


2010 SEP -1 PM 12: 26

APPROVED AS TO FORM AND LEGALITY

AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

2010 - 0109
RESOLUTION NO. _____ C.M.S.

AN AGENCY RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF A FIRST AMENDMENT TO THE WEST OAKLAND REDEVELOPMENT PLAN TO MODIFY THE AUTHORITY OF THE AGENCY TO ACQUIRE PROPERTY IN THE CLAWSON/MCCLYMONDS/BUNCHE SUBAREA THROUGH EMINENT DOMAIN

WHEREAS, the City Council adopted the Redevelopment Plan for the West Oakland Redevelopment Project (the "Redevelopment Plan") on November 18, 2003, as a redevelopment plan for the West Oakland Project Area (the "Project Area") pursuant to the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.); and

WHEREAS, Health and Safety Code Section 33450, et seq., authorizes a legislative body to amend a redevelopment plan after holding a public hearing; and

WHEREAS, the Redevelopment Plan includes authority for the Redevelopment Agency to acquire property through eminent domain in the Clawson/McClymonds/Bunche Subarea of the Project Area; and

WHEREAS, the Redevelopment Agency has received a proposed First Amendment to the West Oakland Redevelopment Plan (the "First Amendment" or the "Amendment") modifying the Agency's authority to acquire properties in the Clawson/McClymonds/Bunche Subarea through eminent domain; and

WHEREAS, the proposed Amendment revises the three acre size limitation for projects eligible for the use of eminent domain; and

WHEREAS, the proposed Amendment also revises the map of properties eligible for eminent domain to add additional commercial parcels adjacent to the current areas, including all commercial properties on the blocks bounded by Grand Avenue, Filbert Street, 24th Street and Market Street; and

WHEREAS, the proposed Amendment does not propose any additional property for inclusion in the Project Area, nor does it increase or reduce the Project Area or affect the Redevelopment Agency's authority to claim tax increment revenues; and

WHEREAS, the City has provided the published and mailed notice of the hearing and this Amendment as required by Health and Safety Code Section 33452; and

WHEREAS, the Redevelopment Agency and the City Council held a joint public hearing on the proposed Amendment, as permitted under Health and Safety Code Section 33458; and

WHEREAS, it can be seen with certainty that this proposed Amendment will have no environmental effect, pursuant Section 15063(b) (3) of the California Environmental Quality Act Guidelines, since it merely modifies the authority of the Redevelopment Agency to acquire property through eminent domain; now, therefore, be it

RESOLVED: That the Agency hereby approves and recommends adoption of the First Amendment to the West Oakland Redevelopment Plan to modify the authority of the Agency to acquire property in the Clawson/McClymonds/Bunche Subarea through eminent domain; and be it further

RESOLVED: That the Agency Secretary is directed to transmit a copy of this Resolution to the City Council for its consideration.

IN AGENCY, OAKLAND, CALIFORNIA, OCT 5 2010, 2010

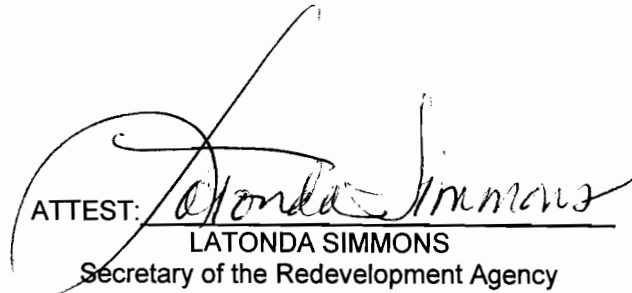
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland