the Redevelopment Agency is implementing projects in the Central City East Redevelopment Project Areas as part of its Redevelopment Plan to improve the Redevelopment Areas; and

**WHEREAS**, Section 33391 of the California Community Redevelopment Law (the "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 8280 MacArthur Boulevard (Assessor's Parcel Number 043A-4644-026) (the "Property") is in the Central City East Redevelopment Project Area and is further identified in *Exhibit A* attached to this Resolution; and

**WHEREAS**, the Property, consisting of a vacant 3,500 square foot, four (4) unit apartment building on a lot with a land area of 6,720 square feet, is currently underutilized; and

**WHEREAS**, the Agency desires to acquire and hold the Property for future development, to rid the Property of blight, and to redevelop the Property in the future; and

**WHEREAS**, Sections 33413 and 33413.5 of the Redevelopment Law require that units to be demolished be replaced, and that a housing replacement plan be presented to and adopted by the Agency; and

**WHEREAS**, Yan Li Liang, the owner, offered to sell the Property to the Agency at market value of \$230,000, minus the cost of site remediation, to assist the Agency in its redevelopment efforts in the Central City East Redevelopment Project Area; and

**WHEREAS**, the sale by the owner was not induced, the sale price is at market value as established by an appraisal, and no federal funds will be used for acquisition of the Property; and

**WHEREAS**, the Property has been appraised, a Phase I environmental investigation has been completed and the Agency has executed an option contract to enter into a purchase and sale agreement with the owner of the Property to acquire the Property for \$230,000, less any site remediation costs; and

**WHEREAS**, the cost of real estate closing is estimated to be \$15,000; and

**WHEREAS**, the cost of demolition of the building is estimated to be \$50,000; and

**WHEREAS**, the Agency issued and received Series 2006A-T bonds for the Central City East Redevelopment Project Area to be used for, among other things, the acquisition of vacant, blighted, obsolete and/or underutilized properties; and

**WHEREAS**, funding for the acquisition of the Property is available from Central City East Tax Allocation Bond Series 2006A-T (Taxable) Bonds Fund (9543), Central City East Organization (88699), CCE Land Acquisition Project (\$233351); and

**WHEREAS**, the Central City East Redevelopment Project Area Committee has recommended that the Agency acquire the Property; 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 an agreement for the purchase of the Property for the price of \$230,000, minus the cost of any site remediation; and be it

**FURTHER RESOLVED**, That the Agency hereby finds and determines as follows:

1. That the funding of the acquisition of the Property from redevelopment funds will benefit the Central City East Redevelopment Project Area by creating future development opportunities to better serve area residents and businesses and improve physical conditions in the Redevelopment Project Area;
2. That the use of tax increment funds from the Central City East Redevelopment Project Area for the purchase is consistent with the implementation plan adopted for the Central City East Redevelopment Project Area and will assist in the elimination of blight in the Project Areas by redeveloping underutilized parcels; and be it

**FURTHER RESOLVED**, That a replacement housing plan shall be presented to the Agency for approval prior to execution of the purchase and sale agreement with Yan Li Liang, and replacement units shall be provided as required by Section 33413 of the Redevelopment Law; and be it

**FURTHER RESOLVED,** That up to \$15,000 is hereby authorized for real estate closing costs; and be it

**FURTHER RESOLVED,** That up to \$50,000 is hereby authorized for demolition costs; and be it

**FURTHER RESOLVED,** That funds in the amount of \$ 295,000 will be allocated from Central City East Tax Allocation Bond Series 2006A-T (Taxable) Bonds Fund (9543), Central City East Organization (88699), CCE Land Acquisition Project (S233351), for this purpose; 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) and Section 15183 (projects consistent with the General Plan) of the CEQA Guidelines, and directs the Agency Administrator to file a Notice of Exemption and an Environmental Declaration (under California Fish and Game Code section 711.4) with the County of Alameda; and be it

**FURTHER RESOLVED,** That the Agency Administrator or his designee is hereby authorized to negotiate and execute all agreements and to take whatever other action is necessary with respect to the acquisition consistent with this Resolution and its basic purposes; and be it

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

**FEB 15 2011**

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**PASSED BY THE FOLLOWING VOTE:**

AYES-BRUNNER, KERNIGHAN, NADEL, SCHAAF, DE LA FUENTE, BROOKS, REID, KAPLAN, AND CHAIRPERSON REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:

  
LATONDA SIMMONS

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