

FILED
OFFICE OF THE CITY CLERK
OAKLAND

REDEVELOPMENT AGENCY AND THE CITY OF OAKLAND

AGENDA REPORT

2011 AUG 29 PM 2:04

TO: Office of the City/Agency Administrator
ATTN: Deama J. Santana
FROM: Community and Economic Development Agency
DATE: September 13, 2011

RE: A Joint Public Hearing of the City Council and the Redevelopment Agency on Proposed Amendments to the Central District Urban Renewal Plan to (1) Extend the Time Limits on Plan Effectiveness and the Receipt of Tax Increment Revenues by Eleven Years, (2) Increase the Cap on Tax Increment Revenues, (3) Extend the Time Limit for Use of Eminent Domain and Restrict Eminent Domain to Nonresidential Properties, (4) Amend Affordable Housing Provisions, and (5) Make other Required Changes

SUMMARY

Staff of the Community and Economic Development Agency is presenting for a joint City and Redevelopment Agency public hearing a proposed 17th amendment (the "17th Amendment") and 18th amendment (the "18th Amendment") to the Central District Urban Renewal Plan (the "Redevelopment Plan") to extend certain time and fiscal limits for the Central District Redevelopment Project Area (the "Central District" or the "Project Area"), and to update certain affordable housing provisions. However, due to uncertainties regarding the authority of the Agency to adopt redevelopment plan amendments, in view of recent legislation suspending redevelopment activities and the limited stay of parts of that legislation by the California Supreme Court, staff is asking that Council and the Agency refrain at this time from taking action on any of the proposed amendments. Staff will return to Council at a later date following resolution of the lawsuit for adoption of the legislation (or its alternative as discussed more specifically below) needed to enact the proposed amendments.

The proposed amendments will provide the Redevelopment Agency with additional financial and legal resources needed to address remaining blighting conditions and promote economic development in the Project Area, and to further the City's and Agency's goals to increase the community's supply of affordable housing. The proposed amendments will:

- Extend the time limit for Redevelopment Plan effectiveness by eleven years, from June 12, 2012 to June 12, 2023;
- Extend the time limit for tax increment collection by eleven years, from June 12, 2022 to June 12, 2033;
- Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a new limit of \$3.0 billion;
- Extend the time limit for eminent domain authority for the remaining life of the Redevelopment Plan, but restrict eminent domain to nonresidential properties;

Item: _____

Community and Economic Development Committee
September 13, 2011

- Update affordable housing provisions to conform to the requirements of California Redevelopment Law (CRL) in connection with the time extension amendments, including applying the affordable housing area production obligation to the entire Project Area and increasing the set-aside of tax increment funds to the Agency's Low and Moderate Income Housing Fund (the "Affordable Housing Fund") from 25 percent to 30 percent; and
- Make other required changes pursuant to the requirements of the CRL.

In order for the Agency to adopt the proposed amendments, the CRL requires among other things that the Agency find and document that significant blight remains within the Project Area, and that this blight cannot be eliminated without the extension of time and fiscal limits to the Redevelopment Plan. The Agency must also describe the proposed methods of financing for existing and new projects and programs in the Project Area, and demonstrate the financial feasibility of the redevelopment program as extended. A Report to Council including this information is attached to this report as *Attachment A*.

FISCAL IMPACT

Proposed Amendments

The proposed amendments to the Redevelopment Plan will extend the Agency's collection of tax increment by eleven years, from Fiscal Year (FY) 2021-22 to FY 2032-33 (and FY 2047/48 for the 2001 Amendment Area). This extension will continue to reduce the City's portion of property taxes from the Project Area that reverts to the General Fund for this period. The estimated loss to the City of Oakland's General Fund in property tax revenue from FY 2017-18 (which is the fiscal year after which the current tax increment limit of \$1.3 billion for the Project Area will be reached) to FY 2047-48 is \$380.4 million (which is calculated by subtracting the mandatory cumulative pass-through amount of \$80.5 million due to the City until FY 2047-48, if the proposed legislation is adopted, from the cumulative amount of \$460.9 million in tax increment that would be received by City if the legislation is not enacted). However, over the life of the proposed extensions of the Redevelopment Plan's time limits on plan effectiveness and the receipt of tax increment revenues beginning in FY 2010-11 and ending in FY 2047-48, the Agency is projected to receive about \$1.3 billion in additional net tax increment revenue in nominal (not adjusted for inflation) dollars for new redevelopment activities in the Central District, which is significantly more money than the City would receive from its share of property taxes generated in the Project Area if the proposed amendments to the Redevelopment Plan were not adopted.

Reasons for Proposed Amendments

One of the main purposes of the proposed amendments is to provide the Agency with the necessary financial resources to complete the goals of the Redevelopment Plan for the Project Area. Without the amendments, the Agency will have insufficient time and financial capacity to complete the redevelopment activities needed to eliminate blight in the Project Area.

In FY 2010-11, the Central District generated approximately \$52.4 million in gross tax increment revenues, of which approximately \$13.1 million were allocated toward the production of affordable housing. Without the proposed amendments, the Redevelopment Plan's time limit on tax increment receipts will expire on June 12, 2022. Extending the time limit on tax increment receipts will provide the Agency with eleven more years of additional tax increment revenue. Pursuant to the current Redevelopment Plan, the Agency may only collect up to \$1.3 billion of total tax increment in the Project Area. The Agency proposes to increase this limit on the amount of tax increment revenue it can receive to an amount of up to \$3.0 billion.

Since 1969, the Agency has received cumulative tax increment revenues of approximately \$841.1 million through FY 2009-10 in the Project Area, leaving approximately \$508.9 million to be collected under the existing limit of \$1.3 billion, which is projected to be reached in FY 2017-18. Approximately \$304.9 million of the remaining amount under the current tax increment cap is committed to existing bond debt and property tax rebates, leaving only \$204.0 million for additional redevelopment projects and activities, and related administrative costs.

Over the life of the proposed Redevelopment Plan amendments beginning in FY 2010-11 and ending in FY 2047-48, the Agency is projected to receive about \$2.0 billion in additional gross tax increment revenue in nominal dollars. After deductions of existing debt service (\$304.9 million), pass-through payments to other taxing entities (\$315.5 million), and all other Agency obligations (including projected administrative costs of approximately \$181.0 million), the total tax increment revenue that would be available to the Agency for all housing and non-housing redevelopment activities is \$601.5 million and \$598.6, respectively for a total of \$1.2 billion in nominal dollars, or \$575.0 million in constant FY 2010-11 dollars. It is anticipated that the Agency will use these tax increment revenues to leverage about \$4.1 billion (nominal dollars) from other sources such as private investment, and state and federal funding sources. These funds should be sufficient to complete the Agency's redevelopment program (including the Agency's affordable housing program), which is projected to require approximately \$5.3 billion in nominal dollars. Increasing the tax increment limit from \$1.3 billion by \$1.7 billion for a total of \$3.0 billion is therefore necessary for the Agency's ability to incur debt and encumber sufficient tax increment revenue from the Project Area to fund the redevelopment program and eliminate blight.

Use of Funds If Proposed Amendments Are Adopted

During the proposed plan extension period, the Agency will continue to reimburse City expenditures for staffing and general operations of the Agency, and cover additional City staff costs and funding for capital improvements to infrastructure and public facilities in the Project Area. The Agency will also use significant funds to 1) implement the Broadway Retail Strategy and other small retail projects under the Façade and Tenant Improvement Programs to increase sales tax revenue for the City; and 2) develop in partnership with the private sector other commercial real estate projects to increase property values, tax increment pass-throughs from the Agency to the City, and business taxes. Conservative estimates of sales tax increases generated by these continued redevelopment activities would be in excess of \$2.0 million per year.

Item: _____

Community and Economic Development Committee
September 13, 2011

Additional Payments

Adoption of the proposed amendments will also require an allocation of additional tax increment revenues to the Low and Moderate Income Housing Fund to raise the current contribution from 25% to 30% of all tax increment revenue generated in the Project Area beginning in FY 2012-13. This will have several fiscal impacts to the Agency. In FY 2012-13, the Central District's net operating budget will have a deficit of approximately \$2.1 million due to this increase of \$2.6 million in the set-aside for the Low and Moderate Income Housing Fund. Furthermore, in FY 2011-12 the Agency will use the remaining fund balance of the Central District for the purchase of the Henry J. Kaiser Convention Center from the City, and therefore have no operating reserves to make up the shortfall in the abovementioned operating budget in FY 2012-13. Moreover, if the Agency is required to make the payments to the state that are required for the continuation of the Agency under ABIX 27, there will be no fund balance remaining in the Central District to finance the first large payment required in FY 2011-12, or the smaller continuing annual payments starting in FY 2012-13.

If the lawsuit by the California Redevelopment Agency and the League of California Cities is not successful, and the Project Area is required to pay its share of these annual payments, which would be approximately \$2.9 million in FY 2012-13, the Central District operating budget would have a negative balance of approximately \$5.0 million. It is not anticipated that tax increment revenues in the Project Area will increase sufficiently over the next couple of years to cover these projected shortfalls. The Agency would likely have to pursue a combination of selling its real estate assets in the Central District, decreasing or eliminating its programs and projects, and significantly reducing its current operating costs. It is assumed that the initial \$39.4 million payment to the state in FY 2011-12 will not come from the Central District, since there is no tax increment or taxable bond funds available in the Central District that could be used for this payment.

Loss of Funds if Proposed Amendments Are Not Adopted

If the proposed amendments to the Redevelopment Plan are not adopted, the Project Area will only be able to apply any tax increment proceeds to payments for debt service and other existing financial obligations, such as property tax increment reimbursements, beginning in FY 2012-13 and ending in FY 2021-22. Any Agency funding for the redevelopment activities briefly outlined above and more specifically described in the Report to Council will be eliminated and reimbursements to the City for the cost of Agency operations will be reduced to a minimum.

The projected increase in the City's share of property taxes from 4.4% to 30.2% that would occur if the proposed legislation is not adopted will not begin until FY 2022-23, after expiration of the Agency's time limit on collecting tax increment to pay debt. As a result, the City would need to reduce or cut most of the approximately 41.5 Full Time Employees that are funded from the Central District in the Community and Economic Development Agency, and a portion of the general administrative departments (Mayor, City Council, Administrator, City Attorney, City Clerk, Finance, etc.), Police (five officers), and Public Works Agency starting next year in the mid-cycle of the FY 2011-13 budget as the Agency would no longer be permitted to cover most

Item: _____

Community and Economic Development Committee
September 13, 2011

of these expenses. Lastly, the City would lose approximately \$477.7 million in Low and Moderate-Income Housing Funds for the development of affordable housing if the plan amendments are not approved.

BACKGROUND

The Central District Project Area

The Central District consists of three geographical components originally adopted between 1969 and 2001. The Project Area covers approximately 250 city blocks (828 acres) in an area generally bounded by I-980, Lake Merritt, 27th Street and the Embarcadero. On June 12, 1969, the City Council adopted the Redevelopment Plan for the Project Area. The City amended the Redevelopment Plan in August 1982, to add territory near the southwestern edge of Lake Merritt and adjacent to the Original Area (the “1982 Area”). At the time of the 1982 plan amendment, the 1982 Area consisted solely of land and buildings that were publicly owned or dedicated to public use. In July of 2001, the City amended the Redevelopment Plan to add territory west of the Interstate 880 (the “2001 Area”). The 2001 Area contained a mixture of industrial, commercial and residential uses.

On December 16, 1986, the City Council adopted Ordinance No. 10822 C.M.S., which among other things, set the limit on the number of tax increment revenues that may be divided among taxing entities and allocated to the Agency pursuant to the Redevelopment Plan at \$1,348,862,000. The Redevelopment Plan also sets a limit on the number of dollars that may be divided and allocated to the Agency from areas added to the Central District between 1979 and 2001 at \$75,000,000.

On July 24, 2001, the City Council adopted Ordinance No. 12348 C.M.S., which among other things, established a time limit on the Agency’s eminent domain authority in the Central District at June 12, 2009, for territory included in the Central District prior to June 1, 2001, and for 12 years after adoption of the plan extension amendment for the 2001 Area.

On December 21, 2004, the City Council adopted Ordinance No. 12641 C.M.S., which amended the Redevelopment Plan to extend the time limit on the effectiveness of the Redevelopment Plan for the Project Area to June 12, 2012, and extended the time limit on the Agency’s ability to pay indebtedness and receive tax increment revenues as to the Project Area to June 12, 2022. Since its adoption, the Redevelopment Plan has been amended 16 times.

Extension of Time Limits on Plan Effectiveness and Receipt of Tax Increment

The 17th Amendment

Under legislation adopted in 2001 (SB 211), the CRL authorizes redevelopment agencies with redevelopment plans that were adopted on or before December 31, 1993, to extend the time limit on effectiveness of the Plan by an additional ten years. In addition, an Agency may extend the time limit on the payment of indebtedness and receipt of property taxes by an additional ten

years from the termination of its redevelopment plan. The redevelopment plan may be amended after the Agency finds, based on substantial evidence, that both of the following conditions exist: (1) significant blight remains within the project area; and (2) this blight cannot be eliminated without extending the effectiveness of the plan and receipt of property taxes.

The 18th Amendment

Under the CRL, redevelopment agencies that make required payments to the Supplemental Educational Revenue Augmentation Fund (“SERAF”) in FY 2009-10 and FY 2010-11 are entitled to a one-year extension of their time limits. The Agency has made its mandated \$41.1 million SERAF contribution for FY 2009-10 and its \$8.5 million contribution for FY 2010-11, and is therefore eligible for these additional time extensions.

Table 1 summarizes the existing and proposed time and fiscal limits for the original Project Area, the 1982 Area and the 2001 Area pursuant to the proposed 17th and 18th Amendments.

Table 1

	Central District	Central District (1982 Area)	Central District (2001 Area)
Background Information			
Date Adopted	June 12, 1969	August 3, 1982	July 24, 2001
Base Year	FY 1968/69	FY 1982/83	FY 2001/02
Base Year Assessed Value	\$275,241,000	\$0	\$15,780,702
Existing Time Limits			
Plan Effectiveness	June 12, 2012	June 12, 2012	July 24, 2032
Tax Increment Receipt	June 12, 2022	June 12, 2022	July 27, 2047
Eminent Domain	June 12, 2009	June 12, 2009	July 24, 2013
Incurring Debt	Eliminated	Eliminated	July 24, 2021
Proposed Time Limits			
Plan Effectiveness	June 12, 2023	June 12, 2023	July 24, 2033
Tax Increment Receipt	June 12, 2033	June 12, 2033	July 24, 2048
Eminent Domain	June 12, 2022	June 12, 2022	June 12, 2022
Incurring Debt	No Change	No Change	No Change
Existing Fiscal Limits			
Combined Tax Increment Cap		\$1,348,862,000	
1982 Tax increment Cap	N/A	\$75,000,000	N/A
Incurring Debt	N/A	\$100,000,000	N/A
Proposed Fiscal Limits			
Tax Increment Cap		\$3,000,000,000	
Incurring Debt	No Change	\$100,000,000	No Change

Item: _____

Increase to the Tax Increment Limit

The CRL requires that when an agency proposes to increase the limitation on the amount of tax increment to be allocated to the redevelopment agency, it must document the remaining blight within the Project Area, identify those portions of the Project Area, if any, that are no longer blighted, describe the projects that are required to be completed to eradicate the remaining blight, and describe the relationship between the costs of those projects and the amount of increase in the limitation on the number of tax increment dollars to be allocated to the agency. The ordinance adopting the amendment must contain findings that both: (1) significant blight remains within the project area; and (2) the blight cannot be eliminated without the establishment of additional debt and the increase in the limitation on the number of dollars to be allocated to the redevelopment agency.

Extension of Eminent Domain Authority

The CRL also requires that a redevelopment plan which includes eminent domain authority include a time limit, not exceeding 12 years from the adoption of the redevelopment plan, for commencement of eminent domain proceedings. When an agency proposes to extend its eminent domain authority, it must prove the existence of significant remaining blight in the Project Area, and the nexus between this authority and eliminating blight.

Overview of the Redevelopment Plan Amendment Process

The proposed 17th Amendment is subject to an adoption process that parallels the adoption of a new redevelopment plan with a number of additional requirements. The CRL requires that an agency first prepare a Preliminary Report. The Preliminary Report was delivered to affected taxing entities, as well as to the California Department of Finance (DOF) and the Department of Housing and Community Development (HCD), on March 29, 2011. The CRL also requires that the Agency receive a letter from HCD confirming that it did not accumulate excess surplus in the Affordable Housing Fund. The Agency received the letter from HCD on June 22, 2011.

The adoption of the 17th Amendment requires California Environmental Quality Act (CEQA) compliance. A programmatic Environmental Impact Report (EIR) was prepared for the 17th and 18th Amendment. On July 6, the Planning Commission certified the Final EIR and recommended that the City Council approve the proposed amendments.

The CRL requires that the agency consult with affected taxing entities. The Agency contacted affected taxing entities from April to June of 2011, and met with representatives of these entities on June 10, 2011. The CRL also requires that the agency consult with residents, community organizations and the Project Area Committee (PAC), if one exists, prior to submitting the plan amendment to the legislative body. The Agency made the Preliminary Report available on the Agency's website, and Agency staff conducted a community informational session on April 27, 2011. Staff also made a presentation to the Chinatown Chamber of Commerce on June 14, 2011. No PAC exists for the Central District.

In order for the Agency to adopt the proposed 17th Amendment, the CRL requires that the Agency prepare and distribute a Report to Council to provide comprehensive information,

Item: _____
Community and Economic Development Committee
September 13, 2011

analyses and evidence the City Council must consider when determining whether to approve the proposed amendment. In December 2010, the Agency hired Seifel Consulting, Inc. (“Seifel”) to conduct a blight study and to prepare the Report to Council. The attached Report to Council presents: (1) the reasons for considering the 17th Amendment; (2) documentation and mapping of those portions of the Central District that include significant remaining blight, as well as those portions of the Central District that are no longer blighted, and those portions that contain necessary and essential parcels for the elimination of remaining blight; (3) a description of the proposed activities (projects and programs) within the Project Area, how those projects and programs will improve blight conditions, and the reasons why the projects and programs cannot be completed without the time extensions; (4) the proposed method of financing the Agency’s redevelopment program; (5) an amendment to the Central District’s five-year Implementation Plan; (6) a “Neighborhood Impact Report” summarizing potential impacts resulting from the 17th Amendment and how the impacts will be addressed; (7) the report and recommendations of the Planning Commission; (8) the EIR; (9) a summary of consultations with residents and community organizations; (10) a summary of consultations with affected taxing entities; and (11) a description of the bonds sold by the Agency. The Report to Council must be sent to the DOF, HCD, taxing entities, and individuals and organizations that have commented on the Preliminary Report no later than 45 days prior to the public hearing. The Report to Council was distributed during the week of July 18th.

Lastly, the City Council and the Agency, according to specific noticing requirements, must hold a joint public hearing on the 17th Amendment, and the City Council must make the required findings and adopt an ordinance (with two readings) amending the Redevelopment Plan (see attached draft ordinance and related legislation). Should written objections to the amendment be submitted prior to the hearing, the Council must adopt a resolution responding to such objections.

Adoption of the 18th Amendment is not subject to this process, and only requires an ordinance (see attached draft ordinance).

KEY ISSUES AND IMPACTS

Necessity for the Plan Amendments

The current time and fiscal limits for the Project Area restrict the Agency’s ability to issue new debt, finance on-going programs, and effectively alleviate blighting conditions. The proposed extensions of the tax increment time and fiscal limits, the plan effectiveness limit and the eminent domain authority time limit would provide the Agency with additional financial and legal resources, which are needed to fund the Agency’s efforts to eliminate blight and constraints to development in the Project Area, as well as facilitate the production of affordable housing.

Extension of the Plan Time Limit

Under the existing time limit for plan effectiveness for the Project Area (other than the 2001 Area), the Agency must cease all redevelopment activities within the Project Area by June 12,

2012. Given the severe downturn of the economy over the last four years, the Agency has not been able to move forward on its redevelopment program as anticipated. As a result, the existing time limit significantly restricts the Agency's ability to continue alleviating the blighting conditions that remain in the Central District. The additional eleven years as planned under the proposed amendments will provide needed time for the Agency to implement existing and new infrastructure improvement programs throughout the Project Area.

Extension of Tax Increment Collection Limit

Chapter IV of the Report to Council shows the general financial feasibility of the redevelopment program. As discussed in Chapter IV, the cost to alleviate documented blighting conditions substantially exceeds available funding from public and private sources. Tax increment financing is the only source available to the community to fill the substantial gap between the costs of the redevelopment program and other public and private revenue sources. Because these projects and activities are critical to the revitalization of the Project Area, tax increment financing is needed to assist in funding these projects.

To continue the Agency's efforts in alleviating blighting conditions, the Agency is proposing to increase the tax increment collection limit for the Project Area from its current limit of \$1.3 billion to a new limit of \$3.0 billion. Without this, the Agency will have insufficient financial capacity to fund the redevelopment activities needed to eliminate blight in the Project Area. The Agency has received cumulative tax increment of approximately \$841.1 million through FY 2009-10, leaving \$508.9 million to be collected before expiration of the time limit on June 12, 2022. Approximately \$304.9 million of the remaining amount under the tax increment collection cap is committed to existing bonded debt and other obligations, leaving only \$204.0 million for additional redevelopment projects and activities and related administrative costs. The Agency's cost for the redevelopment program is over \$1.2 billion in nominal dollars, as shown on Table IV-1 in Chapter IV of the Report to Council. Therefore, the tax increment collection limit needs to be increased to \$3.0 billion in order for the Agency to continue its efforts to alleviate blighting conditions. Increasing the tax increment collection limit is also necessary for the Agency to be able to incur debt and encumber sufficient tax increment revenue from the Project Area to fund the redevelopment program.

