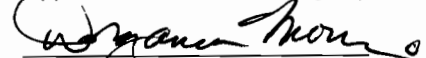


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OFFICE OF THE CITY CLERK
OAKLAND

2010 NOV -4 PM 1:06

Approved as to form and legality


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. 2010 - 0128 C.M.S.

RESOLUTION AUTHORIZING AN ADDITIONAL \$300,000 OF AGENCY FUNDS FOR A TOTAL ALLOCATION OF \$1,300,000 FOR THE IMPROVEMENT OF AN AGENCY OWNED SITE LOCATED AT THE NORTHEAST CORNER OF 66TH AVENUE AND SAN LEANDRO STREET (“THE PROPERTY”); AUTHORIZING THE AGENCY ADMINISTRATOR TO AWARD A CONTRACT OR CONTRACTS ON THE OPEN MARKET FOR IMPROVEMENTS TO THE PROPERTY, INCLUDING BUT NOT LIMITED TO DEMOLITION OF STRUCTURES, TRAILERS AND CONCRETE, REMOVAL OF HAZARDOUS MATERIALS AND RESTORATION OF FACILITIES SUCH AS UTILITIES, STORM DRAINAGE, SEWAGE AND WATER FACILITIES, PARKING AREAS AND DRIVEWAYS, IN AN AMOUNT OR AMOUNTS NOT TO EXCEED, CUMULATIVELY, \$1,300,000.00; WAIVING ADVERTISING AND BIDDING REQUIREMENTS FOR SAID WORK; AND AUTHORIZING FROM THE TOTAL BUDGET OF \$1,300,000 A CONTRIBUTION OF AGENCY FUNDS IN AN AMOUNT OF \$200,000 TO THE CITY UNDER THE COOPERATION AGREEMENT FOR PAYMENT OF CITY STAFF COSTS FOR PROJECT MANAGEMENT

WHEREAS, the Redevelopment Agency is implementing projects in the Coliseum Redevelopment Project Area as part of the Redevelopment Plan to improve the Project Area; and

WHEREAS, the Agency purchased the real property (Assessors Parcel Number: 041-0456-004 & 041-0456-006 for the adjacent railroad spur) located at 915 and 931-939 66th Avenue at the northeast corner of 66th Avenue and San Leandro Street (the “Property”) in the Coliseum Area Redevelopment Project; and

WHEREAS, the Property is a 6.3 acre parcel with two vacant structures of 80,000 square feet and two trailers that are currently blighted and in unsafe condition and has been the subject of criminal trespassing and vandalism resulting in the theft of electrical wires and extensive graffiti on the 915 66th Avenue building and the modular trailer; and

WHEREAS, the Property is intended for commercial development and requires preparation of the site for this purpose no later than the summer of 2011; and

WHEREAS, the Agency Board authorized the Agency Administrator to expend up to \$1,000,000.00 for demolition of structures and facilities on the Property when the purchase was authorized (Agency Resolution No. 2009 - 0014 C.M.S.); and

WHEREAS, the Redevelopment Agency is authorized to clear buildings, structures, or other improvements from any real property acquired (Health & Safety Code Sections 33000, et seq.); and

WHEREAS, the City of Oakland on behalf of the Agency conducted a bid solicitation for part of the demolition and hazardous materials removal to expedite a portion of the work, but did not include all technical and other necessary requirements in the bid documents; and

WHEREAS, Oakland Municipal Code, Chapter 2.04, Section 2.04.050.I.5 permits the City Council to dispense with advertising and bidding upon a finding that it is in the City's best interests to do so, and the Agency Board has adopted and follows the purchasing procedures and policies of Oakland Municipal Code Chapter 2.04 (Agency Resolution No. 76-20, adopted July 6, 1976); and

WHEREAS, it is in the Agency's best interests to waive advertising and further bidding for any and all Project work and authorize the City Administrator to negotiate a contract or contracts for the work on the open market within the budget for demolition in order to commence and complete all necessary Property improvements by the summer of 2011, in time to transfer the property to a commercial developer; and

WHEREAS, the Agency Administrator has determined that the contracts authorized hereunder are of a professional, scientific or technical and temporary nature, are in the public interest because of economy or better performance and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the City of Oakland and the 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, the funding for the demolition of the two buildings and two trailers and the additional work, if any, is available from the Coliseum Area Redevelopment Project Tax Allocation Bond Series 2006B-T (Taxable) Bonds Fund (9456), Capital Improvement Project (CIP) Economic Development Organization (94800), Coliseum Area Land Acquisition Project (T315820); now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5 and for the reasons stated in the agenda report accompanying this item and above, the Agency Board finds that it is in the best interests of the Agency to waive advertising and bidding requirements for all demolition, hazardous materials removal and utility, road and other construction work necessary to prepare the Project site for development by the summer of 2010, and so waives the requirements; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to negotiate and award a contract or contracts on the open market in an amount or amounts not-to-exceed, cumulatively, \$1,300,000.00 work on the Oakland Redevelopment Agency property located at the northeast corner of 66th Avenue and San Leandro Street including but not limited to: demolition and removal of structures, trailers and concrete, removal of asbestos, lead paint, soil remediation, site grading, construction or repair of utility connections, preparation of site improvements required for planned future development, and to maintain utility services and roads for access (ingress and egress) to the existing Fruitvale Business Center property east of the Agency site; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to allocate funds from the Coliseum Area Redevelopment Project Tax Allocation Bond Series 2006B-T (Taxable) Bonds Fund (9456), Capital Improvement Projects Coliseum Organization (94859), project to be established, to pay for the work; and be it

FURTHER RESOLVED: That all bids submitted in response to the City of Oakland's solicitation on behalf of the Agency for demolition of structures and trailers, and all bids submitted for removal of asbestos and lead paint, at the Project site are hereby rejected; and be it

FURTHER RESOLVED: That any and all contractors awarded contracts hereunder shall be required to meet all Agency purchasing requirements such as local and small local business participation, local hiring, apprentice hiring and equal benefits; and be it

FURTHER RESOLVED: That any and all contractors awarded contracts hereunder shall submit good and sufficient performance and payment bonds covering one hundred percent (100%) of their contract prices; and be it

FURTHER RESOLVED: That the Redevelopment Agency hereby authorizes an additional contribution of \$300,000 of Agency funds for a total allocation of \$1,300,000 for the improvement of the property; and be it

FURTHER RESOLVED: That the total project budget of \$1,300,000 will be allocated from the Coliseum Area Redevelopment Project Tax Allocation Bond Series 2006B-T (Taxable) Bonds Fund (9456), Capital Improvement Project (CIP) Economic Development Organization (94800), Coliseum Area Land Acquisition Project (T315820) to the Coliseum Area Redevelopment Project Tax Allocation Bond Series 2006B-T (Taxable) Bonds Fund (9456), Capital Improvement Projects Coliseum Organization (94859), in a project to be established; and be it

FURTHER RESOLVED: That the Agency hereby allocates and contributes \$200,000 to the City under the Cooperation Agreement from the Coliseum Area Redevelopment Project Tax Allocation Bond Series 2006B-T (Taxable) Bonds Fund (9456), Capital Improvement Project (CIP) Economic Development Organization (94800), Coliseum Area Land Acquisition Project (T315820) for payment of City staff costs for project management; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to execute any amendments, modifications or change orders to contracts authorized hereunder within the limitations of the Project plans and specifications; and be it

FURTHER RESOLVED: That Agency Counsel shall review and approve all agreements as to form and legality, and copies shall be placed on file with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, DEC 7 2010, 2010

PASSED BY THE FOLLOWING VOTE:

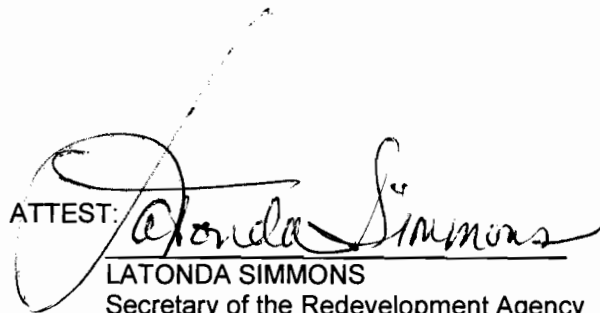
AYES - KERNIGHAN, NADEL, QUAN, DE LA FUENTE, BROOKS, REID, KAPLAN, AND
CHAIRPERSON BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



A handwritten signature in black ink, appearing to read 'Latonda Simmons', is written over a horizontal line. The signature is fluid and cursive.

LATONDA SIMMONS
Secretary of the Redevelopment Agency
Of the City of Oakland, California