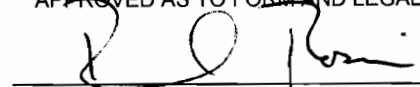


OFFICE OF THE CITY CLERK
OFFICE OF THE CITY CLERK
OFFICE OF THE CITY CLERK
OFFICE OF THE CITY CLERK
OFFICE OF THE CITY CLERK

2011 MAR -1 PM 4:52

APPROVED AS TO FORM AND LEGALITY


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE No. 13062 C.M.S.

**AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF
VARIOUS CITY PROPERTIES TO THE REDEVELOPMENT
AGENCY FOR FUTURE REDEVELOPMENT, AND
AUTHORIZING THE LEASEBACK OF THE PROPERTIES BY
THE CITY FOR INTERIM CITY USES**

WHEREAS, the City of Oakland owns various real properties in the City of Oakland, as listed on Exhibit A to this Ordinance (together, the "Properties") located within various redevelopment project areas; 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 Redevelopment Agency desires to purchase the Properties from the City at their fair market value for future redevelopment; and

WHEREAS, the City wishes to lease back some of these properties for interim City use pending future redevelopment; and

WHEREAS, Health and Safety Code Section 33220 authorizes any public body, upon terms and with or without consideration as it determines, to sell property to a redevelopment agency to promote redevelopment projects, and/or to acquire property interests from a redevelopment agency; and

WHEREAS, Section 213 of the City Charter provides that an emergency ordinance declared by the City Council to be necessary for preserving the public peace, health, or safety in an emergency, and containing a statement of the reasons constituting such necessity, may be introduced and adopted at the same meeting if passed by an affirmative vote of a least six Councilmembers; and

WHEREAS, urgency legislation proposed by the Governor and now pending before the state legislature would severely limit the ability of redevelopment agencies to purchase property and pursue redevelopment; and

WHEREAS, the City is the Lead Agency for this project 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 Properties by negotiated sale to the Redevelopment Agency, since the Properties are located in redevelopment project areas and the Agency is the agency responsible for promoting redevelopment in Oakland's project areas.

Section 2. The City Council hereby expressly finds and declares that the need to authorize and complete the sale of the Properties immediately constitutes an emergency within the meaning of that term under Charter Section 213. The City Council further finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the immediate sale of the Properties. Specifically, the City Council expressly finds and declares that urgent action by the City is needed due to pending urgency state legislation that would severely limit the ability of redevelopment agencies to acquire and pursue redevelopment of the Properties, and the need to pursue redevelopment opportunities on those properties through the Redevelopment Agency in order to address severe blight conditions and spur economic development.

Section 3. The City Council hereby authorizes the conveyance of the Properties to the Redevelopment Agency for their negotiated fair market value, in cash at sale. The Council further authorizes the lease back of any or all of the Properties from the Agency for interim use by the City upon lease terms established by the City Administrator.

Section 4. The City Administrator is authorized to take all action necessary to remove current encumbrances as required to effectuate the purposes of this Ordinance, to negotiate and execute any purchase and sale agreements, grant deeds, leases or other agreements as necessary to convey any

of the Properties to the Redevelopment Agency upon satisfaction of any preconveyance conditions imposed by the City Administrator or his designee, and to lease back any of the Properties.

Section 5. The City Administrator or his designee is authorized to file a notice of exemption for this action.

Section 6. This Ordinance shall be effective immediately upon its adoption by an affirmative vote of six members of the City Council pursuant to Section 213 of the City Charter.

MAR 3 2011

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, ~~DE LA FUENTE~~, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND
PRESIDENT REID - 6

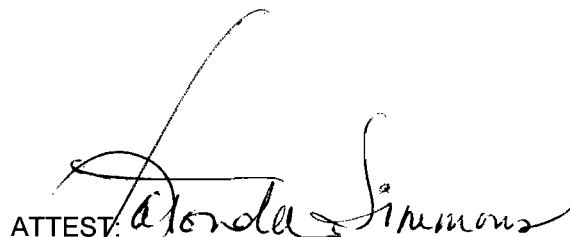
NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks, De la Fuente - 2

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

**AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF
VARIOUS CITY PROPERTIES TO THE REDEVELOPMENT
AGENCY FOR FUTURE REDEVELOPMENT, AND
AUTHORIZING THE LEASEBACK OF THE PROPERTIES BY
THE CITY FOR INTERIM CITY USES**

EXHIBIT A

PROPERTIES

Exhibit A

ADDRESS	APN	SQUARE FOOTAGE OF LAND/ BUILDING	REDEVELOPMENT AREA	FUNDING SOURCE
1449 Miller Avenue (old Library)	020-0153-006-00	12,423 land 8,660 bldg	Central City East	Taxable Bonds
10 Tenth Street (Kaiser Auditorium)	Portion of 000-0450-001	98,690 land 137,000 bldg	Central District Central City East	Reserves; Taxable Bonds
600 Washington (Vacant Courts) 620 Washington (Police Admin Bldg)	001-0199-001	59,883 land 108,000 bldg (OPD) 72,000 bldg (Courts)	Central District	Reserves; Taxable Bonds
66 th & Oakport (Vacant Lot)	041-3902-005, 041-3902-006	25,000	Coliseum	Taxable Bonds
66 th & Oakport (Vacant Lot)	Abutting APN: 041-3902-005	40,000	Coliseum	Taxable Bonds
1270 93 rd Avenue (Old FS #20)	044 4963 020 02	13,608 land 3,200 bldg	Coliseum	Taxable Bonds
615 High Street (Vacant Com Bldg)	033-2203-002	14,571 land 7,992 bldg	Coliseum	Taxable Bonds
3801 East 8 th Street (Parking Lot)	Portion of 033-2250-018-03	30,557 land	Coliseum	Taxable Bonds