Extension of Tax Increment Collection Time Limit

To enable the Agency to support the redevelopment program, the amendments will extend the tax increment collection time limit by eleven years. As discussed in Chapter III of the Report to Council, the Agency's cost for the redevelopment program is over \$1.2 billion. In order for the Agency to complete the redevelopment program, it would need to extend its time limit for tax increment receipt to collect sufficient tax increment revenues to complete the redevelopment program. Without extending the time limit for tax increment collection, the existing \$1.3 billion tax increment collection limit would likely be reached in FY 2017-18, prior to the existing time limit for tax increment collection in FY 2021-22. Therefore, additional time beyond the existing tax increment collection time limit is needed in order to continue alleviating blighting conditions.

Extension of Eminent Domain Authority

The Agency proposes to reinstate eminent domain authority in the Project Area with the limitation that eminent domain authority would not be authorized to acquire residential property. Eminent domain would be established for the remaining effective life of the Plan.

Eminent domain has been, and will continue to be, a necessary and effective tool for alleviating remaining blight on non-residential properties in the Project Area. In some cases it is the only way to overcome significant barriers to private investment, and without this tool the government would be unable to effectuate redevelopment. Through eminent domain, the Agency can assemble appropriate sites and prepare them for redevelopment. Site assembly by the Agency may be the only way to create parcels large enough for catalyst mixed-use projects or new affordable housing developments. Private sector investment can be hindered in areas where different property owners own adjacent smaller lots and/or buildings. Development or redevelopment of these sites can be prohibitively expensive given the costs of construction, market conditions in the Project Area, and other site constraints. Larger sites would allow developers to design for the market and to capitalize on locational strengths such as proximity to major transportation access points.

Eminent domain can also be necessary in cases of unsafe or unhealthy buildings and crime hotspots. In some cases, the owners of properties that contain unsafe or unhealthy buildings, or are locations of regular criminal activity may be absentee, unresponsive, or otherwise unwilling to cooperate with the Agency in its efforts to alleviate these blighting conditions through other redevelopment tools such as financial assistance. In these situations, the Agency's ability to purchase properties through eminent domain may be the only way to address the most extreme and persistent blighting conditions.

In the past, eminent domain has been an effective tool to facilitate redevelopment activities in the Project Area. The most recent and most successful use of eminent domain authority resulted in the development of the Uptown Apartments, which has served as a catalyst for rejuvenation of the Uptown commercial district. The only other instances of the Agency's use of eminent domain in the Project Area include the condemnation of the Bermuda building formerly located at 2101 Franklin, which was subsequently demolished and replaced with Center 21, a mixed-use office building, and several buildings for the development of Market Square project, a mixed-income housing development.

Remaining Blight in the Project Area

Since 1969, there have been many significant redevelopment successes in the Central District. These include redevelopment of City Center, the Uptown Area, Old Oakland, Preservation Park selected locations around Jack London Square and Chinatown. However, the remaining physical and economic blighting conditions in the Project Area are significant and cannot reasonably be reversed without continued redevelopment assistance. The documentation of the physical and economic blighting conditions in the Project Area included in Chapter II, and the extensive

photographic record contained in Appendix C of the Report to Council demonstrates that significant blight is still prevalent.

Proposed Projects and Programs

The Agency's redevelopment program is a comprehensive set of projects and programs designed to alleviate remaining blight in the Project Area, promote economic development throughout the community and encourage infill development that will promote the economic vitality of the Central District and create housing opportunities for residents at all income levels. The redevelopment program, which is described in greater detail in Chapter III of the Report to Council, applies to all of the existing Project Area, except for those parcels that are no longer blighted (as depicted in Figure II-1 in the Chapter II of Report to Council), and includes eight primary components: (1) Property Acquisition, Site Preparation and Disposition; (2) Planning, (3) Commercial Attraction, Expansion and Retention, (4) Commercial Rehabilitation; (5) Public Improvements; (6) Circulation, Street Improvements and Streetscapes; and (7) Cultural Arts and Recreational Facilities Improvements; and (8) Affordable Housing. The total estimated cost of the redevelopment program is approximately \$5.3 billion in nominal dollars. The estimated cost of the non-housing redevelopment program is approximately \$3.2 billion. The projected cost of the affordable housing redevelopment program is approximately \$2.1 billion. Table III-1 in the Report to Council describes the net costs of all programs and projects. With the exception of affordable housing for which there is a percentage expenditure defined by CRL (30% for the Project Area), the Agency will allocate the necessary funds for each program as needed over the life of the Project Area. A significant amount of the additional funds will go to encouraging tax generating activities for the benefit of the City, particularly retail under the Broadway Retail Strategy and the Façade and Tenant Improvement Programs.

Proposed Method of Financing and Feasibility

A determination of economic feasibility of the Agency's Redevelopment Plan requires an identification of the future resources to finance costs associated with redevelopment of the Project Area and the elimination of blighting conditions. It is projected that with the proposed amendments, the Project Area will generate \$598.6 million in net non-housing tax increment after required payments to taxing agencies, debt service and other costs, and \$601.5 million in required housing set-aside deposits, for total of \$1.2 billion. This amount represents the Agency's contribution of net tax increment toward the implementation of the Redevelopment Program, which totals approximately \$5.3 billion. The tax increment projected to be available is based on assessed value added from anticipated new development in these areas and projected growth in existing property values at rates experienced in the Project Area in the past. A detailed description of the public and private financing aspects of the Redevelopment Program is included in Chapter IV of the Report to Council. Table IV-1 in the Report to Council provides a summary of the Agency's costs for the redevelopment program in nominal dollars. Chapter IV of the Report to Council further describes the non-tax increment funding sources that are likely to be available to finance a portion of the redevelopment program costs. From these descriptions it is clear that the tax increment revenue made possible through the proposed 17th and 18th

Amendments will be an essential financing component needed to fund the Agency's share of the costs of the redevelopment program.

Affordable Housing

Adoption of the 17th Amendment will result in a legal requirement to set-aside a minimum of 30% of tax increment for affordable housing beginning in FY 2012-13. This will increase the annual revenue by \$2.6 million immediately and extend the revenue by 11 years for a total of \$477.7 million in additional funds. Furthermore, adoption of the 17th Amendment will trigger the CRL affordable housing area production requirements for the Central District, which requires among other things that 15% of all housing units developed in the Central District during each 10-year compliance period be affordable to low and very low income households. Previously, the Central District, as a project area adopted prior to 1976, was exempt from the CRL area production requirements.

Public Hearing

In view of legal uncertainties raised by pending legal challenges to two California redevelopment agency overhaul statutes enacted in late June (ABX1 26 and 27), on August 11, 2011, staff has decided to hold the public hearing on schedule, but delay the passage of the legislation until final resolution by the California Supreme Court of the pending legal challenges to ABIX 26 and 27. Under ABIX 26, redevelopment agencies are suspended from taking certain actions, including adopting redevelopment plan amendments and making findings concerning blight. Under ABIX 27, however, agencies that have adopted continuation ordinances (agreeing to make certain payments) are exempt from the suspension. Oakland has adopted such an ordinance. The Supreme Court did not stay the effectiveness of the suspension provisions of ABIX 26, but did stay most of ABIX 27, including the authority to adopt continuation ordinances. The Court's stay order is unclear though whether agencies that previously adopted continuation ordinances are still subject to the suspension. (CRA has requested clarification from the Court whether agencies that have adopted are subject to suspension; however, as of the writing of this report, the Court has not responded to this request.) In view of the uncertainty as to whether the Agency has the authority to adopt redevelopment plan amendments or blight findings during this period, staff believes it is prudent for Council to defer adopting any of the proposed legislation at this time. However, since the Agency has completed all legally required steps in the adoption process for the proposed amendments, including publication and extensive mailings of the public notice for the joint public hearing, staff is recommending that Council and the Agency hold the joint public hearing as scheduled. Staff will return to the City Council for adoption of the proposed legislation (or its alternative) without the benefit of an additional public hearing, as soon as the Supreme Court has reached a final decision on the legality of ABX1 26 and 27.

CEQA Review

CEQA law provides that all public and private undertakings pursuant to a redevelopment plan shall constitute a single project, and a programmatic EIR will be appropriate for purposes of the redevelopment plan adoption or amendment process. On July 6, 2011, the Planning Commission held a public hearing and received testimony on the Final EIR on the Proposed Amendments.

After closing the public hearing, the Planning Commission adopted the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP); adopted the CEQA findings for the project, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations; and recommended adoption of the proposed amendments to the City Council.

SUSTAINABLE OPPORTUNITIES

Economic: If adopted, the proposed amendments would facilitate the redevelopment and rehabilitation of blighted and underutilized residential, commercial and public facilities which will improve the economic stability and health of the commercial districts in the Central District.

Environmental: As part of future redevelopment agreements that would be executed in the Project Areas, staff will include provisions to require developers to make substantial use of such green building techniques as energy-conserving design and appliances, water-conserving fixtures and landscaping, recycled building materials, and low-waste construction techniques.

Social Equity: The adoption of the amendments will result in increased provision of funding for affordable housing in the City of Oakland. In the Central District, the amendments will result in a legal requirement to set-aside 30% of the tax increment generated to be used citywide for affordable housing, and to ensure that 15% of all housing units developed in the Central District during the 10-year compliance period be affordable units.

DISABILITY AND SENIOR CITIZEN ACCESS

All new development projects in the Project Area are required to comply with Federal ADA Accessibility Guidelines and the State of California's Title 24 accessibility regulations.

RECOMMENDATIONS AND RATIONALE

Staff is recommending that Council and the Agency hold a joint public hearing but hold off on adopting the proposed amendments and related legislation until the California Supreme Court has issued its final decision in the pending litigation regarding AB1X 26 and AB1X 27. Staff will bring these items back directly to Council at that time. Without the proposed amendments only a portion of the ongoing redevelopment activities to address remaining blight can be funded under the current time and fiscal limits. By extending the time and fiscal limits, the Agency will be able to continue to improve remaining blighting conditions and complete the Redevelopment Plan. The Agency programs and projects include significant investments in economic development, community enhancements and public improvement projects throughout the Project Area, including support for local businesses and property owners for building rehabilitation and business attraction, site preparation and assembly, public infrastructure and affordable housing activities. In addition, to maintain the Agency's ability to eliminate blight and promote economic growth in the Project Area, the proposed plan amendments would extend the time for

the Agency's eminent domain authority in the Project Area. Eminent domain has been, and will continue to be, a necessary and effective tool for alleviating remaining blight on non-residential properties in the Project Area.

Alternative Recommendation

In light of the negative fiscal impact on the Project Area's fund balance that would result from the combination of the legal requirement to set-aside a minimum of 30% of tax increment for affordable housing beginning in FY 2012-13 and the potentially required payments to the state for the continuation of the Agency under ABIX 27, staff is currently evaluating an alternative course of action, which would delay the increase of the contribution to the Low and Moderate Income Housing Fund by one year. Under this scenario, the City would (1) move forward this fiscal year only with the one year SERAF extension (not the full 11 years), an increase in the tax increment cap from \$1.3 to \$1.8 billion (not \$3.0 billion), and an extension of the eminent domain time limit only until FY 2012-13, and (2) postpone passage of the ten year SB 211 extension, along with the higher tax increment cap and longer eminent domain limit, until early FY 2012-13.

ACTION REQUESTED OF THE AGENCY/CITY COUNCIL

Staff recommends that the City Council and Agency board hold a joint public hearing regarding the proposed amendments, including the following attached draft legislation:

1. An Agency resolution and a City ordinance approving and adopting the 17th Amendment to the Redevelopment Plan to achieve the following:
 - Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for ten years from June 12, 2012 to June 12, 2022;
 - Extend the time limit for tax increment collection from the Project Area (other than the 2001 Area) for ten years from June 12, 2022 to June 12, 2032;
 - Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a new limit of \$3.0 billion;
 - Extend the time limit for eminent domain authority and restrict eminent domain to nonresidential properties for the remaining life of the Plan;
 - Update affordable housing provisions to conform to the requirements of the CRL in connection with the time extension amendments, including extending the affordable housing area production obligation to the entire Project Area, and increasing the set-aside to the Agency's Low and Moderate Income Housing Fund to 30 percent; and
 - Make other required changes pursuant to the requirements of CRL.
2. An Agency resolution and a City ordinance approving and adopting the 18th Amendment to the Redevelopment Plan to extend the time limits on plan effectiveness and the receipt of tax increment revenues by an additional year.

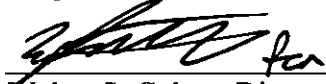
3. Agency and City resolutions certifying and making findings as to the final EIR on the proposed amendments, and adopting Mitigation Measures and a Mitigation Monitoring and Reporting Program.

Alternative Legislation

1. An Agency resolution and a City ordinance approving and adopting the 17th Amendment to the Redevelopment Plan to achieve the following:
 - Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for one year from June 12, 2012 to June 12, 2013;
 - Extend the time limit for eminent domain authority and restrict eminent domain to nonresidential properties for the remaining life of the Plan; and
 - Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a new limit of \$1.8 billion.

Staff is recommending that Council not adopt any of the above pieces of legislation at this time. Staff will return to the City Council for approval of the proposed legislation (or its alternative) as soon as the Supreme Court has made its final decision on the legality of ABX1 26 and 27.

Respectfully submitted,



Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Gregory Hunter, Deputy Director
Economic Development and Redevelopment

Prepared by:
Jens Hillmer
Urban Economic Coordinator

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE:



Office of the City/Agency Administrator

Attachment A – The Report to Council
Attachment B -- Proposed plan amendment legislation

Item: _____
Community and Economic Development Committee
September 13, 2011

**ATTACHMENT A
Report to Council**

See attached

REPORT

Central District Plan Amendment 2010-11 Report to Council

Prepared for:

The Redevelopment Agency of the
City of Oakland

July 2011

Seifel
CONSULTING INC.

221 Main Street
Suite 420
San Francisco CA
94105

415.618.0700
fax 415.618.0707
www.seifel.com

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council

I.	Overview and Background	I-1
A.	Introduction	I-1
B.	Summary of the Plan Amendment	I-3
C.	Central District Project Area Background	I-4
D.	Reasons for Amending the Redevelopment Plan	I-9
E.	Summary of Proposed Time and Fiscal Limits	I-9
F.	Conformity with the General Plan	I-10
G.	CRL Requirements for the Report to Council	I-10
H.	Overview of the Redevelopment Plan Amendment Process and Public Agency Actions.....	I-16
II.	Existing Conditions	II-1
A.	Introduction	II-1
B.	Methodology	II-7
C.	Redevelopment Projects and Activities in the Project Area	II-8
D.	Remaining Physical Blighting Conditions	II-15
E.	Remaining Economic Blighting Conditions	II-36
F.	Inadequate Public Improvements	II-60
G.	Conclusions for Remaining Significant Blight	II-64

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council (cont.)

III. Redevelopment Program Description III-1

A. Introduction III-1

B. Plan Amendment Goals and Objectives..... III-2

C. Description of Agency’s Non-Housing Redevelopment Program..... III-3

D. Description of Agency’s Affordable Housing Redevelopment Program III-10

E. Summary of Redevelopment Program Costs III-13

F. Relationship Between the Redevelopment Program and the Alleviation
of Blighting Conditions..... III-14

IV. Proposed Methods of Financing and FeasibilityIV-1

A. Introduction IV-1

B. Stimulation of Private Investment..... IV-1

C. Estimated Funding Requirements for the Redevelopment Program..... IV-2

D. Potential Sources Other than Tax Increment Financing IV-2

E. Tax Increment Financing as a Primary Source of Funding IV-8

F. Assumptions Used in Tax Increment Projections IV-11

G. Tax Increment Projections IV-17

H. Financial Feasibility of the Redevelopment Program for the Project Area IV-17

V. Five-Year Implementation Plan..... V-1

A. Statutory Requirement V-1

B. Analysis..... V-2

VI. Method or Plan for Relocation.....VI-1

A. Statutory Requirements..... VI-1

B. Analysis..... VI-1

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council (cont.)

VII. Analysis of the Preliminary Plan VII-1

A. Statutory Requirements..... VII-1

B. Analysis..... VII-1

VIII. Planning Commission Report and Recommendations VIII-1

A. Statutory Requirements..... VIII-1

B. Analysis..... VIII-2

IX. Summary of Public Review of the Plan Amendment.....IX-1

A. Statutory Requirements..... IX-1

B. Analysis..... IX-4

X. Environmental Review..... X-1

A. Statutory Requirements..... X-1

B. Analysis..... X-1

XI. Analysis of the County Fiscal Officer’s ReportXI-1

A. Statutory Requirements..... XI-1

B. Analysis..... XI-1

XII. Summary of Consultations with Taxing Entities XII-1

A. Statutory Requirements..... XII-1

B. Taxing Entities Affected by the Plan Amendment XII-2

C. Communications with Taxing Entities..... XII-2

D. Meeting with Taxing Entities..... XII-3

E. Comments Received from Taxing Entities and Agency Responses..... XII-3

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council (cont.)

XIII. Neighborhood Impact Report	XIII-1
A. Introduction	XIII-1
B. Statutory Requirements	XIII-2
C. Analysis Overview	XIII-2
D. Neighborhood Impacts	XIII-4
E. Low or Moderate-Income Housing	XIII-10
F. Summary	XIII-13
 XIV. Necessity for the Plan Amendment.....	 XIV-1
A. Necessity for Amendment to Increase Tax Increment Collection Limit	XIV-1
B. Necessity for Amendment to Extend Plan Effectiveness Time Limit	XIV-2
C. Necessity for Amendment to Extend Tax Increment Collection Time Limit.....	XIV-2
D. Necessity for Extension of Eminent Domain Authority	XIV-2
E. Summary	XIV-3
F. Extent of Remaining Physical and Economic Blighting Conditions	XIV-3
G. Significant Burden on the Community	XIV-4
H. Limitations of Private Enterprise	XIV-4
I. Limitations of Other Governmental Action	XIV-5
J. Conclusion	XIV-5

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council (cont.)

Table of Figures

Figure I-1 Central District Project Area Location.....	I-6
Figure I-2 Central District Project Area.....	I-7
Figure II-1 Parcels No Longer Blighted and Portion of the Project Area with Remaining Blight.....	II-16
Figure II-2 Earthquake Faults and Probabilities, San Francisco Bay Region.....	II-19
Figure II-3 Shaking Intensity and Liquefaction Zones.....	II-21
Figure II-4 Locations of Unreinforced and Partially Reinforced Buildings.....	II-24
Figure II-5 Location of Buildings Exhibiting Unsafe or Unhealthy Conditions.....	II-27
Figure II-6 Commercial Buildings with Obsolete or Inadequate Design.....	II-34
Figure II-7 Impediments to Circulation/Access.....	II-35
Figure II-8 Location of LUFT and SLIC Sites.....	II-41
Figure II-9 Location of Partially Vacant and Vacant Buildings.....	II-44
Figure II-10 Location of Active On-Sale and Off-sale Liquor Licenses.....	II-51
Figure II-11 Areas of High Crime Activity and Liquor Sales Establishments.....	II-53
Figure II-12 Crime Activity and Identified Crime Hot Spots in Central District - North.....	II-57
Figure II-13 Crime Activity and Identified Crime Hot Spots in Central District - South.....	II-58
Figure II-14 Curb and Pavement Deficiencies.....	II-62

Table of Tables

Table I-1 Summary of Existing Time and Fiscal Limits.....	I-8
Table I-2 Summary of Existing and Proposed Time and Fiscal Limits.....	I-11
Table II-1 CRL Blight Definitions (2007 – Present).....	II-4
Table II-2 Building Condition Rating Descriptions.....	II-8
Table II-3 Building Condition Ratings.....	II-26
Table II-4 Age of Buildings.....	II-28
Table II-5 Building Ratings by Building Age.....	II-28
Table II-6 Trends in Assessed Value of Industrial Property 2006 – 3rd Quarter 2010.....	II-37
Table II-7 Trends in Assessed Value of Residential Property 2006 – 3rd Quarter 2010.....	II-37
Table II-8 Change in Average Assessed Value of Residential Parcels 2006 – 2010.....	II-38
Table II-9 Hazardous Wastes Sites.....	II-40
Table II-10 Class B and C Office Vacancy Rates.....	II-46
Table II-11 Class B and C Office Average Asking Price Per Square Foot.....	II-46
Table II-12 Residential Lease Rates Central District Plan Amendment 2010-II.....	II-49
Table II-13 Active Alcoholic Beverage Licenses Within Project Area By Type and Census Tract.....	II-52
Table II-14 Part I Crimes Per 10,000 Residents in 2009.....	II-55
Table II-15 Average Number of Murders per 10,000 Residents 2005 – 2009.....	II-56
Table III-1 Summary of Agency Costs for the Redevelopment Program.....	III-14
Table III-2 Redevelopment Program Activities and Blighting Conditions Matrix.....	III-16
Table IV-1 Estimated Net Cost to Agency of Project Area Redevelopment Program In Nominal Dollars.....	IV-3
Table IV-2 Summary of Existing and Proposed Time and Fiscal Limits.....	IV-10
Table IV-3 New Development Growth Assumptions FY 2010-II Through Remaining Life of the Proposed Plan Amendment.....	IV-13
Table IV-4 Summary of Project Area Tax Increment Projections.....	IV-18
Table IV-5 Comparison of Estimated Tax Increment Revenues and Funding Requirements (Nominal Dollars).....	IV-19

Table of Contents
Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council (cont.)

Table of Graphs

Graph II-1 Age of Building as an Indicator of Seismic Susceptibility.....11-22
Graph II-2 Lead Paint Risk and Age of Residential Buildings11-31

Appendices

Appendix A. Sources and Definitions
Appendix B. Central District Plan Amendment Building Conditions Survey Form
Appendix C. Photographs of Blighting Conditions
Appendix D. Funding Sources
Appendix E. Tax Increment Projections
Appendix F. Amended 2009-2014 Five-Year Implementation Plan
Appendix G. Description of Agency Bonds
Appendix H. Community Participation
Appendix I. Taxing Entities Consultations
Appendix J. HCD Correspondence

I. Overview and Background

A. Introduction

The City of Oakland (City) and the Redevelopment Agency (Agency) of the City of Oakland are considering a 17th Amendment (Plan Amendment) to the Central District Urban Renewal Plan (Redevelopment Plan) that will amend certain time and fiscal limits of the Central District Project Area (Project Area), comprised of the area originally adopted in 1969 (Original Area), territory added in 1982 (1982 Area) and territory added in 2001 (2001 Area).¹

The Agency is preparing the Plan Amendment for consideration by the City Council in Summer 2011. This Report serves as the Report to Council for the Plan Amendment (Report to Council or Report), as required by Sections 33352 and 33333.11(h) of the California Community Redevelopment Law (CRL), a part of the California Health and Safety Code.² The Report to Council is an integral step in the process leading to consideration of the proposed Plan Amendment. It is the public document designed to provide the comprehensive information, analyses and evidence the City Council must consider when determining whether to adopt the Plan Amendment. The Report to Council is of value to all participants in the Plan Amendment process as a statement of program needs, goals, activities, and costs. This Report has been prepared pursuant to the requirements of the CRL.

The Plan Amendment serves to enhance the Agency's ability to eliminate remaining blight in the Project Area in a more effective manner than is possible under the existing Redevelopment Plan. If adopted, the Plan Amendment would provide the Agency with additional financial and legal resources needed to better alleviate blighting conditions and promote economic development in the Project Area (see Figure I-1). The Plan Amendment would also further Agency and City goals for enhancing the community's supply of affordable housing. The Plan Amendment will help accomplish City goals by furthering economic development, revitalizing areas and providing and improving community enhancements.

1. Chapter Organization

This chapter is organized into following sections:

- A. Introduction
- B. Summary of Plan Amendment
- C. Central District Project Area Background
- D. Reasons for Amending the Redevelopment Plan
- E. Summary of Proposed Time and Fiscal Limits

¹ The City and Agency are also considering adoption of an 18th Amendment to the Redevelopment Plan that would extend plan effectiveness and tax increment receipt time limits for an additional year, per Health and Safety Code Section 33331.5. The 18th Amendment is not the subject of this Report to Council.

² Health & Safety Code Section 33000 et seq. All Code Section references used in the Report to Council refer to the Health & Safety Code unless otherwise specified.

- F. Conformity with the General Plan
- G. CRL Requirements for the Report to Council
- H. Overview of the Plan Amendment Process and Public Agency Actions

2. Report Organization

The Report to Council is organized into the following chapters:

- Chapter I presents a general overview and background of the Plan Amendment, summarizes the reasons for amending the Redevelopment Plan, describes the goals of the Plan Amendment, outlines the CRL requirements, and presents an overview of the process for amending the Redevelopment Plan.
- Chapter II describes the Agency's redevelopment efforts to date in the Project Area, delineates the portions of the Project Areas no longer blighted, and the significant physical and economic blighting conditions remaining in the Project Area.
- Chapter III presents the Redevelopment Program and the Plan Amendment goals and objectives. It describes the projects and activities the Agency proposes to undertake under the Plan Amendment (Redevelopment Program), and how the Redevelopment Program will alleviate the adverse conditions described in Chapter 11. It also summarizes the anticipated cost of the Redevelopment Program.
- Chapter IV analyzes the financial feasibility of the Plan Amendment. It details the resources available to the Agency to accomplish the Redevelopment Program under the Plan Amendment, describes tax increment financing, presents projections of the tax increment revenue that will be generated in the Project Area, and evaluates the financial feasibility of the Redevelopment Program under the Plan Amendment.
- Chapter V discusses the Implementation Plan requirement, and refers to the Five-Year Implementation Plan, which is included in Appendix F. The Implementation Plan outlines statutory requirements for non-housing as well as affordable housing activities, and describes the Agency's housing responsibilities pursuant to Section 33490. It sets forth the Agency's goals, objectives, programs, and expenditures for the Agency's Five-Year Implementation Plan period, including program priorities and expenditure estimates over the five-year period.
- Chapter VI describes the requirement for a plan for relocation of persons or businesses that may be displaced due to redevelopment activities.
- Chapter VII provides an analysis of the Preliminary Plan requirements.
- Chapter VIII discusses the Planning Commission report and recommendations for the Plan Amendment.
- Chapter IX summarizes opportunities for public review of, and comment on, the Plan Amendment.
- Chapter X contains, by reference, the final Environmental Impact Report (Final EIR), prepared in accordance with the California Environmental Quality Act (CEQA) for the Plan Amendment.
- Chapter XI describes the requirements related to the Report of the County Fiscal Officer.
- Chapter XII includes a summary of the consultations with affected taxing agencies.
- Chapter XIII presents the Neighborhood Impact Report.
- Chapter XIV summarizes the blight findings and establishes the necessity of the Plan Amendment, including the extended time limits on plan effectiveness, tax increment

collection and eminent domain authority; and increased limit on tax increment collection. It also explains why private enterprise and governmental action, working alone or together, cannot reasonably be expected to reverse existing blighting conditions without the Plan Amendment.

The appendices include supporting documentation and background information on the Plan Amendment.

- Appendix A provides a list of sources used to prepare the Report to Council and a glossary of terms used in this Report.
- Appendix B includes the survey form used for the building conditions survey in the Project Area that support findings presented in Chapter II.
- Appendix C contains photographic documentation of the physical and economic blighting conditions presented in Chapter II.
- Appendix D includes a matrix of potential funding sources for the Redevelopment Program.
- Appendix E includes supporting tables for the tax increment revenue projections.
- Appendix F includes the amended Five-Year Implementation Plan.
- Appendix G describes the bonds sold by the Agency to finance or refinance projects and activities within the Project Area prior to six months before the anticipated adoption date for this Plan Amendment.
- Appendix H presents the Community Participation Documents.
- Appendix I presents the Documentation of Consultations with Taxing Entities.
- Appendix J includes correspondence from the California Department of Housing and Community Development.

This report has been prepared pursuant to the requirements of the CRL.

B. Summary of the Plan Amendment

If adopted, the Plan Amendment would:

- Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a proposed revised limit of \$3.0 billion.
- Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for ten years to June 12, 2022, as authorized by CRL Section 33333.10.
- Extend the time limit for tax increment collection from the Project Area (other than the 2001 Area) for ten years to June 12, 2032, as authorized by CRL Section 33333.10.
- Extend the time limit for eminent domain authority for up to 12 years but no longer than the plan effectiveness limits for the Project Area.³
- Update various text provisions to conform to the requirements of the CRL in connection with the time extension amendments, including extending the affordable housing area production obligation, pursuant to CRL Section 33413(b) to the entire Project Area (other than the

³ The Agency would not be authorized to employ the power of eminent domain to acquire property on which persons legally reside.

2001 Area), and increasing the set-aside to the Agency's Low and Moderate Income Fund to 30 percent (other than the 2001 Area).

The fundamental purpose of the Plan Amendment is to provide the Agency with the necessary financial and legal resources and tools to complete the Redevelopment Program in the Project Area in order to:

- Eliminate the significant remaining blight identified in various portions of the Project Area.
- Facilitate the economic development of the Project Area including the provision of additional job opportunities for Oakland residents.
- Provide additional quality affordable housing for residents of the Project Area and the entire Oakland community.

This Report to Council is a background document in the process to consider the proposed Plan Amendment and is therefore broad in scope. The redevelopment projects and activities, and their associated costs, presented in Chapters III and IV serve to illustrate the range of projects the Agency may undertake through this Plan Amendment. The Five-Year Implementation Plan and annual Agency budgets will continue to serve as the principal guides for the Agency's ongoing specific activities and programs.

C. Central District Project Area Background

The Central Project Area consists of three components originally adopted between 1969 and 2001. The Project Area covers approximately 250 city blocks (828 acres) generally bounded by I-980, Lake Merritt, 27th Street and the Embarcadero. Within the Project Area, four major redevelopment activity areas, City Center, Chinatown, Old Oakland and the Uptown area, have served as the geographical focus of redevelopment activities for the Agency. The Project Area is a major economic and transportation hub in the San Francisco-Oakland Metropolitan Area and includes approximately 10.7 million square feet of office space. The Project Area is also at the center of the Bay Area Rapid Transit (BART) system, with three stations (12th Street Oakland City Center, 19th Street Oakland and Lake Merritt) located within its boundaries. More than 40 AC Transit bus lines connect the Project Area with other parts of Oakland and nearby communities.

1. Central District Original Area

The Original Area was adopted on June 12, 1969. At the time of Plan Adoption in 1969, the area was characterized by buildings with defective design and construction, faulty interior arrangement, inadequate provision for ventilation and light, lack of fire safety and high vacancy rates for extended periods of time in addition to inadequate circulation and lack of infrastructure.

2. 1982 Area

The City amended the Redevelopment Plan on August 3, 1982 by adding territory near the southwestern edge of Lake Merritt and adjacent to the Original Area (1982 Area). At the time of the 1982 Plan Amendment, the 1982 Area consisted solely of land and buildings that were publicly owned or dedicated to public use. Some of the buildings and infrastructure in the 1982 Area imposed burdens on the community, which could not be alleviated by private

enterprise, including the Henry J. Kaiser Convention Center, which was in need of substantial rehabilitation due to its age and deteriorated condition. In addition, the 1982 Area included major public and private transportation entrances into the Original Area including Lakeshore Drive, East 12th Street, East 14th Street, and Foothill Boulevard. The 1982 Area was added in order to properly and efficiently plan for and implement traffic improvements.

3. 2001 Area

In June 2001, the City amended the Redevelopment Plan to add territory west of the Interstate 880 Freeway (2001 Area). The 2001 Area is bounded by Brush Street, Martin Luther King Jr. Way, 2nd Street, and Interstate 880 (I-880). The 2001 Area contained a mixture of industrial, commercial and residential uses. At the time of the 2001 Plan Amendment, the adverse conditions documented included poor building conditions, substandard streets and sidewalks, circulation impediments, incompatible uses, depreciated land value, hazardous waste sites, and high crime rates.

Figure I-1 indicates the location of the Project Area and Figure I-2 shows the boundaries of the Original Area, 1982 Area and 2001 Area.

4. Summary of Existing Time and Fiscal Limits

The Agency's ability to address remaining blighting conditions is limited by the existing time and fiscal limits that govern the Redevelopment Plan. Table I-1 summarizes the existing time and fiscal limits for the Redevelopment Plan.

a. Time Limits

Under the current Redevelopment Plan, the Original Area and 1982 Area share the same time limits on incurring debt, eminent domain, plan effectiveness, and tax increment receipt. In both areas, time limits on incurring debt were eliminated in 2004. Eminent domain authority in both areas expired on June 12, 2009. Plan effectiveness in both areas will expire on June 12, 2012, and tax increment receipt limits in both areas will expire on June 12, 2022. The plan effectiveness and tax increment receipt limits were extended by a total of three years, as permitted by SB 1045 and SB 1096.

In the 2001 Area, the authority to incur debt will expire on July 24, 2021. Eminent domain authority will expire on July 24, 2013. Plan effectiveness will expire on July 24, 2032, and tax increment receipt will expire on July 24, 2047. The limits on plan effectiveness and tax increment receipt were extended by one year, as permitted by SB 1045.

b. Fiscal Limits

The existing Redevelopment Plan allows the Agency to collect a maximum \$1,348,862,000 (\$1.3 billion) in tax increment generated from the Project Area. Of the \$1.3 billion tax increment collection limit, the Agency may collect a maximum of \$75 million in tax increment revenues generated from the 1982 Area. A debt incurrence limit does not apply to the Project Area.⁴

⁴ The 1982 Area has a debt incurrence limit of \$100 million.

Figure I-1
Central District Project Area Location

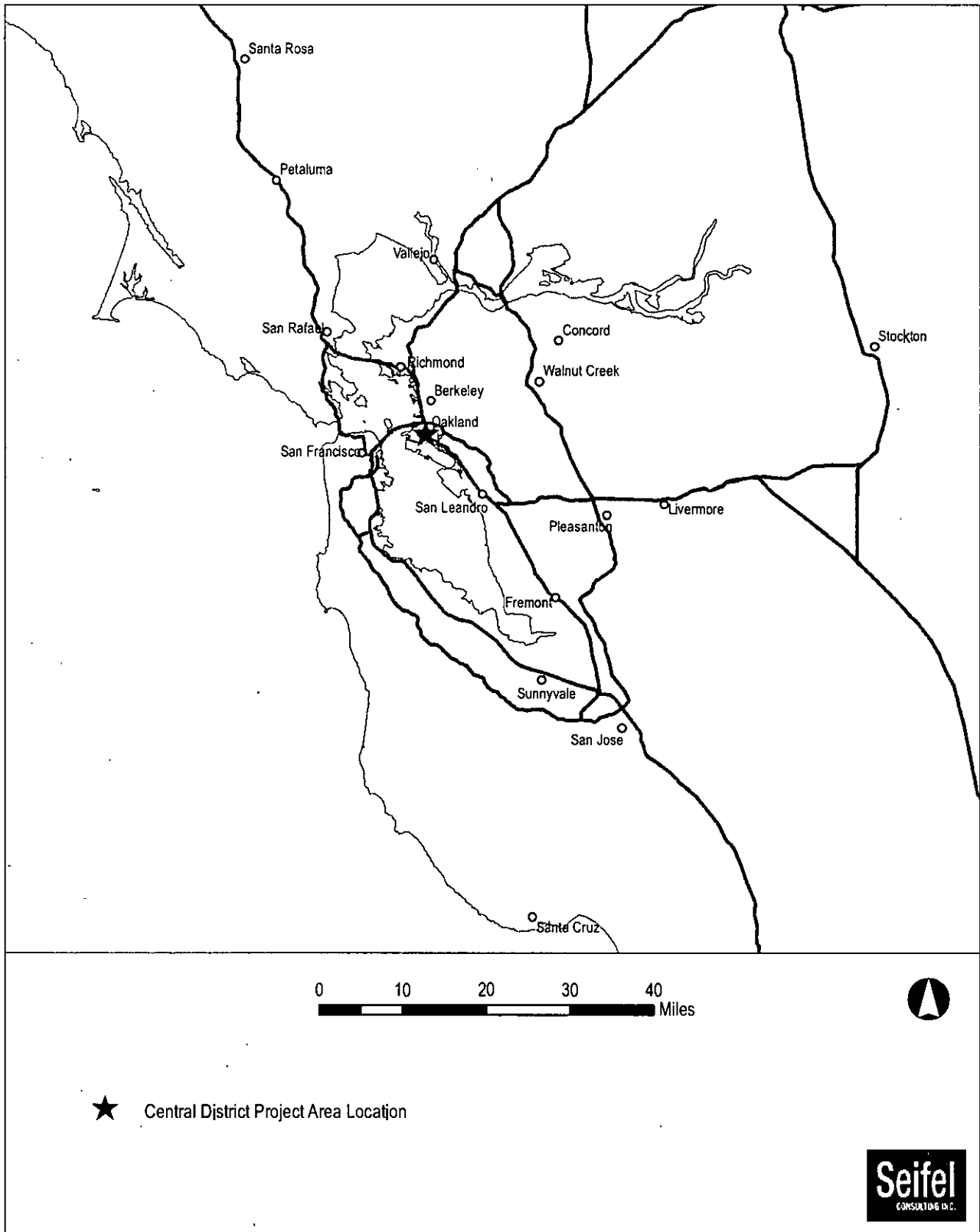
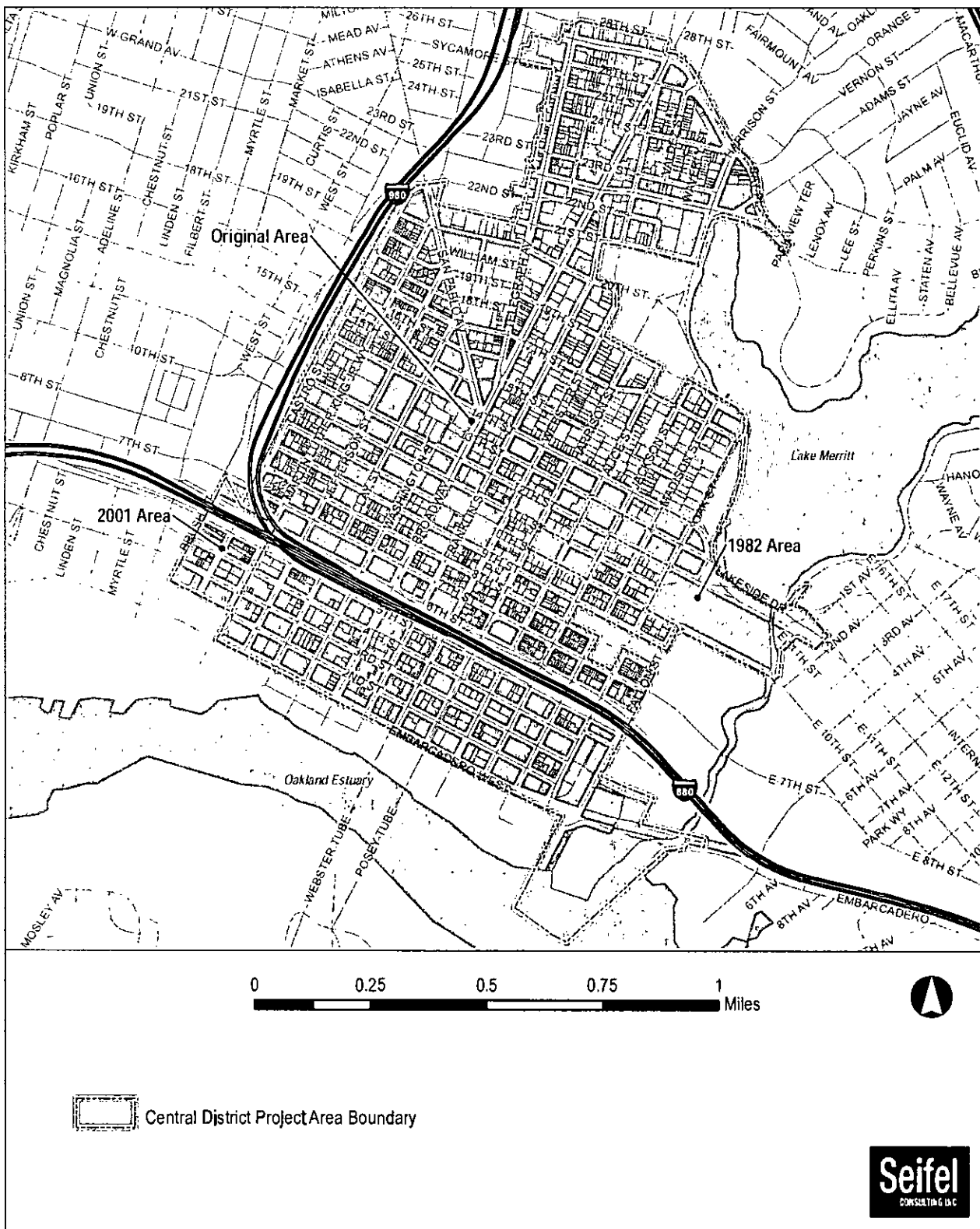


Figure I-2
Central District Project Area



**Table I-1
Summary of Existing Time and Fiscal Limits
Central District Project Area**

	Central District (Original Area)	Central District (1982 Area)	Central District (2001 Area)
Background Information			
Date Adopted	June 12, 1969	August 3, 1982	July 24, 2001
Base Year	FY 1968/69	FY 1982/83	FY 2001/02
Base Year Assessed Value	\$275,241,000	\$0 ^a	\$15,780,702
Existing Time Limits			
Incurring Debt	Eliminated ^b	Eliminated ^b	July 24, 2021
Eminent Domain	June 12, 2009 ^c	June 12, 2009 ^c	July 24, 2013
Plan Effectiveness	June 12, 2012 ^d	June 12, 2012 ^d	July 24, 2032 ^e
Tax Increment Receipt	June 12, 2022 ^d	June 12, 2022 ^d	July 24, 2047 ^e
Existing Fiscal Limits			
Combined Tax Increment Cap ^f		\$1,348,862,000	
1982 Area Tax Increment Cap ^f	N/A	\$75,000,000	N/A
incurring Debt	N/A	\$100,000,000	N/A

Note: N/A = Not applicable.

- a. Estimated to be \$0 as all parcels within the 1982 Area were publicly owned at the time the 1982 Area was added to the Central District.
- b. The incurring debt limit for the Central District Original Area and 1982 Area was eliminated in by Ordinance 12570 C.M.S. in 2004, as authorized by the CRL.
- c. Re-established and extended per Ordinance 12090 C.M.S.
- d. Ordinance 12617 C.M.S. extended these time limits by one year per SB 1045, and Ordinance 12641 C.M.S. extended these time limits by two years per SB 1096.
- e. Ordinance 12641 C.M.S extended these time limits by one year per SB 1045.
- f. The limit of approximately \$1.3 billion applies to the entire Central District Project Area. The 1982 Area has an individual cap of \$75 million.

Source: Redevelopment Agency of the City of Oakland.

D. Reasons for Amending the Redevelopment Plan

Although significant progress has been made in alleviating blight and revitalizing some portions of the Project Area, much of the Project Area continues to exhibit significant remaining blighting conditions that burden the community.

The primary reasons for the proposed Plan Amendment are to:

- Achieve the goals and objectives set forth in the Redevelopment Plan,
- Implement the Agency's Redevelopment Program, and
- Alleviate the significant physical and economic blighting conditions that remain in the Project Area.

The following physical and economic blighting conditions continue to hinder the Project Area:

- Unsafe or unhealthy buildings
- Conditions hindering the viable use or capacity of buildings or lots
- Depreciated or stagnant property values
- Impaired values due to hazardous wastes
- Excess problem businesses
- High crime rate
- Inadequate public improvements, public facilities, open spaces, and utilites

Without the Plan Amendment, only a portion of the ongoing redevelopment activities to address remaining blighting conditions will be able to be funded under the current time and fiscal limits. By extending the time and fiscal limits proposed through the Plan Amendment, the Agency would be able to continue alleviating the identified remaining blight and complete the Redevelopment Program. As described in Chapter III, the Redevelopment Program includes significant investments in economic development, community enhancement, and public improvement projects throughout the Project Area, including support for local businesses and property owners for building rehabilitation and business attraction, site preparation and assembly, public infrastrucmre, and affordable housing activities. Additionally, to maintain the Agency's ability to alleviate blight and promote economic growth in the Project Area, the Plan Amendment would extend the time limit for the Agency's eminent domain authority in the Project Area.

In summary, the primary reasons for the proposed Plan Amendment are to:

- Alleviate the significant physical and economic blighting conditions that continue to exist in the Project Area; and
- Achieve the goals of the Redevelopment Plan.

E. Summary of Proposed Time and Fiscal Limits

Table I-1 above summarizes the existing time and fiscal limits for the Redevelopment Plan. The Plan Amendment proposes to extend or increase several of these time and fiscal limits as described below.

1. Time Limits

The Plan Amendment proposes to extend the time limits for plan effectiveness and tax increment collection by ten years for the Project Area (other than the 2001 Area), pursuant to Section 33333.10 (SB 211). As noted above, the time limit for debt incurrence was repealed by ordinance for both the Original and 1982 Areas in 2004.

The Plan Amendment also proposes to reinstate eminent domain power in the Project Area for up to twelve years, but no longer than the plan effectiveness time limit.

2. Fiscal Limits

The Plan Amendment proposes two alterations to the existing fiscal limits for the Central District Project Area. It proposes to increase the increment collection limit (TI Cap) for the entire Central District from \$1.3 billion to \$3 billion. The Plan Amendment also proposes to eliminate the separate \$75 million limit on tax increment collection from the 1982 Area. Table 1-2 summarizes the proposed amendments to the time and fiscal limits.

F. Conformity with the General Plan

CRL Section 33331 requires all redevelopment plans and plan amendments to be consistent with the General Plan. Also, CRL Section 33367(d)(4) requires that the ordinance adopting the Plan Amendment contain a finding that the Plan Amendment is consistent with the General Plan.

The redevelopment of the Project Area will be in conformance with the General Plan of the City of Oakland, as it is amended from time to time.

G. CRL Requirements for the Report to Council

Pursuant to CRL Sections 33352 and 33333.11(h), the report to the legislative body (Report to Council) must demonstrate how a proposed redevelopment plan (or plan amendment) meets several criteria. CRL Section 33333.11(h) specifies that the report to the legislative body include all the information required in the preliminary report, per Section 33333.11(e); therefore, excerpts from Section 33333.11(e) are included below. This section includes a summary of the reporting requirements and a description of how this Report is organized to meet these requirements. Excerpts from the CRL are referenced and italicized.

1. Reasons for the Plan Amendment

The reasons for the selection of the project area. [Section 33352(a)]

Because the Project Area was previously selected and established, this element of the Report to Council is focused on setting forth the reasons for adopting the Plan Amendment.

The reasons for amending and restating the existing Redevelopment Plan and for adopting the other components of the Plan Amendment are summarized in Section D above, and are detailed throughout Chapters II, III, and XIV.

Table i-2
Summary of Proposed Time and Fiscal Limits
Central District Project Area

	Central District (Original Area)	Central District (1982 Area)	Central District (2001 Area)
Background Information			
Date Adopted	June 12, 1969	August 3, 1982	July 24, 2001
Base Year	FY 1968/69	FY 1982/83	FY 2001/02
Base Year Assessed Value	\$275,241,000	\$0 ^a	\$15,780,702
Proposed Time Limits			
Incurring Debt	No Change	No Change	No Change
Eminent Domain	June 12, 2022	June 12, 2022	June 12, 2022
Plan Effectiveness	June 12, 2022 ^b	June 12, 2022 ^b	No Change
Tax Increment Receipt	June 12, 2032 ^b	June 12, 2032 ^b	No Change
Proposed Fiscal Limits			
Tax Increment Cap ^c		\$3,000,000,000	
Incurring Debt	No Change	\$100,000,000	No Change

Note: N/A = Not applicable.

- a. Estimated to be \$0 as all parcels within the 1982 Area were publicly owned at the time the 1982 Area was added to the Central District.
- b. Per SB 211, the time limits for plan effectiveness and tax increment receipt for pre-1994 plans are proposed to be extended by ten years.
- e. The Plan Amendment proposes to eliminate the \$75 million limit for the 1982 Area and increase the Project Area's overall limit on tax increment receipt to \$3 billion.

Source: Redevelopment Agency of the City of Oakland.

2. Physical and Economic Conditions in the Project Area

A description of the physical and economic conditions specified in Section 33031 that exist in the area that cause the project area to be blighted. The description shall include a list of the physical and economic conditions described in Section 33031 that exist within the project area and a map showing where in the project the conditions exist. [Section 33352(b)]

The evidence provided in this Report demonstrates that the Project Area contains adverse physical and economic conditions sufficient to support a finding that significant blight exists within the Project Area.⁵ It documents and maps remaining blighting conditions in the Project Area, as provided in Chapter II and Appendix C. This Report also maps and identifies parcels no longer blighted.

a. Amendment to Increase Tax Increment Collection Limit

When an agency proposes to increase the limitation on the number of dollars to be allocated to the redevelopment agency, it shall describe and identify, in the report required by Section 33352, the remaining blight within the project area, identify the portion, if any, that is no longer blighted, the projects that are required to be completed to eradicate the remaining blight and the relationship between the costs of those projects and the amount of increase in the limitation on the number of dollars to be allocated to the agency. [Section 33354.6(b)]

Chapter II of this report describes and documents the remaining blight in the Project Area and shows that the remaining blight is significant. Chapter II also includes a map of the Project Area that identifies the areas no longer blighted and areas with remaining blight.

b. Amendment to Extend Time Limit on Plan Effectiveness and Tax Increment Collection

A map of the project area that identifies the portion, if any, of the project area that is no longer blighted and the portion of the project area that is blighted and the portion of the project area that contains necessary and essential parcels for the elimination or the remaining blight. [Section 33333.11(e)(1)]

A description of the remaining blight. [Section 33333.11(e)(2)]

Furthermore, the CRL requires that significant blight must remain within the Project Area in order to extend the plan effectiveness and tax increment collection time limits. Specifically, Section 33333.10(c) provides the following:

- (1) "Blight" has the same meaning as that term is given in Section 33030.
- (2) "Significant" means important and of a magnitude to warrant agency assistance.

The blighting conditions documented throughout Chapter II and in the photographs in Appendix C support a finding that significant blight warranting Agency assistance exists within the Project Area. The figures presented in Chapter II identify the portions of the Project Area that are no longer blighted and areas that remain blighted and include necessary and essential parcels.

⁵ The report to the legislative body (Report to Council), pursuant to Section 33352, requires specific quantifiable evidence of physical and economic blight in addition to a map showing where the conditions exist.

c. Amendment to Extend Time Limit on Eminent Domain Proceeding

This time limitation [eminent domain proceedings] may be extended only by amendment of the redevelopment plan after the agency finds, based on substantial evidence, both of the following: (A) That significant blight remains within the project area. (B) That this blight cannot be eliminated without the use of eminent domain. [Section 33333.2(a)(4)]

Pursuant to Secdon 33333.2(a)(4) the redevelopment agency must make blight findings in order to amend the time limit for eminent domain proceedings. The blight documentation presented in Chapter I] and Appendix C illustrate that significant blight remains in the Project Area and the remaining blight cannot be eliminated without the use of eminent domain and fulfills the Section 33333.2(a)(4) requirement.

Chapter XIV of this Report describes the necessity of the Plan Amendment and explains why the blighting conditions cannot be eliminated without the use of eminent domain.

3. Proposed Projects and Blight Alleviation

[A] description of the specific projects then proposed by the agency, a description of how these projects will improve or alleviate the conditions described in subdivision (b). [Section 33352(a)]

A description of the projects or programs proposed to eliminate the remaining blight. [Section 33333.11(e)(3)]

A description of how the project or programs will improve the conditions of blight. [Section 33333.11(e)(4)]

Chapter 11I of this Report provides descriptions and preliminary cost estimates of the Redevelopment Program. It includes projects and activities to be undertaken by the Agency as a means to alleviate the significant remaining blighting conditions within the Project Area. Chapter III establishes the relationship between the costs of the projects and the increased amount of tax increment proposed under this Plan Amendment.

4. Proposed Method of Financing and Feasibility

An explanation of why the elimination of blight and the redevelopment of the project area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the legislative body's use of financing alternatives other than tax increment financing. [Section 33352(d)]

The proposed method of financing the redevelopment of the project area in sufficient detail so that the legislative body may determine the economic feasibility of the plan. [Section 33352(e)]

The proposed method of financing these programs or projects. This description shall include the amount of tax increment revenues that is projected to be generated during the period of the extension, including amounts projected to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to affected taxing entities. This description shall also include sources and amounts of moneys other than tax increment revenues that are available to finance these projects or programs. [Section 33333.11(e)(6)]

Chapter IV of this report describes the proposed methods of financing for the projects and advities in the Project Area if the Plan Amendment is adopted. It demonstrates the financial feasibility of the Redevelopment Program by comparing available funding sources with projected costs of the Redevelopment Program. Appendices D and E provide a matrix of potential funding sources for the Redevelopment Program and detailed tax increment projections.

5. Implementation Plan Amendment

An implementation plan that describes specific goals and objectives of the agency, specific projects then proposed by the agency, including a program of actions and expenditures proposed to be made within the first five years of the plan, and a description of how these projects will improve or alleviate the conditions described in Section 33031. [Section 33352(c)]

An amendment to the agency's implementation plan that includes, but is not limited to, the agency's housing responsibilities pursuant to Section 33490. However, the agency shall not be required to hold a separate public hearing on the implementation plan pursuant to subdivision (d) of Section 33490 in addition to the public hearing on the amendment to the redevelopment plan. [Section 33333.11(e)(7)]

Chapter V and Appendix F of this report address the implementation plan amendment required by Sections 33352(c) and 33333.10(e)(7). Without the Plan Amendment, the Original Area's plan effectiveness would expire two years earlier than the required five-year Implementation Plan cycle. The Agency's adopted 2009-2014 Five-Year Implementation Plan has been amended to reflect additional resources that would support projects during the last two years of the five-year Implementation Plan cycle if the Plan Amendment is adopted. The amended 2009-14 Five-Year Implementation Plan is included as Appendix F. The Agency's non-housing and housing program priorities and expenditures for the Project Area are included in the Implementation Plan. As stated in the Five-Year Implementation Plan, the Agency will have an opportunity to update the Implementation Plan, as well as the proposed activities and estimated expenditures, during the Midterm Review process.

6. Method or Plan for Relocation

A method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the project area, which method or plan shall include the provision required by Section 33411.1 that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by the displaced person or family at rents comparable to those at the time of their displacement. [Section 33352(f)]

Chapter VI sets forth the Agency's relocation policy as provided for in the Redevelopment Plan.

7. Analysis of the Preliminary Plan

An analysis of the preliminary plan. [Section 33352(g)]

Chapter VII describes the Preliminary Plan requirement and explains why a Preliminary Plan is not required for the Plan Amendment.

8. Planning Commission Actions

The report and recommendations of the planning commission. [Section 33352(h)]

The report required by Section 65402 of the Government Code. [Section 33352(j)]

The report and recommendations of the planning commission. [Section 33333.11(h)(2)]

Chapter VIII discusses the Planning Commission actions.

9. Summary of Public Review of the Plan Amendment

The summary referred to in Section 33387. [Section 33352(i)]

A summary of the consultation with residents and community organizations, including the project area committee, if any [Section 33333.11(h)(5)]

A summary of the public review of the Plan Amendment is contained in Chapter IX. This chapter also discusses the Agency's outreach efforts to keep the public advised of the progress of the Plan Amendment, and contains information on the joint public hearing on the Plan Amendment.

Appendix H includes community participation documents.

10. Environmental Review

The report required by Section 21151 of the Public Resources Code. [Section 33352(k)]

A negative declaration, environmental impact report or other document that is required in order to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code. [Section 33333.11(h)(3)]

Chapter X discusses the environmental review requirements that apply to the Plan Amendment and incorporates by reference the Draft EIR and Final EIR into this Report.

11. Analysis of the Report of the County Fiscal Officer

The report of the county fiscal officer as required by Section 33328. [Section 33352(l)]

An analysis by the agency of the report submitted by the county as required by Section 33328, ... [Section 33352(n)]

Chapter XI explains why a County Fiscal Officer's Report is not required for the Plan Amendment.

12. Summary of Consultations with Taxing Entities

...a summary of the consultation of the agency, or attempts to consult by the agency, with each of the affected taxing entities as required by Section 33328. If any of the affected taxing entities have expressed written objections or concerns with the proposed project area as part of these consultations, the agency shall include a response to these concerns, additional information if any, and, at the discretion of the agency, proposed or adopted mitigation measures. [Section 33352(n)]

A summary of the consultations with the affected taxing entities. If any of the affected taxing entities, a project area committee, if any, residents, or community organizations have expressed written objections or concerns with the proposed amendment as part of these consultations, the agency shall include a response to these concerns. [Section 33333.11(h)(4)]

A summary of consultations with affected taxing entities is contained in Chapter XII. Appendix I includes copies of correspondence the Agency has had with the taxing entities and materials provided to taxing entities concerning the Plan Amendment.

13. Neighborhood Impact Report

If the project area contains low- or moderate-income housing, a neighborhood impact report which describes in detail the impact of the project upon the residents of Project Area and the surrounding areas, in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. ...

[Section 33352(m)]

A new neighborhood impact report if required by subdivision (m) of Section 33352.

[Section 33333.11(e)(8)]

The Project Area contains low or moderate-income housing and therefore a neighborhood impact report is required by Sections 33352(m) and 33333.11(e)(8). Chapter XIII of this Report includes the Neighborhood Impact Report.

14. Description of Agency Bonds

A description of each bond sold by the agency to finance or refinance the redevelopment project prior to six months before the date of adoption of the proposed amendment, and listing for each bond the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.

[Section 33333.11(e)(9)]

Appendix G of this Report provides a description of the bonds sold by the Agency, the amount of remaining principal, annual payments and date the bond will be paid in full, as required by the CRL.

15. Necessity for the Plan Amendment

The reasons why the projects or programs cannot be completed without extending the time limits on the effectiveness of the plan and receipt of tax increment revenues. [Section 33333.11(e)(5)]

This description shall also include the reasons that the remaining blight cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without the use of the tax increment revenues available to the agency because of the proposed amendment.

[Section 33333.10(e)(6)]

Section D of this chapter and Chapters IV and XIV describe the necessity for the Plan Amendment and includes the reasons the remaining blight cannot reasonably be expected to be alleviated by the private or public sector acting alone, or together, without the use of tax increment revenues from the Plan Amendment.

H. Overview of the Redevelopment Plan Amendment Process and Public Agency Actions

The Plan Amendment is considered a major amendment, which requires an adoption process that parallels the adoption of a new redevelopment plan under CRL Section 33354.6. CRL Section 33333.11 provides additional requirements for plan amendments that extend the time limit for plan effectiveness and tax increment receipt. The plan amendment process includes the preparation of the Preliminary Report and this report to the legislative body (the Report to Council).

Amending a redevelopment plan involves a complex statutorily-mandated process designed to provide a community's legislative body with the necessary analysis and input to make informed decisions about the purpose, scope and content of the Plan Amendment and, ultimately, about whether to adopt the Plan Amendment. The procedures and documentation required for this Plan Amendment are similar to the adoption of an initial redevelopment plan. The following briefly describes the reports and steps in the process and the completed and anticipated actions:

1. Statement of Redevelopment Plan Amendment Preparation

For plan adoptions and plan amendments that add territory, the Agency transmits to the State Board of Equalization (SBE), County officials and affected taxing entities a statement of plan preparation, a legal description and a boundary map. (33327)

A Statement of Plan Preparation was not required for the proposed Plan Amendment because no territory is proposed to be added through the Plan Amendment.

2. Preliminary Report

As described above, the Preliminary Report is the first major background document in the process to approve the Plan Amendment. It is required to be prepared and sent to affected taxing entities to inform them of the purpose and impact of the proposed Plan Amendment. The Preliminary Report also provides members of the City Council, other governmental bodies, affected taxing entities, community leaders, and interested citizens with an early statement of comprehensive background information on the proposed Plan Amendment.

In addition to the requirements of the Preliminary Report, detailed above, the Preliminary Report must be delivered to DOF, HCD and affected taxing entities at least 120 days prior to the public hearing by the legislative body on the proposed Plan Amendment.

This Preliminary Report was delivered to the affected taxing entities on March 29, 2011.

3. Report to State Departments

The Agency is required to deliver a report similar to the Preliminary Report and a public hearing notice to DOF and HCD at least 45 days prior to the Agency's public hearing.

The Preliminary Report served as the Report to State Departments and was delivered to the DOF and HCD on March 29, 2011. Section 33333.10(h)(3) also requires that the Agency receive a letter from HCD confirming that the Agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund. On June 22, 2011, the Agency received a letter from HCD confirming that it did not accumulate excess surplus in its Low and Moderate Income Housing Fund. The letter is included in Appendix J.

4. Environmental Review

The adoption of the Plan Amendment requires California Environmental Quality Act (CEQA) compliance. An Environmental Impact Report (EIR) has been prepared on the Plan Amendment.

The City prepared a Draft and Final EIR for the Plan Amendment. Agency staff prepared the Notice of Preparation, which was available for public review on October 14, 2010. The Notice of Availability of the Draft EIR was transmitted to the State Clearinghouse on March 18 2011, and was distributed to public agencies as well as other persons and

organizations that have requested this notice as required by CEQA. The Planning Commission held a public hearing on the Draft EIR in April 2011 and the Final EIR was published and transmitted for public review on June 17, 2011. The Planning Commission certified the EIR on July 6, 2011.

5. Taxing Entity Consultation

Prior to the publication of the notice of the public hearing, the Agency staff consults with affected taxing entities.

The Agency made multiple phone calls to affected taxing entities from April 2011 through June 2011 to confirm receipt of the Preliminary Report and to discuss the Plan Amendment. The Agency met with representatives of affected taxing entities on June 10, 2011.

6. Community Participation

The CRL requires that prior to the publication of the notice of the joint public hearing, the Agency consult with residents, community organization and the PAC, if one exists and provide the Plan Amendment to residents, community organizations and the PAC prior to submitting the Plan Amendment to the legislative body.

The Agency made available the Preliminary Report to residents, and community organizations on March 29, 2011 on the Agency's website at:

<http://www2.oaklandnet.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>. Hard copies were also made available at the City Clerk's office (One Frank Ogawa Plaza, First Floor, Oakland CA 94612) and at the Agency office (250 Frank Ogawa Plaza, Suite 5313, Oakland, CA 94612).

The Agency noticed and conducted a community informational session on April 27, 2011 and also made a presentation to the Chinatown Chamber of Commerce on June 14, 2011. No PAC exists for the Central District.

7. Planning Commission Report and Recommendation

No later than 120 days prior to the joint public hearing on the Plan Amendment, the Agency transmits to the Planning Commission the proposed Plan Amendment. The Planning Commission considers the Redevelopment Plan Amendment for its conformance with the General Plan and makes a recommendation on approval and adoption of the Plan Amendment. The Planning Commission also conducts a hearing on the EIR.

The Plan Amendment was forwarded to the Planning Commission on March 29, 2011 with the Preliminary Report. The draft EIR was forwarded to the Planning Commission on April 6, 2011. The Planning Commission considered the Redevelopment Plan Amendment's conformance with the General Plan and made its report and recommendations on July 6, 2011.

8. Report to Council

The Report to Council is the report to the legislative body describing the proposed Plan Amendment and presents the updated information from the Preliminary Report and additional chapters addressing specific requirements of the CRL. The Report to Council must be sent to the DOF, the HCD, taxing entities, and individuals and organizations that have commented

on this Preliminary Report no later than 45 days prior to the joint public hearing on the Plan Amendment.

This Report serves as the Report to Council.

9. Redevelopment Agency and City Council Hearing

The Redevelopment Agency Board and City Council consent to holding the joint public hearing on the Plan Amendment, and the Agency publicly notices the hearing. Notice for the joint public hearing on the Plan Amendment is sent no later than 45 days prior to the hearing to DOF, HCD, affected taxing entities and each individual and organization that submitted comments on the Preliminary Report or Plan Amendment. Notice is also published, and mailed to all property owners, residents and businesses in the Project Area at least 30 days prior to the public hearing.

The joint public hearing is anticipated to be held on September 20, 2011.

10. Participation by State Departments

A taxing entity, DOF, or HCD may request the Attorney General to participate in the Plan Amendment adoption process within 21 days after the notice of the joint public hearing. The Attorney General notifies the Agency and others whether it intends to participate no later than five days before the hearing.

11. Ordinance Adoption

The City Council and the Agency Board hold the joint public hearing on the Plan Amendment, and the City Council makes the required findings and adopts the ordinance (with two readings) amending the Redevelopment Plan. The City Council also adopts a resolution responding to written objections to the Plan Amendment, if written objections are received prior to the public hearing. Council and the Agency also adopt resolutions certifying the EIR.

The City Council's findings and adoption of the Plan Amendment is anticipated to be considered on September 20, 2011 with the second reading anticipated for October 4, 2011.

II. Existing Conditions

A. Introduction

To increase the Redevelopment Plan's tax increment limit, extend by ten years the time limits on plan effectiveness and tax increment collection, and extend the Agency's eminent domain authority over non-residential properties, the CRL requires findings that significant adverse physical and economic conditions (blight) remain within the Project Area. This chapter describes existing conditions in the Project Area. In accordance with the CRL, it documents the adverse physical and economic conditions remaining in the Project Area. The analyses, tables, maps, and other documentation in this chapter, as well as the photographs in Appendix C, provide substantial evidence that significant blight remains in the Project Area. The chapter also describes the projects and activities to date and the parcels no longer blighted in the Project Area.

1. Chapter Organization

This chapter contains the following sections:

- A. Introduction
- B. Methodology
- C. Redevelopment Projects and Activities in the Central District Project Area
- D. Remaining Physical Blighting Conditions
- E. Remaining Economic Blighting Conditions
- F. Inadequate Public Improvements
- G. Conclusions for Remaining Significant Blight

2. Relevant Provisions of the CRL

As the proposed Plan Amendment for the Central District Project Area is a major amendment, the Agency must follow procedures and meet the same requirements as those for adopting a new redevelopment plan. CRL Section 33344.5(b) requires the Report to Council to describe existing conditions in the project area. Also, because the Plan Amendment proposes to increase the tax increment collection limit and extend the plan effectiveness and tax increment collection time limits by 10 years, the CRL imposes additional requirements. Specifically, the Agency must describe the remaining blight in the existing Project Area, per CRL Sections 33354.6(a) and 33333.11(e)(2). This chapter only addresses the CRL provisions requiring the description of existing conditions and remaining blight in the Project Area. Refer to Chapter I for CRL provisions governing other aspects of the Report to Council.

a. CRL Definition of a "Blighted Area"

CRL Section 33030 defines the standards for and characteristics of blighted areas. The language states the following (excerpts from the CRL are italicized for ease of reference):

- (a) It is found and declared that there exist in many communities blighted areas that constitute physical and economic liabilities, requiring redevelopment in the interest of the health, safety, and general welfare of the people of these communities and of the state.*

(b) *A blighted area is one that contains both of the following:*

(1) *An area that is predominately urbanized, as that term is defined in Section 33320.1, and is an area in which the combination of conditions set forth in Section 33031 is so prevalent and so substantial that it causes a reduction of or lack of proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community that cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment.*

(2) *An area that is characterized by one or more conditions set forth in any paragraph of subdivision (a) of Section 33031 and one or more conditions set forth in any paragraph of subdivision (b) of Section 33031.*

(c) *A blighted area that contains the conditions described in subdivision (b) may also be characterized by the existence of inadequate public improvements or inadequate water or sewer utilities.*

b. Urbanization

The CRL requires that at least 80 percent of any new redevelopment project area, or area to be added to an existing project area, be predominantly urbanized. This requirement does not apply to redevelopment plan amendments that do not add territory to a project area. As the Plan Amendment does not propose to add territory to the Project Area, this Report does not assess the Project Area's extent of urbanization.

c. CRL Definitions of Adverse Physical and Economic Blighting Conditions

The definitions of blight in the CRL upon which the documentation of blight must be based have been modified since the Central District Project Area was adopted in 1969. Key legislative changes effective in 1984, 1994, and 2007 narrowed the blight definitions. The current definitions of physical and economic conditions are specified in CRL Section 33031.

Under the CRL, the presence of inadequate public improvements cannot be the sole reason for redevelopment. However, CRL Section 33030(e) permits consideration of inadequate public improvements when blighting conditions exist in a project area. Inadequate public improvements may be a contributing factor to blight, and an agency may undertake needed public improvements to alleviate blight. To the extent they are present, inadequate public improvements typically reflect problems that exaggerate the effects of blight.

This Preliminary Report documents remaining blight under the current blight definitions, which are presented in Table II-1. The Project Area continues to exhibit blighting conditions, as described in Sections D and E below. In addition, public improvement deficiencies continue to contribute to blighting conditions in the Project Area, as described in Section F below.

d. Significant Remaining Blight

The CRL requires that significant blight must remain within the Project Area in order to increase the tax increment collection limit. CRL Section 33354.6(b) specifies the following:

(b) When an agency proposes to increase the limitation on the number of dollars to be allocated to the redevelopment agency, it shall describe and identify, in the report required by Section 33352, the remaining blight within the project area.... The ordinance

adopting the amendment shall contain findings that both (1) significant blight remains within the project area and (2) the blight cannot be eliminated without the establishment of additional debt and the increase in the limitation on the number of dollars to be allocated to the redevelopment agency.

Similarly, the CRL requires that significant blight must remain within the Project Area in order to extend the plan effectiveness and tax increment collection time limits. Specifically, CRL Section 33333.10(c) provides the following:

- (1) "Blight" has the same meaning as that term is given in Section 33030.*
- (2) "Significant" means important and of a magnitude to warrant agency assistance.*

To extend the time limit for eminent domain authority, CRL Section 33333.2(a)(4) provides the following:

This time limitation [for eminent domain] may be extended only by amendment of the redevelopment plan after the agency finds, based on substantial evidence, both of the following:

- (A) That significant blight remains within the project area.*
- (B) That this blight cannot be eliminated without the use of eminent domain.*

For amendments increasing tax increment collection limits, CRL Section 33354.6(b) requires the description and identification of remaining blight within the project area.¹ For amendments extending plan effectiveness and tax increment collection by up to 10 years, CRL Section 33333.11(e)(2) requires that the preliminary report contain a description of the remaining blight. For amendments that extend the time limit on eminent domain proceedings CRL Section 33333.2(a)(4) requires that significant blight remain in the Project Area.

The blighting conditions documented throughout Chapter II and in the photographs in Appendix C support the significant blight findings required for the Plan Amendment as set forth by the CRL. The financial resources made possible through the Plan Amendment will enable the Agency to eliminate blighting conditions through the completion of its existing program of economic development, community enhancement and affordable housing for the Project Area and its implementation of new activities related to the proposed stadium.

¹ CRL Section 33354.6(b) requires the report to the legislative body (Report to Council) to be prepared subsequent to the preliminary report, to include a description of remaining blight within the project area. Section 33451.5(c)(2) requires that the Report to the State Departments, also to be prepared subsequent to the preliminary report, include a description of the remaining blight. This description of remaining blight is included in this Preliminary Report (which will serve as the Report to the State Departments) and will also be included in the Report to Council.

**Table II-I
CRL Blight Definitions: 2007–Present (SB 1206)**

Blight Characteristic		Definition Under CRL as Amended by SB 1206 Effective January 1, 2007
A. Physical Conditions [CRL Section 33031(a)]		
(1)	<i>Unsafe or Unhealthy Buildings</i>	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.
(2)	<i>Conditions Hindering Viable Use of Buildings or Lots</i>	Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
(3)	<i>Adjacent or Nearby Incompatible Uses</i>	Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
(4)	<i>Irregular Lots in Multiple Ownership</i>	The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.
B. Economic Conditions [CRL Section 33031(b)]		
(1)	<i>Depreciated or Stagnant Property Values</i>	Depreciated or stagnant property values.
(2)	<i>Impaired Property Values Due to Hazardous Wastes</i>	Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).
(3)	<i>Indicators of Economically Distressed Buildings</i>	Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(4)	<i>Serious Lack of Neighborhood Commercial Facilities</i>	A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(5)	<i>Serious Residential Overcrowding</i>	Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the the California Code of Regulations.
(6)	<i>Excess of Problem Businesses</i>	An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems.
(7)	<i>High Crime Rates</i>	A high crime rate that constitutes a serious threat to the public safety and welfare.
C. Inadequate Public Improvements [CRL Section 33030(c)]		
		A blighted area ... may also be characterized by the existence of inadequate public improvements or inadequate water or sewer utilities.

Source: California Community Redevelopment Law.

e. CRL Requirement for identification of Area No Longer Blighted

CRL Section 33354.6(b) states that plan amendments that increase the limit on the number of dollars to be allocated to the redevelopment agency must identify the portions of the project area that are no longer blighted.² Additionally, CRL Section 33333.11(e) requires that the preliminary report for plan amendments that extend the time limit for plan effectiveness and tax increment receipt by up to 10 years must include a map that identifies the portion of the project area that is no longer blighted.

This chapter identifies the portion of the Project Area that is no longer blighted. For purposes of this analysis, a parcel no longer blighted is defined as a parcel that is characterized by no observable blighting conditions. The Agency does not anticipate providing redevelopment assistance to activities or projects located on these parcels, and will not provide Agency financial assistance during the 10 years plan effectiveness extension period.

f. CRL Requirement for identification of Necessary and Essential Parcels

For plan amendments that increase the limit on the number of dollars to be allocated to the redevelopment agency, CRL Section 33451.5(c)(1) requires that the Report to the State Departments include a map that identifies the portion of the project area that contains necessary and essential parcels for the elimination of the remaining blight. CRL Section 33451.5(c)(1) does not define "necessary and essential parcels for the elimination of blight."

CRL Section 33333.11(e) requires the preliminary report for plan amendments extending the time limit for plan effectiveness and tax increment receipt by up to 10 years to identify the portion of the project area that contains necessary and essential parcels for the elimination of the remaining blight. Section 33333.10(c)(3) includes a definition of necessary and essential parcels as follows:

- (3) "Necessary and essential parcels" means parcels that are not blighted but are so necessary and essential to the elimination of the blight that these parcels should be included within the portion of the project area in which tax increment funds may be spent. "Necessary and essential parcels" are (A) parcels that are adjacent to one or more blighted parcels that are to be assembled in order to create a parcel of adequate size given present standards and market conditions, and (B) parcels that are adjacent or near parcels that are blighted on which it is necessary to construct a public improvement to eliminate the blight.

None of the parcels that have been identified as no longer blighted are considered necessary and essential to the elimination of blight. The portion of the Project Area with remaining blight may contain some necessary and essential parcels, however, these parcels are not identified because they lie within the portion of the Project Area with remaining blight.

² CRL Section 33354.6(b) requires the Report to Council to identify the portion of the project area no longer blighted. Section 33451.5(c)(1) requires that the Report to the State Departments include a map of the project area that identifies the portion of the project area that is no longer blighted. The identification and map of the area no longer blighted is included in this Preliminary Report, also serving as the Report to the State Departments, and will also be included in the Report to Council.

g. Meaning and Use of the Term “Blight”

Under the CRL, a finding that an area is “blighted” must be made by the local legislative body before a redevelopment plan can be approved. The California State legislature, in enacting the CRL, unfortunately chose to use the term “blight” to describe adverse physical and economic conditions in areas that are being considered for revitalization under the redevelopment process. The term “blighted area” applies to a geographic area as a whole and may include properties that are not blighted, as long as the area as a whole contains a sufficient degree of adverse physical and economic conditions to injuriously affect the area as a whole and cannot be revitalized by the private sector alone, thereby justifying the need for redevelopment as a revitalization tool. In Oakland, if redevelopment continues to be used as a tool in the Project Area, a finding that these areas are blighted must be made by the City Council.

Today more than 400 California jurisdictions are using redevelopment as an implementation and financing tool to improve their communities. More than 800 individual redevelopment projects have been approved. Most of these programs emphasize economic development and neighborhood revitalization. Many have been very successful in improving the physical condition and the quality of life in their business districts and neighborhoods.

h. Inadequate Public Improvements

Under the CRL, the presence of inadequate public improvements cannot be the sole reason for redevelopment. However, CRL Section 33030(c) permits consideration of inadequate public improvements when specified physical and economic blighting conditions exist in a project area:

A blighted area that contains the conditions described in subdivision (b) may also be characterized by the existence of inadequate public improvements or inadequate water or sewer utilities.

Inadequate public improvements may be a contributing factor to blight, and an agency may undertake needed public improvements to alleviate blight. Public improvement deficiencies contribute to blighting conditions in the Project Area, as discussed in Section F.

3. Map of Blighting Conditions

The CRL requires a map indicating where blighting conditions continue to exist. Numerous figures throughout this chapter and Appendix C summarize and locate various blighting conditions in the Project Area. Together, these figures constitute the blighting conditions map required by the CRL. The map has been broken into separate figures for ease of reading and reference due to the substantial amount of information provided about blight in the Project Area. The figures demonstrate that significant blight remains in the Project Area.³

³ The Report to Council must include a map indicating where the blighting conditions exist, as required by CRL Section 33352(b). This Preliminary Report includes the map required by Section 33352(b), and the Report to Council will also include the map.

B. Methodology

The methodology for assessing existing conditions and remaining blight in the Project Area included review of previous blight documentation, a field survey of the Project Area, analysis of public records, reports and data, and discussions with professionals with knowledge of the Project Area. This section describes the sources and methods in detail.

1. Review of Past Conditions and Redevelopment Activities

Prior existing conditions analyses and reports on redevelopment activities to date were reviewed to establish the Project Area's history and identify likely areas of remaining blight. The Agency's current Five-Year Implementation Plan and documents prepared for Plan Amendments in 1982 and 2001 documented past blighting conditions and efforts to remediate blight in the Project Area. City and Agency staff provided information on projects completed since 2003, projects underway, and those planned in the immediate future.

This existing conditions assessment describes blighting conditions previously identified, blight that has been alleviated by redevelopment activities to date, and remaining blight that cannot be fully addressed within the current time and fiscal constraints of the Redevelopment Plan.

2. Field Survey and Photo Documentation

a. Field Survey

Seifel and Conley Consulting Group (CCG) staff (the Seifel Team) conducted a field survey of the Project Area in late 2010. This survey documented existing conditions in the Project Area.⁴ Surveyors spent six days evaluating the Project Area by walking through every publicly accessible street. At each parcel, surveyors recorded the blighting conditions they observed from adjacent parcels and/or the public right-of-way. Surveyors did not inspect the interior of buildings except where interiors were open to the public. Surveyors evaluated buildings using standardized criteria. The survey form used in the field, which contains these criteria, is contained in Appendix B. The blighting conditions observed by surveyors are presented in Sections D.1 and D.2 below.

Surveyors rated the physical condition of buildings on a scale from 1 to 5, in which the worst condition is 1 and the best is 5. Table 11-2 shows this scale in detail.

These building ratings document one aspect of the extent of remaining physical blight in the Project Area and inform the proposed Plan Amendment. They are not intended to identify individual properties for potential City or Agency action.

b. Photographic Documentation

Field surveyors took photographs documenting the significant adverse physical and economic conditions in the Project Area that are described in this chapter. They used digital cameras with GPS locators to record each photograph's location. These photographs are presented in Appendix C. Their locations, which are widely distributed throughout the Project Area, are shown in Figure C-1.

⁴ Parcels in areas no longer blighted were not surveyed during the field survey.

**Table II-2
Building Condition Rating Descriptions
Central District Plan Amendment 2010-11**

Condition Rating	General Condition
1	Very extensive physical/structural deficiencies (dilapidated)
2	Extensive physical/structural deficiencies (deteriorated)
3	Fair condition, some deficiencies present (deferred maintenance)
4	Relatively few deficiencies present (sound)
5	Generally excellent condition (excellent)

3. Other Data and Sources

Other data and sources used in the blighting conditions analysis include:

- Discussions with Agency, City, County and State staff in meetings, by telephone and by e-mail in late 2010.
- Available documents including reports, studies, maps, and aerial photographs provided by City and Agency staff and County and State departments; and technical reports, analyses and maps prepared by other consultants and professionals.
- Data provided by the Alameda County Assessor's Office, U.S. Census, California Department of Toxic Substances Control, California State Water Resources Control Board, California Department of Alcoholic Beverage Control, California Department of Conservation, and newspaper articles.
- Interviews with property owners/managers and real estate professionals familiar with Oakland and the Project Area.
- Analyses of economic and other data from various sources.

Refer to Appendix A for a list of sources used in the existing blighting conditions analysis.

C. Redevelopment Projects and Activities in the Project Area

This section describes the blighting conditions historically documented in the Project Area, and the Agency's activities to alleviate those blighting conditions.

1. Historical Blighting Conditions in the Project Area

The City Council found evidence of blight at the time of plan adoption and evidence of remaining blight at the time of applicable plan amendments, and concluded that redevelopment was necessary to effect the public purposes declared in the CRL. The blighting conditions in the Project Area included:

- Deteriorated and dilapidated buildings – At the time of the Original Area Plan Adoption on June 12, 1969, over a third of the buildings in the area were previously documented as seriously deficient. The Plan Amendment in 1982, which added the 1982 Area, included the

Henry J. Kaiser Convention Center, which due to age and building deterioration needed substantial rehabilitation that could not be alleviated by private investment. The 2001 Area contained dilapidated and deteriorated buildings, including unreinforced masonry buildings.

- Underutilized and vacant land or abandoned buildings – At the time of the Original Area Plan Adoption, low intensity pattern of construction with an extremely low floor area ratio was a hindrance to the private market to capitalize on the area’s location potential.
- Lots of irregular form and shape and inadequate size – Extensive fragmented ownership, parcelization and subdivision of the interiors of structures prevented private investment in the Project Area at the time of the Plan Adoption.
- High vacancy rates – Nearly 45 percent of the total usable floor space in the Original Project Area was vacant at the time of the plan adoption in 1969.
- Obsolete design – The majority of the Original Project Area suffered from obsolete design due to technological progress and modern building techniques. The existing building stock in the 2001 Area failed to satisfy the needs of modern industrial users for availability of parking, outside storage, on-site truck access, and loading dock facilities.
- Inadequate public infrastructure – inadequate vehicle and pedestrian infrastructure in the Project Area caused congestion and disrupted traffic flow in the Project Area at the time of Plan Adoption. The City added the 1982 Area in order to properly and efficiently plan and implement traffic improvements. The 2001 Area suffered from inadequate/substandard streets, curbs and/or gutters.

2. Redevelopment Activities

The Agency’s redevelopment program has included projects and activities that span the entire Project Area and focused projects in Old Oakland, Chinatown, Uptown, and Downtown. Since the adoption of the Project Area, the Agency has facilitated or assisted in the implementation of numerous major projects and developments that alleviated blighting conditions and catalyzed development in the Project Area, including but not limited to the following:

a. Real Estate Development

Property Acquisition, Site Preparation and Disposition

Office

- City Center - In 1970, the Agency signed a (Disposition and Development Agreement) DDA with a development company to redevelop a 12-block area in the Project Area. To date, the City Center project consists of the low-rise “City Center” retail and office facilities atop a below-grade parking garage. Additionally, a Federal office building on two blocks and 4 high-rise office buildings on another 4 blocks are part of the City Center project. A residential development is underway at another block. The Agency still has two remaining blocks to be developed into office space.
- Center 21, formerly known as the Bermuda Building - Center 21 is comprised of two towers, the 215,000-square-foot, nine-story, 2100 Franklin completed in January 2008, and the 2101 Webster tower, a 20-story, 475,000-square-foot building. The Agency worked with the original developer, Brandywine Realty, on the demolition of the original Bermuda building and development of the new office tower located at 2100 Franklin and also played a major role in facilitating the transfer of the property to the CIM group. This project is finished and

currently being leased. The Agency acquired the site of the Bermuda Building in an eminent domain action for \$3 million.

- University of California Office of the President (UCOP) - The Agency owns a condominium interest consisting of a 145-space public parking garage located within portions of the ground floor and basement levels of the UCOP building at 1111 Franklin Street. The Agency paid \$2,419,000 for the garage pursuant to the terms of the 1996 DDA between the Agency and Oakland Developments, LLC for development of the UCOP building. The Agency provided the property for the development of the UCOP building.
- Elihu M. Harris State Office Building – The Agency provided an environmentally clean site to the State of California for the development of the 22-story, 542,000 square foot Elihu M. Harris State Office Building. The Agency also provided a bridge loan in the amount of \$4.6 million for the initial design of the building. Construction of the office building was completed in 1998.
- Swans Market – This project, completed in the summer of 2000, renovated the historic Swans Market in Old Oakland into a mixed-use development including: ground floor retail and parking with second and third floor office and housing.
- City Administration Complex – The City Administration Complex was completed in 1998 and includes the seismically upgraded City Hall and Broadway Building, in addition to two new office buildings. The Agency contributed \$37 million in financing to the project.
- Rotunda Renovation Project – The Agency contributed \$12 million to the rehabilitation of this historic building, providing 187,000 square feet of office space and 50,000 square feet of retail space. The Agency transferred the building to Rotunda Partners II in 1998, and the project was completed in 2001.
- Preservation Park - In the 1970s, the Agency acquired eleven Victorian houses that were going to be displaced as a result of construction of the 980 Freeway. The Agency moved the buildings to a block bounded by 12th Street, Castro, 14th Street and Martin Luther King, Jr. Way in the Project Area. The site, which already included five historic buildings, was subsequently named “Preservation Park”. From 1986 until 1991, private developers, with funding assistance provided by the Agency, renovated the buildings to preserve their historical significance and architectural quality, and converted them from residential to commercial office use.
- Victorian Row – In the 1980s, the Agency assisted with the renovation of 18 parcels, which occupied most of the two City blocks in Old Oakland, into a mixture of ground floor retail and commercial second and third floors. The stunning Victorians were preserved, and the project prompted a vigorous neighborhood revival.
- Tribune Tower – The Agency provided funding of up to \$1.2 million toward the renovation of the Tribune Tower, a 21-story historic office building that was damaged during the 1989 Loma Prieta Earthquake. The project was completed in 1999.

Housing

- 10K Housing Initiative - In 1999, the Mayor and the City Council launched the 10K Downtown Housing Initiative. This major downtown redevelopment effort aimed to attract 10,000 new residents to the Central District by marketing the area, identifying opportunity sites and working with private developers to build housing for new urban dwellers. The 10K initiative has significantly contributed to positioning the Project Area as a desirable location for the development of rental and owner-occupied housing. As of August 2010, 4,274 housing units were completed, 371 units were in construction, 1,670 units had planning

approvals and 1,439 units were in planning. The Agency acquired and prepared sites, selected developers and entered into DDAs for six of these projects, including:

- Fox Courts - Located behind the Fox Theater, this project includes 80 units of affordable housing and 4,000 square feet of space dedicated to childcare and children's art education programs. The Agency provided a total of \$2,664,400 in grants and loans to this project. Fox Courts started construction in August 2007 and was completed in June 2009. The building is currently 100 percent leased.
- Uptown Project - In October of 2005, the Agency entered into a Lease Disposition and Development Agreement (LDDA) with Uptown Housing Partners LLC to redevelop two underutilized "super blocks" located in the Uptown Area. The Uptown includes a transit-oriented development consisting of 665 rental apartments, of which 20 percent (133 units) are affordable to households earning 50 percent or less of the area's median income (AMI) for a period of 55 years. In addition, five percent (33 units) of the 665 units are affordable to households earning incomes not exceeding 120 percent of AMI for a period of 55 years. The development also includes 9,000 square feet of neighborhood-serving retail and a 25,000 square foot public park, Fox Park. The Agency provided a total of \$54 million in funding assistance for the project.
- Market Square - Completed in two phases, the first in June 2006 and the second in November 2008, Market Square is a 202 unit condominium project, which includes 28 ground floor live-work and/or retail units.
- Franklin 88 - Completed in February 2005, Franklin 88 is an 88-unit condominium project with 6,400 square feet of retail and 135 public parking spaces.
- Landmark Place - Completed in December 2003, Landmark Place is a 92-unit condominium project with a small corner retail condominium.
- Domain - Completed in three phases in 2011, Domain is a 264-unit condominium project with 3,000 square feet of retail.
- Old Town Square - Completed in November 1998, Old Town Square is a 98-unit condominium project with 5,000 square feet of retail/commercial space.
- Henry Robinson Multi-Service Center (HRMSC) - In 1990, the Agency provided \$5 million funding assistance for the rehabilitation of the HRMSC. The HRMSC provides economic benefits to disadvantaged persons living within or near the Project Area by operating major supportive housing services to eliminate homelessness for struggling families through the provision of a two-year transitional housing program, an emergency shelter and drop-in services for the homeless population in Oakland. The HRMSC provides transitional housing for up to 54 families, and provides case management services to homeless individuals. The HRMSC also provides eight emergency housing units, a drop-in center and an award-winning program for children.
- Pacific Renaissance Plaza - Construction of the Pacific Renaissance Plaza started in 1990 and was completed at the end of 1992. The Plaza includes 250 housing units, 100,000 square feet of commercial/retail space, a 24,000 square-foot Asian Cultural Center and 840 underground parking spaces. The Agency contributed land and financing to the project.
- Affordable Housing - In addition to Fox Courts and Uptown Project Phase 1 under the 10K Housing Initiative and HRMSC discussed above, the Agency has been involved in rehabilitation, mostly the historic single room occupancy (SRO) structures, and new construction, mostly larger family units as well as senior, family and homeless/transitional

housing. Funds from the Central District Low-Moderate Income Housing Set-Aside have also been used to assist the development of affordable housing throughout the City of Oakland. Fourteen projects with 1,042 units have been completed with Redevelopment assistance in the Central District, including:

- Adeock/Joiner Apartments (50 units family housing);
- Aztec Hotel (58 units single room occupancy (“SRO”));
- C.L. Dellums Apartments (72 units SRO);
- Frank G Mar (119 units family housing);
- Hamilton Hotel (92 units SRO);
- James Lee Court (26 units family housing);
- Madison Lofts (79 units family housing);
- Madison Park Apartments (98 units family housing);
- Madrone Hotel (32 units SRO);
- Oak Street Terrace (39 units senior housing);
- Oaks Hotel (85 units SRO);
- San Pablo Hotel (144 units senior housing);
- Southlake Tower (129 units senior housing); and
- Swans Market (18 units family housing).

Hospitality

- Courtyard by Marriott Hotel - On July 23, 1999 the Agency entered into a DDA with Oakland Garden Hotels, LLC for the development of the 160-room Courtyard by Marriott Hotel, which was completed in 2001. The Agency sold the land to the developer.

b. Commercial Attraction, Retention and Expansion

- Business Improvement District/Community Benefit District -The purpose of a Business Improvement District (BID), also known as a Community Benefit District (CBD), is to generate revenues from special assessments that are used to improve the public perception of Oakland’s commercial and mixed-use neighborhoods, including the Central Business District, as a place to work, shop, live and conduct business. BIDs provide enhanced services beyond the baseline services already provided by the City. BID activities include, but are not limited to private security and ambassador services, enhanced landscaping, sidewalk cleaning, special events, district branding and other marketing activities to support the economic vitality of the district. Within the Project Area, major accomplishments include the formation of the Koreatown/Northgate Community Benefit District in July 2007 and the formation of the Downtown Oakland and Lake Merritt/Uptown Community Benefit Districts in July 2008. Collectively, these three districts generate approximately \$2.2 million per year.

c. Business Rehabilitation and Modernization

- Broadway Auto Row - In 1997, the Agency spent \$3 million on street improvements in an area known as Broadway Auto Row with the goal to enhance the area and to retain and attract auto dealerships and other retail uses along the 12-block commercial strip along Broadway between Grand Avenue and Interstate 580.

- Downtown Façade Improvement Program -The Downtown Façade Improvement Program (“FIP”) was created in 1999 and covers the Uptown, Old Oakland/Chinatown and the Lower Broadway area. The program also includes the Downtown Historic Façade Improvement Program. The Downtown FIP provides matching grants and design assistance to existing businesses for the purpose of making storefront and façade improvements. The FIP is intended to restore the exterior of historic buildings, update and modernize the exterior of older buildings, promote retail activity, improve the pedestrian experience and help support other redevelopment projects by enhancing the general appearance of surrounding properties. Since 1999, 395 façade improvement projects have been completed. The Agency has invested \$5.7 million in grants in these projects, which leveraged \$28 million in exterior improvements.
- The Downtown Tenant Improvement Program -The Downtown Tenant Improvement Program (“TIP”) provides incentives to attract retail, restaurants, arts and entertainment businesses to targeted locations in the Project Area. The TIP provides property and business owners matching grants to cover expenses for asbestos abatement, compliance with the Americans with Disabilities Act (ADA), interior demolition, upgrading mechanical, plumbing and electrical systems, and restoration of interior historic design features. The TIP can be used separately or in conjunction with the Downtown FIP. The program started in September 2003 and has been highly successful. Since the program began, 205 tenant improvements projects have been funded and roughly 2,000 permanent jobs have been created. The Agency’s \$6 million in grants have leveraged \$35 million in interior improvements. As a result of the TIP, rents in some areas have doubled in the last seven years.
- Basement Backfill and Repair Program -The Central District Basement Backfill and Repair Program (BBRP) is a program developed by the Agency in 2008 to assist private property owners with the repair of their deteriorated sub-sidewalk basement spaces in specific areas in the Project Area. The overall purpose of this program is to correct the problems associated with these deteriorated basements—such as leaking and msted elevator access doors, deteriorated structural elements, msted rebar, and leaking skylights and sidewalk grilles—so that the City can proceed with construction of several streetscape projects included in the Downtown Streetscape Master Plan. Properties identified as eligible for this program include the 1600 block on the west side of Broadway, the 1600 and 1700 blocks on Telegraph Avenue, and 725, 801 and 827 Washington Street.

d. Community Enhancement

Public Improvements

- Jefferson Square Park - Jefferson Square Park reopened in November 2010 upon the completion of several major improvements including a new dog run, renovated tot lot, basketball court improvements, and new lighting, plants and trees. These improvements assist in the elimination of physical conditions, which attracted dumping and other blighting activities and also posed a threat to public safety and welfare. The Agency contributed over \$600,000 to renovate the Jefferson Square Park.
- Madison Square Park (810 Jackson Street) -The existing facilities at Madison Square Park were enhanced to provide a gathering space for community groups who have been using the nearby BART plaza site for various activities. The total project cost \$285,000 and was completed in February 2008.

- Malonga Casquelourd Center for the Arts - The Malonga facility required major renovation of its building systems, building exterior and common areas. The first phase of work began in 2008 and was completed in the late 2010. The design work for the second phase has been completed, and improvements are esdmated to be complete in 2012.
- Chinese Garden Park - The project implemented improvements that addressed the substandard landscaping and accessibility to Pioneer Hall Chinese Garden Park. Other improvements included grading, installation of concrete, ADA accessible pathways and parking, new lawn and irrigation and additional landscaping, including installation of trees. The Agency contributed a total of \$335,000.
- Lincoln Square Park – This project provides a new multipurpose playing field and ball courts connecting Lincoln Square and the Lincoln Elementary School. Other improvements include a new pedestrian path running through the park, a community stage, new trees and landscaping, a stretching area for seniors, game tables and stool sets, new lighting, and fencing. Constmction began in April 2011 and is projected to be completed in August 2011.
- First Unitarian Church Complex-In 1996, the Agency approved a \$2,150,000 grant to complete the renovation of two buildings within the historic First Unitarian Church Complex.

Circulation, Street Improvements and Streetscape

- Downtown Streetscape Master Plan -The Streetscape Master Plan calls for the constmction of various public improvements to complement existing and future redevelopment projects, and to attract new public and private investment into the Project Area. The improvements consist of repair and/or restoration of existing pavement, widening existing sidewalks, constmcting pedestrian bulb-outs, introducing new landscaping such as street trees, improving signage and striping, installing new lighting, modifying existng traffic lane patterns, and creating bicycle lanes.
 - The Revive Chinatown Pedestrian Improvements Project, which includes scramble traffic signals, bulb-outs, pedestrian countdown timers, and high visibility crosswalks at four main intersections in Chinatown, was completed in summer 2008.
 - The Broadway Streetscape Improvements Project, Phase II and III (12th to 20th Streets), which included the installation of basic pedestrian amenities such as benches, trash receptacles, and new trees and tree grates, was completed in October 2008.
 - The Telegraph Phase I Streetscape Improvements Project (west-side of Telegraph from 18th to 20th Streets) and the Broadway/West Grand Project (Broadway from 21st to West Grand Avenue) were completed in spring 2009.
- Central District Parking Garage -The Agency-assisted 325-space 17th Street Parking garage was completed by a private developer, and the Agency completed constmction of a 135-space garage at the Franklin 88 condominium project in 2005. The completed City Center West Garage also supports the parking needs of downtown workers and visitors.
- City Center West Garage - This 1,465 space parking garage includes retail space along the new 13th Street Pedestrian Way. The City/Redevelopment Agency provided the land and financing for the project.
- Franklin 88 - This 135-space garage serves Chinatown and was completed in October 2004. The garage also provides overflow parking for the adjacent Courtyard by Marriott Hotel per a parking license agreement with the Agency. The Agency provided funding for the development of the Agency’s parking facility.

- 17th Street and San Pablo Parking Garage - The Agency provided land and a 10-year tax increment rebate to assist the development of public parking in the Uptown Area, near the Rotunda Building, Oakland Ice Center and the City Administration Complex. The project includes a 6-story parking structure with 330 spaces and two small development pads with room for 5,000 square feet of retail.

Recreational, Entertainment, Cultural and Arts Facilities and Programs

- Oakland Ice Center - On April 28, 1995, the Agency entered into a Disposition and Development Agreement for the development and construction of an ice-skating and hockey facility on Agency-owned land in downtown Oakland. The Ice Center began operations in March 1996.
- Fox Theater Renovation - The Fox Theater, a major historic landmark located on Telegraph Avenue, was vacant and boarded up for many years and had a blighting influence on the surrounding area. The Agency's Fox Theater Master Plan called for the renovation and adaptive reuse of the Fox Theater into a performing arts center and an educational facility for the Oakland School for the Arts. The Oakland School for the Arts opened in January 2009 and the 2,100 seat Fox Theater opened in February 2009. The project also has 5,700 square feet of commercial/restaurant space that is being leased. The Agency contributed \$48 million toward the renovation of the Fox Theater, which leveraged \$31 million in private investment and \$9 million in grants and contributions.

3. Area No Longer Blighted and Area with Remaining Blight

Many parcels in the Project Area are no longer blighted as a result of the Agency's Redevelopment Program and private investment stimulated in part by public investment in the area. Figure II-1 shows the parcels, excluding public streets that are no longer blighted, as identified by City and Agency staff in consultation with Seifel staff. These include parcels surrounding Oakland City Center between 14th Street, 12th Street, Broadway, and Castro Street; most of the area surrounding the Fox Theater and the Uptown Apartments between San Pablo Avenue, Telegraph Avenue, 18th Street, and Thomas L. Berkley Way; most of the area surrounding Kaiser Permanente office buildings and the Cathedral of Christ the Light between Webster Street, Harrison Street, Grand Avenue, and 21st Street; and other areas.

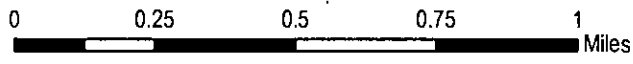
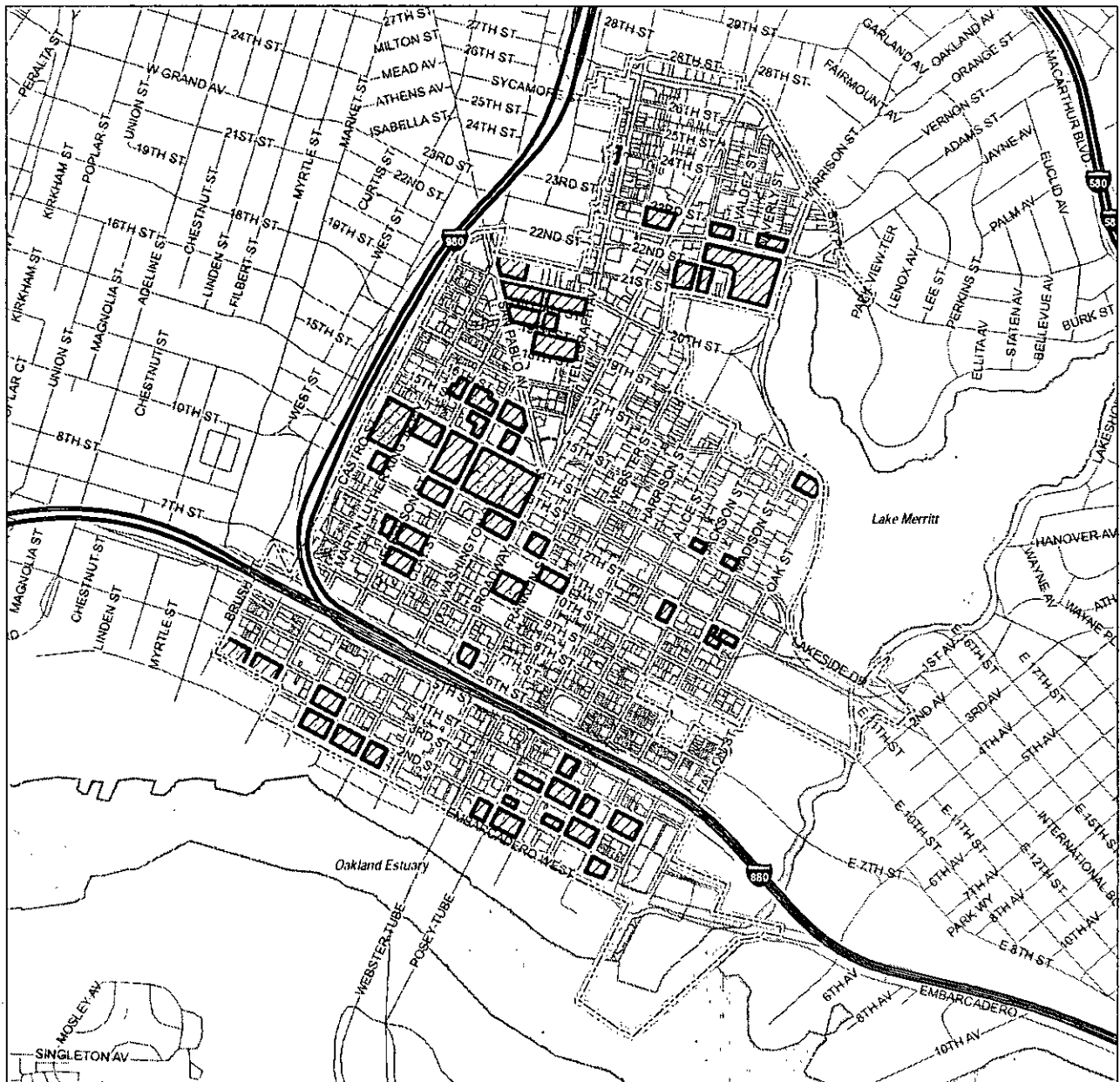
None of the parcels that have been identified as no longer blighted are considered necessary and essential to the elimination of blight. Any necessary and essential parcels are located in the portion of the Project Area with remaining blight. Thus, Figure II-1 identifies the parcels no longer blighted and the portion of the area with remaining blight.




D. Remaining Physical Blighting Conditions

Significant physical blight remains throughout the Project Area. Specifically, two of the four physical blighting conditions defined by the CRL contribute to remaining blight in the area:

- Unsafe or Unhealthy Buildings, and
- Conditions Hindering the Viable Use of Buildings or Lots.

Figure II-1
 Parcels No Longer Blighted and Portion of the Project Area With Remaining Blight



-  Central District Project Area
-  Parcels No Longer Blighted
-  Portion of Project Area with Remaining Blight*

*Includes parcels necessary and essential for redevelopment.



1. Unsafe or Unhealthy Buildings [33031(a)(1)]

Many buildings in the Project Area show indications of unsafe or unhealthy conditions. Some are abandoned, dilapidated and deteriorated; others are vulnerable to specific seismic hazards. Many older buildings were constructed using outdated seismic safety practices, such as load-bearing walls of unreinforced brick. The Unsafe or Unhealthy Buildings section of this chapter presents analysis on the following conditions:

- Seismic Vulnerability
 - Adverse Soil Conditions and Liquefaction
 - Building Age and Earthquake Risk
 - Unreinforced Masonry Buildings
 - Other Seismically Vulnerable Building Types and/or Construction Practices
 - Cost of Reducing Impact of Earthquake Hazards in Project Area
- Dilapidation and Deterioration
 - Building Age and Dilapidation
- Lead Paint/Asbestos Hazards

a. Seismic Vulnerability

Significant earthquake hazards affect the Project Area, including nearby earthquake faults and a high probability of future earthquakes. The 1997 Uniform Building Code locates Oakland and the entire Bay Area in Seismic Risk Zone 4, an area expected to experience maximum magnitudes and damage in the event of an earthquake. According to the April 2008 U.S. Geological Survey Fact Sheet, the probability of at least one major 6.7 magnitude or greater earthquake capable of causing widespread damage striking somewhere in the San Francisco Bay Area before 2037 is 63 percent.⁵

A portion of the North Hayward Fault runs through Oakland east of the Project Area along Highway 13 and I-580. The State Mining and Geology Board has established a Special Studies Zone in Oakland per the Alquist-Priolo Special Study Zones Act, which was created to delineate zones encompassing all active fault traces.⁶ Two major earthquakes along the fault occurred in 1836 and 1868, with magnitudes greater than 7.0 on the Richter scale. The North Hayward Fault is the most hazardous system in the Bay Area, with a 31 percent likelihood for a magnitude 6.7 or higher earthquake occurring in the next 30 years. Major activity along the fault is likely to cause extensive structural damage to many buildings in Oakland due to the fault's location through the City, the intensity of land uses near the fault zone, and the long interval since the last major earthquake occurrence along the fault, which has resulted in stored potential.⁷

⁵ U.S. Geological Survey, "Forecasting California's Earthquakes – What Can We Expect in the Next 30 Years," (Accessed via website - <http://pubs.usgs.gov/fs/2008/3027>).

⁶ Oakland General Plan, Safety Element, Chapter 3 Geologic Hazards, November 2004, p. 29.

⁷ Oakland General Plan, Safety Element, Chapter 3 Geologic Hazards November 2004, p. 32.

The San Andreas Fault, California's longest and most active fault, is located approximately 15 miles west of Oakland. The 1906 and 1989 earthquakes were produced by the San Andreas Fault, which has a 21 percent probability of generating another magnitude 6.7 or higher earthquake in the next 30 years.⁸

An earthquake along the Calaveras Fault, which runs down the San Ramon Valley and parallel to and approximately 10 miles east of the Oakland hills crest, would also affect the Project Area. This fault has experienced four moderate earthquakes since 1980 and has a seven percent probability of generating an earthquake with a magnitude 6.7 or higher in the next 30 years.

Figure 11-2 shows the known earthquake faults located near the Central District Project Area and indicates the probability of an earthquake occurring along the faults over the next 30 years.

Ground shaking associated with earthquake scenarios were mapped by the Association of Bay Area Governments (ABAG) Earthquake program in June 2004.⁹ The following levels of shaking severity were found for the Project Area:

- North Hayward fault, magnitude 6.5

In the event of an earthquake on the North Hayward fault of this magnitude, ground shaking in the Project Area would range from very strong (Level VIII) to very violent (Level X). Areas located in the Project Area that are closer to the San Francisco Bay would experience the most intense ground shaking, with mostly very violent movement along Lake Merritt and Lake Merritt Channel (See Figure II-3).

- San Andreas fault, magnitude 7.9¹⁰

In the event of an earthquake of the San Andreas Fault of this magnitude, ground shaking in the Project Area would range from strong (Level VII) to violent (Level IX). However, a majority of the Project Area, particularly in the western sections, would expect to experience very strong ground shaking with very violent ground shaking around Lake Merritt and Lake Merritt Channel.

Adverse Soil Conditions and Liquefaction

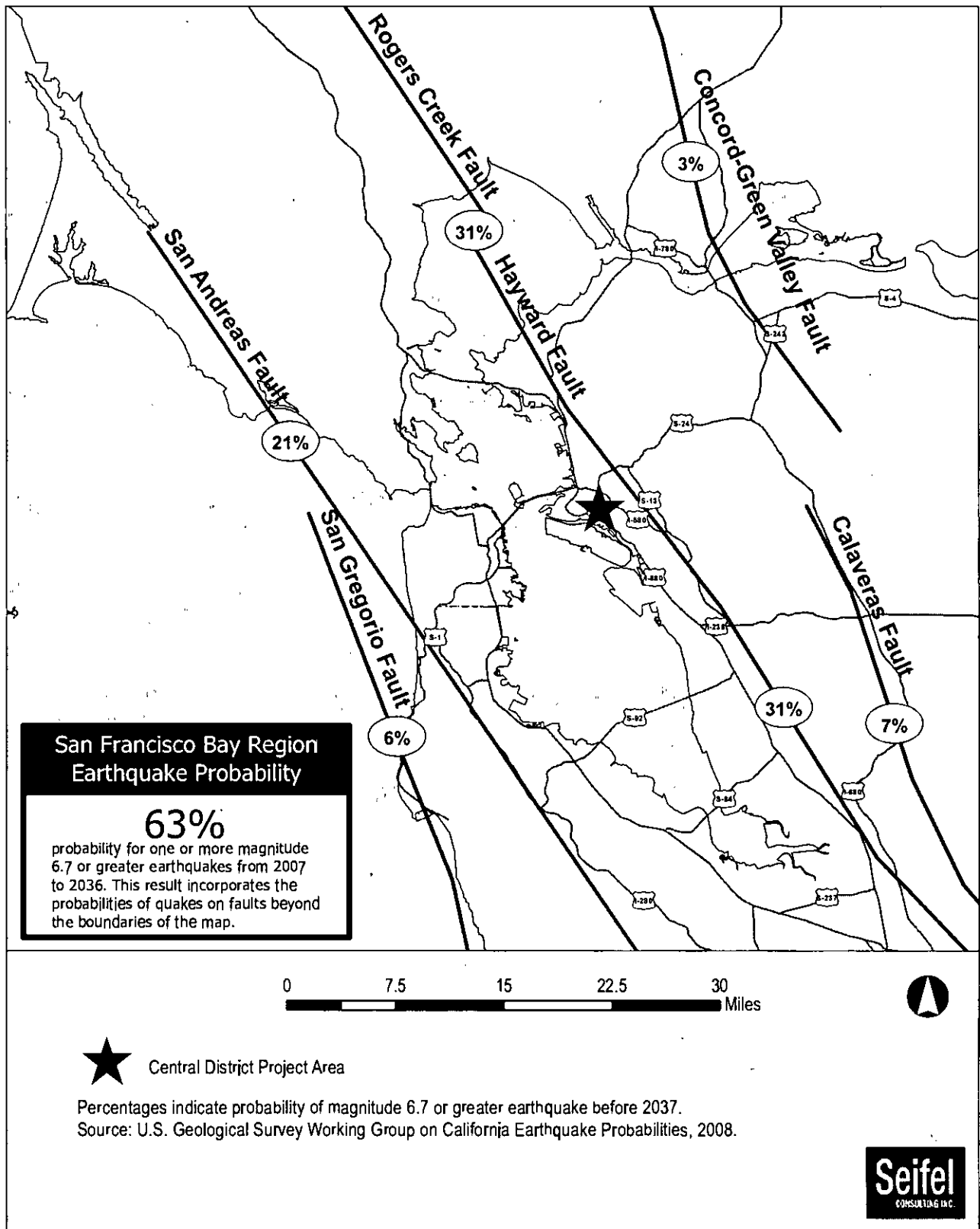
The severity of seismic shaking is influenced by a number of factors, including the duration and intensity of the ground shaking, the proximity of the site to the location of the earthquake and the type of geologic materials underlying the site.

⁸ U.S. Geological Survey, "Forecasting California's Earthquakes – What Can We Expect in the Next 30 Years," (Accessed via website - <http://pubs.usgs.gov/fs/2008/3027>).

⁹ Association of Bay Area Governments, Earthquake Program 2004.

¹⁰ A 7.9 magnitude earthquake of the San Andreas Fault is equivalent to the 1906 earthquake.

Figure II-2
 Earthquake Faults and Probabilities, San Francisco Bay Region



The majority of land in the Project Area is in the flatland with alluvium and dune-sand deposits.¹¹ Alluvium is a mixture of stiff clays, silts, gravel, and sands. Soils in the flatlands have been formed by thousands of years of hillside erosion and are characterized by high corrosivity and low erosion potential.¹² The remainder of the Project Area land, located along the shoreline and in the landfilled areas, consists of mud.¹³ Bay mud provides very little load-bearing strength and any small loading applied on this soil can cause long-term ground settlement. Differential settlement can damage building foundations, disturb underground utilities and cause settlement in streets and roads. This condition is of particular concern in areas where buildings have not previously included support structures and where new structures would place heavier loads than existed in the past.

Earthquakes often result in liquefaction, which exacerbates future earthquake damage to existing buildings and infrastructure. During the liquefaction process, the soil, if unconfined, acquires mobility sufficient to permit both horizontal and vertical movements. The soil may become like quicksand and have little bearing strength. It may cause differential settlement, sliding along liquefied layers and/or cause buildings and structures to tilt, subside and move laterally. In the event of an earthquake, risk of liquefaction greatly increases the risk of damage to existing buildings.

The United States Geological Survey (USGS) has created a map of areas in Oakland and surrounding cities with the potential to produce surface manifestations of liquefaction. Areas are classified into low, moderate, high and very high liquefaction susceptibility. As shown in Figure II-3, the majority of the Project Area has moderate levels of liquefaction susceptibility. The portions of the Project Area along Lake Merritt and Lake Merritt Channel demonstrate very high susceptibility due to artificial fill and Bay fill soils.

Building Age and Earthquake Risk

Building age can serve as a reference for design and construction standards of the time, and can be a contributing factor to a building's safety. The age of a building can also serve as an indicator for changes in regulation and health standards that have evolved throughout the years. Many older buildings in earthquake zones can be considered unsafe. Conditions commonly found in such buildings include inadequate foundations, a lack of adequate foundation connections, weak cripple walls, dry rot, termite damage, or poor design.

A number of seismic safety practices were implemented in building construction in the Bay Area during the 1940s. Consequently, buildings constructed prior to 1940 lack adequate seismic retrofits and are more likely to suffer damage in an earthquake and be a hazard to those who live or work in the building.¹⁴ The Oakland Building Code states that November 26, 1948 was the effective date of the City's building code requiring earthquake resistant design of buildings.¹⁵ Of the 1,225 buildings in the Project Area for which building age data is available, 941, or 77 percent, were built prior to 1949.

¹¹ Oakland General Plan, Safety Element, Chapter 3 Geologic Hazards, November 2004, p. 26.

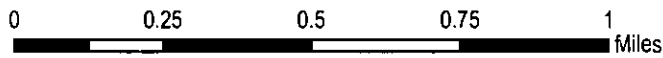
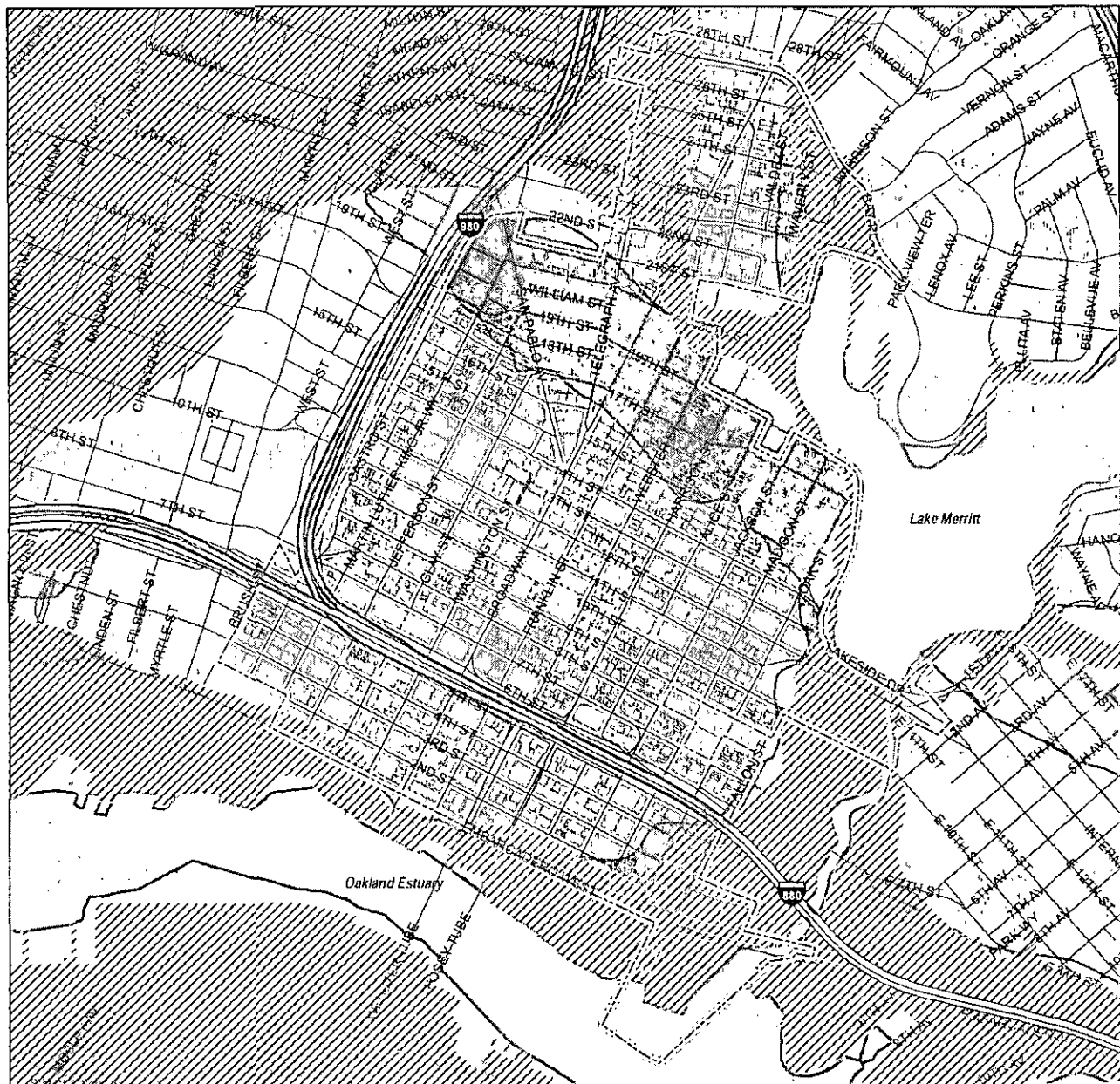
¹² Ibid.





¹³ Ibid.

¹⁴ Shaken Awake! (1996). Oakland, CA: Association of Bay Area Governments. As excerpted online at www.abag.ca.gov/bayarea/cqmaps/shc/pop/bldg.html.

¹⁵ Oakland Building Construction Code. Chapter 15.028.020. City of Oakland

Figure I-3
Shaking Intensity and Liquefaction Zones



- Shaking Intensity (Hayward fault magnitude 6.5 earthquake)
-  Central District Project Area
 -  Potential Liquefaction Zone
 -  VIII (Very Strong)
 -  IX (Violent)

Sources: Association of Bay Area Governments, CA Department of Conservation



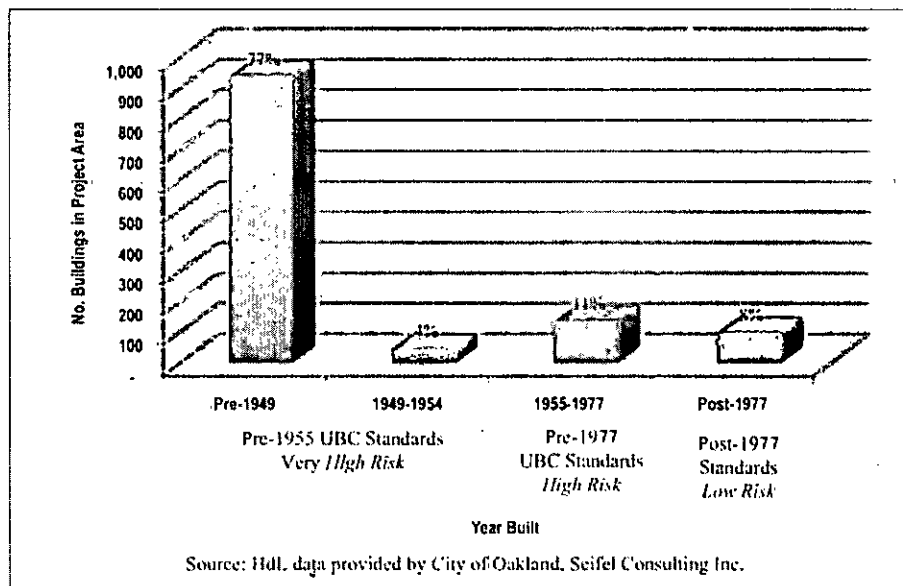
As stated in the Oakland Building Code, the Uniform Building Code (UBC) is used as the standard for building construction within the city. The UBC, updated every three years, underwent major changes in seismic standards during the 1950s and 1970s, in response to major earthquake incidents around the country and subsequent building technology improvements.

Unless adequately retrofitted, structures built prior to the adoption of the 1955 edition of the UBC are more susceptible to earthquake damage. As discussed above, older buildings in earthquake zones can be considered unsafe. According to data provided by HdL, over 81 percent of buildings in the Project Area were built prior to the adoption of the 1955 UBC.

Furthermore, the 1977 revision of the UBC included earthquake design provisions, which account for a location's seismic and underlying soil composition in addition to the building's primary usage and occupancy. Buildings constructed prior to 1977 would not meet current design provisions for earthquake forces, and thus, are vulnerable to serious damage from seismic events. Thus, within the Project Area, an additional 11 percent of buildings in the Project Area for which building age data is available may also be at a greater risk.¹⁶

The Field Survey documented numerous buildings in the Project Area that exhibit the characteristics of older buildings that increase seismic vulnerability discussed above (including, for example, inadequate foundations, dry rot or termite damage, poor design, or substandard construction). These conditions make older buildings likely unsafe in the event of an earthquake. Graph II-1 summarizes the distribution of buildings by age for the Project Area. In total, over 90 percent of buildings in the Project Area are likely to be unsafe in the event of a major earthquake. (Refer to Section D.1.a for further information on earthquake hazards.)

**Graph II-1
Age of Building as an Indicator of Seismic Susceptibility
Central District Plan Amendment 2010-11**



¹⁶ Earthquake resistant building design codes and safety standards: The California experience (2000). Cutcliffe, Steven. GeoJournal 51: 259-262.

Building Construction and Earthquake Risk

Recent earthquakes in California have demonstrated that certain building types can be unsafe and hazardous during seismic events. Such buildings include aging wood frame structures with inadequate foundation connections, soft story buildings, older poured concrete buildings without adequate reinforcement, badly connected concrete tilt-up buildings, poorly engineered concrete parking structures, and informally constructed or poorly engineered buildings.¹⁷ Buildings with these construction types were observed throughout the Project Area.

Unreinforced masonry buildings (URMs) and buildings constructed in the early to mid-1900s would be expected to incur the greatest structural damage during an earthquake. URMs, typically constructed of brick, hollow tile or concrete block, have proven to be particularly hazardous during an earthquake.

A 1986 state law requires existing unreinforced masonry buildings (URMs) to be retrofitted, but retrofits are often expensive and many buildings remain unreinforced. The Agency has assisted with URM retrofits in the Project Area, however URMs are still prevalent in the Project Area. During the field survey, surveyors observed 94 unreinforced masonry buildings and 204 partially reinforced masonry buildings in the Project Area (16 percent of buildings surveyed). Figure II-4 indicates the location of unreinforced masonry buildings and partially reinforced masonry buildings observed during the Field Survey.

Cost of Reducing Impact of Earthquake Hazards in Project Area

The costs of addressing the poor soil, building conditions and earthquake hazards present in many portions of the Project Area are substantial, whether in new development or rehabilitation.

Settlements or instability can be mitigated by construction methods such as pre-loading, deep foundations and improvement of soil conditions. Liquefaction potential is typically mitigated by grouting, vibro-flotation, stone columns, dynamic deep compaction, deep soil mixing, and the removal and re-compaction of loose soil.

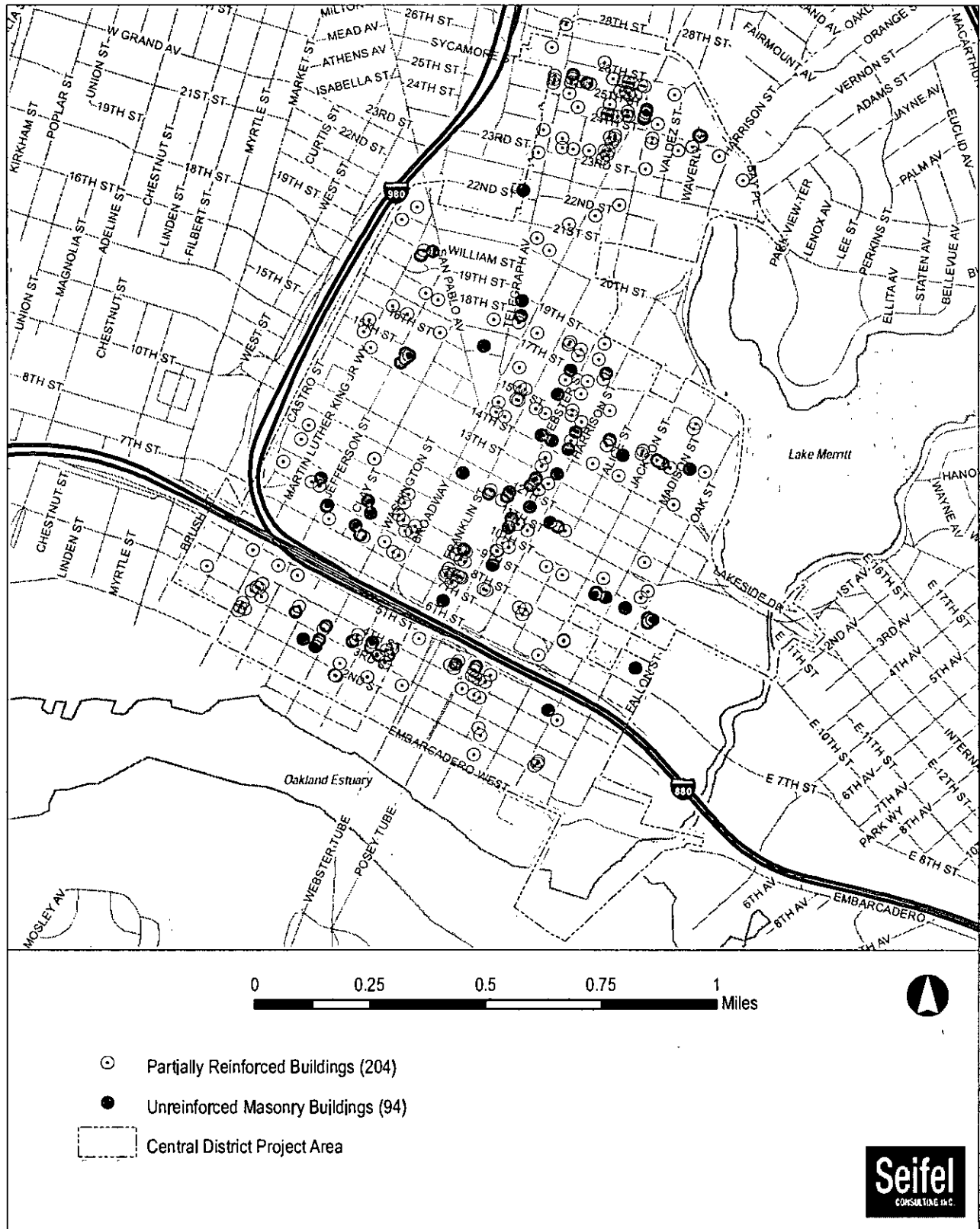
Single-family homes can be retrofitted to mitigate earthquake hazards. Estimates from ABAG's website, last updated in 2006, state that seismically retrofitting a single-family home would cost approximately \$4,500, which when adjusted to 2010 dollars is \$5,392.¹⁸

These mitigations have significant cost implications for development or rehabilitation projects located on the various soil types found within the Project Area, and may impede new development and significant rehabilitation projects. Without sufficient funds or incentives to undertake mitigations, existing conditions will continue to be unsafe or unhealthy in the event of an earthquake.

¹⁷ According to the Earthquake Engineering Research Institute (EERI), soft story buildings are buildings with unusually weak stories, which can easily collapse in an earthquake. The ground floor is the most common location for a soft-story, which is usually due to tuck-under parking or large commercial spaces. Many soft-story buildings collapsed in the 1989 Loma Prieta and 1994 Northridge earthquakes.

¹⁸ "ABAG FAQs and Retrofit Resources" ABAG. Retrieved December 10, 2010.
<http://www.abag.ca.gov/bayarca/cqmaps/fixit/FAQs.html>

Figure II-4
 Unreinforced Masonry Buildings and Partially Reinforced Masonry Buildings



b. Dilapidation and Deterioration

In late 2010, the Seifel Team conducted a Field Survey to observe existing conditions in the Project Area. Based on these observations and analysis of available data, the Project Area contains a wide variety of building types, ages and conditions. A substantial number of buildings in the Project Area suffer from very extensive or extensive building deficiencies. These buildings exhibit major adverse conditions, which would likely be costly to remedy.

Major adverse building conditions observed in the Project Area during the Field Survey include, but are not limited to, the following: dilapidation; pervasive dry rot or termite damage; poor alignment or subsidence; structurally unsound foundations, including missing or cracked foundations and foundations made from brick; missing or extensively deteriorated roofing; informal or substandard construction; and fire damage.

A strong relationship exists between the deteriorated or dilapidated condition of buildings observed in the Field Survey and health and safety problems in these same buildings. Adverse conditions such as weak foundations, poor alignment, water damage, and dry rot result in structural vulnerability, especially in earthquakes (see discussion above). Deteriorated roofs, windows and walls allow moisture to enter buildings, which can cause structural rot in wood timbers and promote the growth of hazardous molds.

Poor building conditions contribute to respiratory health issues. A study sponsored by the Centers for Disease Control and Prevention has linked indoor mold to asthma and other respiratory problems. According to the Asthma and Allergy Foundation, over half of Americans with asthma suffer from the allergic form of the disease, which is triggered by exposure to allergens such as mold.¹⁹ Mold is caused by excess moisture that can enter a building in many ways, including through deteriorated roofing, windows and walls. These conditions, as well as exterior mold, were documented in the Central District Project Area.

Buildings that exhibit major adverse conditions such as those listed above are unsafe or unhealthy to occupy. They put residents and employees at risk from injury, disease, and earthquake. As shown in Table II-3, 447 buildings, or 33 percent of all buildings surveyed, received condition ratings of 1 or 2 from the Field Survey, indicating major adverse building conditions.²⁰ Figure II-5 indicates the locations of these buildings in the Project Area. These buildings were found throughout the Project Area, with particularly high concentrations in the Northgate/Waverly, San Pablo Gateway, Old Oakland, Chinatown, Lakeside, and Warehouse and Chinatown neighborhoods.

¹⁹ "Indoor Mold, Building Dampness Linked to Respiratory Problems and Require Better Prevention," The National Academies Institute of Medicine press release, May 25, 2004.

²⁰ See building rating descriptions in Table II-2.

**Table II-3
Building Condition Ratings
Central District Plan Amendment 2010-11**

Condition Rating	General Condition	Number of Buildings ^a	Percent of Total
1	Very Extensive Physical Deficiencies (Dilapidated)	70	5.2%
2	Extensive Physical Deficiencies (Deteriorated)	377	27.8%
3	Some Physical Deficiencies (Deferred Maintenance)	551	40.6%
4	Few Physical Deficiencies (Sound)	293	21.6%
5	Minor or No Physical Deficiencies (Excellent)	67	4.9%
Total		1,358	100.0%

a. 1,358 buildings in the Project Area were evaluated in the Field Survey. The Field Survey did not evaluate buildings on parcels no longer blighted.

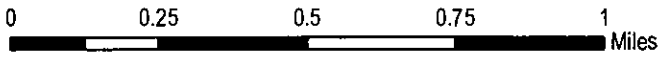
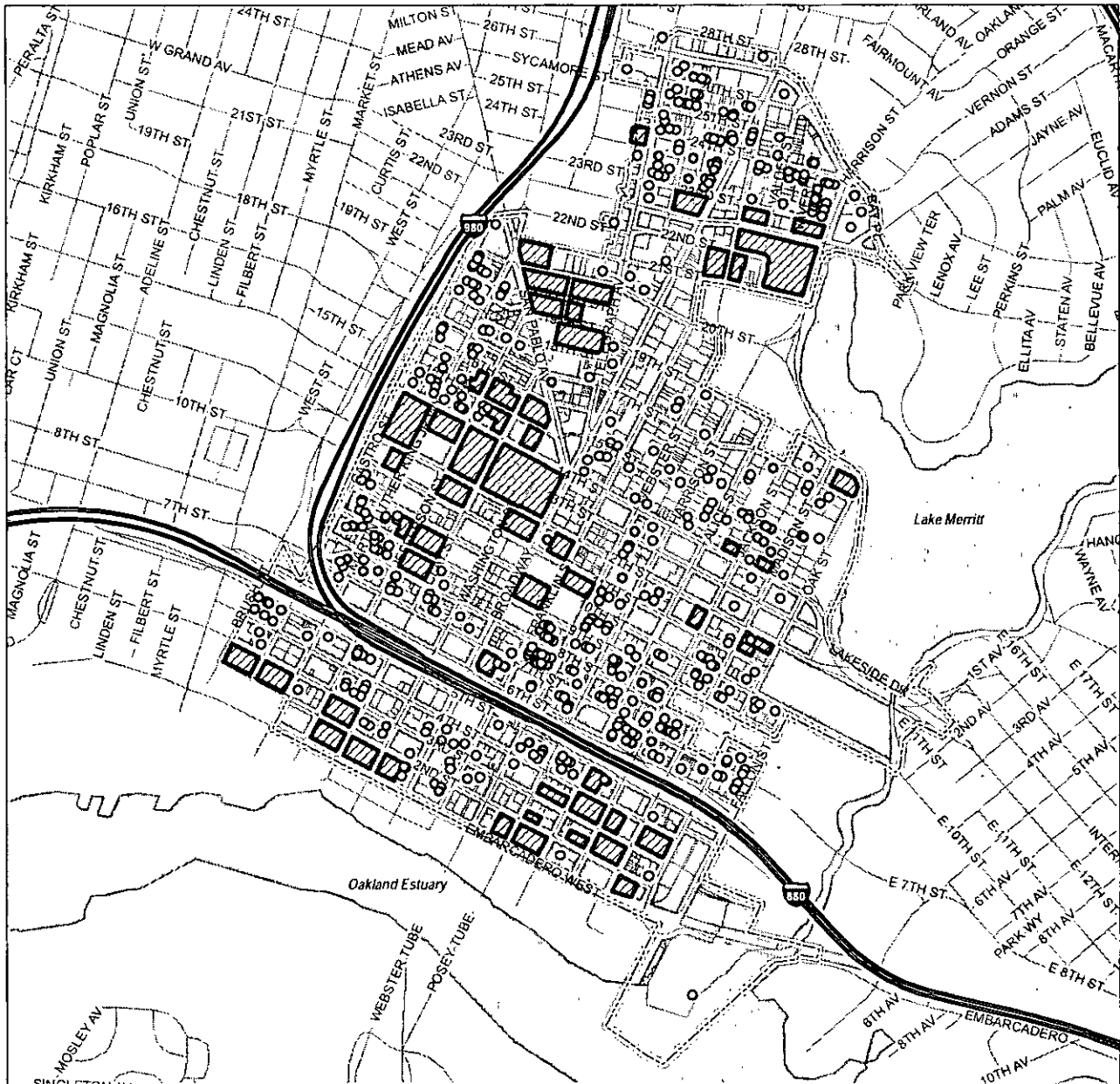
Source: Seifel Consulting Inc. Field Survey.





Other adverse building conditions observed during the Field Survey include, but are not limited to: broken and boarded windows; inadequate or deteriorated roofing; deteriorated, cracked or poorly repaired walls; extensive deferred maintenance; and substandard or obsolete design. In combination with each other and/or with major adverse building conditions, these other adverse conditions present a significant risk to the health and safety of building occupants. For example, deteriorated roofing is more likely to leak, leading to mold growth and serious respiratory illnesses such as asthma, as well as water damage which can cause wood timbers to rot, weakening structures and making them more vulnerable to earthquakes.

Fourteen buildings in the Project Area show signs of abandonment. Abandoned buildings are those that exhibit no sign of residential or commercial occupancy and are often in states of extensive physical disrepair with no evidence of steps taken toward abatement. Characteristics of abandoned buildings observed during the Field Survey include dilapidation, deterioration, boarded doors or windows, broken windows, and extensive deferred maintenance. Dilapidated and abandoned buildings have a significant impact on the public health and safety, including increased risk of accidental injury, increased incidence of emotional stress, and increased incidence of high-risk behaviors.²¹

²¹ Hillemeier MM, et al., "Measuring Contextual Characteristics for Community Health," *Health Services Research* 38:6, Part II (December 2003).

Figure 11-5
 Location of Buildings that Are Unsafe or Unhealthy (Building Rating 1 or 2)



-  Central District Project Area Boundary
-  Parcels No Longer Blighted
-  Building Rating 1 - Very Extensive Physical Deficiencies (70)
-  Building Rating 2 - Extensive Physical Deficiencies (377)



Building Age and Dilapidation

The Project Area contains buildings representing a wide range of ages, building types, and conditions. As stated, a significant number of older buildings are deteriorated and dilapidated, and some are abandoned. These conditions make many of these buildings unsafe or unhealthy places to live or work. Older buildings require renovation to meet modern standards of health and safety. They must also undergo regular maintenance to combat the normal deterioration that occurs over the life span of a building. A majority of buildings in the Project Area are old. Over 75 percent of buildings for which age data is available were constructed before 1950, and 48 percent were constructed before 1920. The field survey found that old buildings were significantly more likely to be deteriorated or dilapidated, indicating that they have not been maintained or renovated. Table 11-4 summarizes building age data for buildings in the Project Area, and Table 11-5 compares building condition ratings with building age.

**Table 11-4
Age of Buildings
Central District Plan Amendment 2010-11**

Year Built	Number of Buildings ^a	Percent of Total
1850-1889	82	6.7%
1890-1919	507	41.4%
1920-1949	361	29.5%
1950-1979	178	14.5%
1980-2009	97	7.9%
Total	1,225	100.0%

a. Data on the year built is available for only 1,225 buildings in the Project Area.

Sources: The HdL Companies, City of Oakland.

**Table 11-5
Building Ratings by Building Age
Central District Plan Amendment 2010-11**

Year Built	Building Condition Rating					Total	% of Buildings Rated 1 or 2
	1	2	3	4	5		
1850-1889	5	25	20	14	3	67	44.8%
1890-1919	35	175	191	64	10	475	44.2%
1920-1949	12	104	147	73	7	343	33.8%
1950-1979	0	25	93	37	5	160	15.6%
1980-2009	0	3	16	36	12	67	4.5%
Total	52	332	467	224	37	1,112	34.5%

Note: 1,358 buildings in the Project Area were rated during the Field Survey. Of that group, data on the year of construction is available for 1,112 buildings. This is the subgroup contained in this table. Note that the Field Survey did not evaluate buildings on parcels no longer blighted.

Sources: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

c. Construction Methods and Safety Hazards

In addition to the seismic safety issues discussed above, City staff members report that a significant number of older downtown office and commercial buildings contain basements that extend beyond property lines into the public right of way underneath City sidewalks. According to the Central District Redevelopment Project Five-Year Implementation Plan 2009-2014, many of these basements have leaking and rusted elevator access doors, deteriorated structural elements, rusted rebar, and leaking skylights and sidewalk grilles. Additionally, some basements do not meet modern standards for bearing heavy loads, and could collapse under certain circumstances, such as if large emergency or utility vehicles on the sidewalks above them were to employ outriggers, arms that extend from the sides of the vehicle and brace against the ground surface to prevent it from tilting while lifting heavy loads.

Inadequate sub-sidewalk basements have been identified on the west side of the 1600 block of Broadway, on the 1600 and 1700 blocks of Telegraph Avenue, and at 725, 801 and 827 Washington Street. Streetscape projects including the Broadway Phases II and III, Old Oakland, Latham Square, and Telegraph Avenue Streetscape Projects have been delayed or scaled back to allow for the resolution of sub-sidewalk basement problems. The City has implemented a Basement Backfill and Repair Program to address these safety issues.

d. Building Code Violations

Serious building-related code violations are further evidence of unsafe or unhealthy buildings in the Project Area. Building-related code violations provide a snapshot of the interior, as well as exterior, building conditions. The building-related code violations data, in conjunction with the Field Survey indicate the presence of buildings that are unsafe or unhealthy to occupy throughout the Project Area.

The City's Code Enforcement Division of the Building Services Department ensures the safety of Oakland residents and workers by citing property owners who do not maintain their buildings in accordance with state and city codes. Substandard buildings and structures pose significant threats to health and safety for occupants as well as the public. All building systems—structural, electrical, plumbing, mechanical, zoning, public nuisance and habitability—are required to meet minimum standards.

Code Enforcement inspects and responds to complaints of violations, deficiencies, or other problems relating to unsafe or unsanitary buildings that jeopardize the health and/or safety of the occupants or the neighborhood. Complaints related to blight abatement and electrical, mechanical and plumbing systems have been filed with Code Enforcement. In addition, inspectors have noted the presence of mold, asbestos and lead in buildings in the Project Area. This documentation supports the observations gathered during the Field Survey and the other analysis presented in the physical blight analysis.

e. Lead Paint Hazards in Residential Structures

A significant percentage of Oakland's residential buildings were built before 1978, when lead paint was used in many buildings within the United States, and are therefore at high risk for lead contamination. As lead paint deteriorates, it creates lead dust, which can be breathed in or swallowed. Exposure to lead causes brain and kidney damage in adults and children, miscarriage in pregnant women, testicular damage in men, and anemia, developmental problems and brain

damage in children. According to the National Safety Council, “even very low levels of exposure can result in reduced IQ, learning disabilities, attention deficit disorders, behavioral problems, stunted growth, impaired hearing, and kidney damage. At high levels of exposure a child may become mentally retarded, fall into a coma, or die from lead poisoning.”²² Prolonged exposure or exposure to high levels of lead can cause death. The U.S. Department of Health and Human Services has determined that lead is reasonably anticipated to be a human carcinogen, and the Environmental Protection Agency (EPA) has determined that lead is a probable human carcinogen.²³

In the early 1970s, reforms on the use of lead paint began to be implemented, and in 1978 the Consumer Product Safety Commission issued a ban on the use of lead based paint in the United States. Buildings constructed prior to 1978 are considered at high risk and houses constructed prior to 1960 are at very high risk for the presence of lead paint.²⁴ In the Project Area, 96 percent of residential buildings were constructed prior to 1978, and 88 percent of residential buildings were constructed prior to 1961 as shown in Graph II-2. The extensive deterioration of many of these older buildings exacerbates the threat of lead paint poisoning.

The National Safety Council quantifies lead paint poisoning risk by estimating that lead paint is found in roughly half of homes built between 1940 and 1960, and in roughly two-thirds of homes built prior to 1940.²⁵ Within the Project Area, 84 percent of buildings for which data is available (339 out of 402) were built prior to 1940, and an additional four percent (14 out of 402) were built between 1940 and 1960.

Based on these averages, it is reasonable to assume that approximately 233 buildings in the Project Area (58 percent of those for which data is available) are likely to contain lead paint and therefore, pose a serious health risk to people living or working inside those buildings.

f. Asbestos Hazards

Available building age data also indicates that a significant number of buildings in the Project Area are likely to be unsafe or unhealthy due to the presence of asbestos. Asbestos is the name of a group of fibrous minerals used in a variety of building materials, such as roofing shingles, ceiling and floor tiles, paper products, and asbestos cement products.²⁶ Asbestos has been banned completely in many countries for its health hazards. In the United States, all new uses of asbestos, as well as certain existing uses, have been banned by the EPA since 1989.²⁷

²² Lead Poisoning Factsheet, National Safety Council, 2009.

²³ “Toxicological Profile for Lead (Update),” Agency for Toxic Substances and Disease Registry, August 2007.

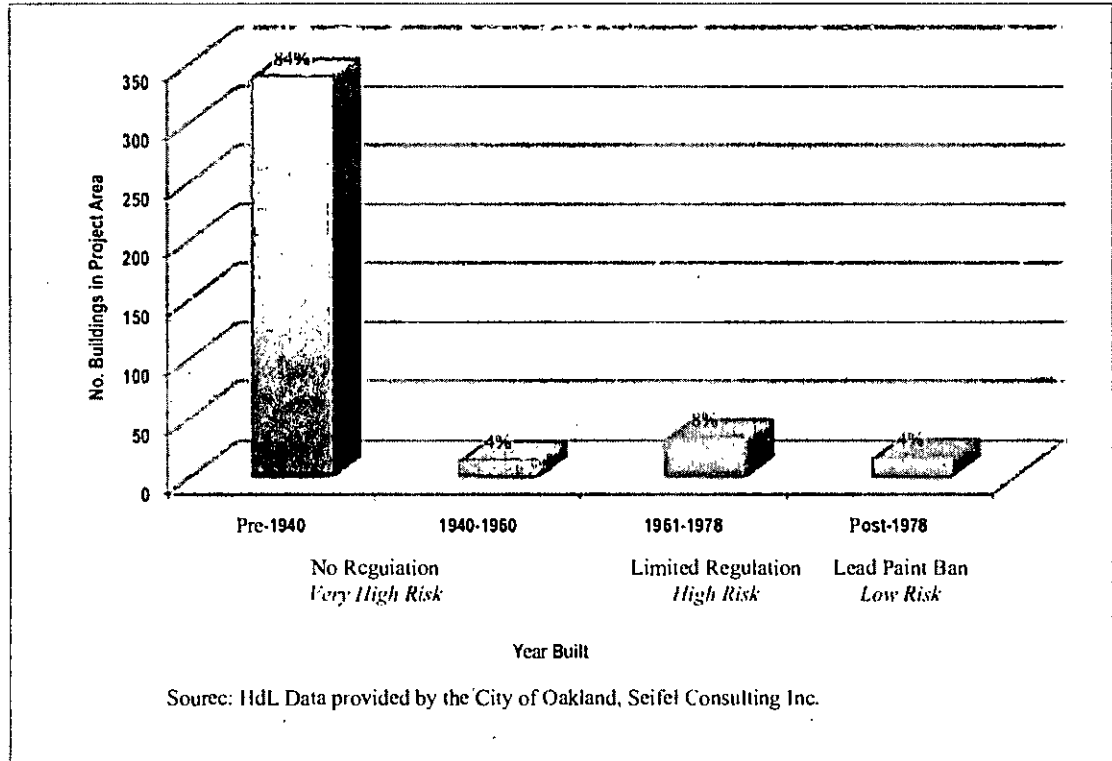
²⁴ Ibid.

²⁵ “Dally No Longer: Get the Lead Out” New York Times, January 17, 2006.

²⁶ Toxicological Profile for Asbestos, Agency for Toxic Substances and Disease Registry, 2001.

²⁷ “EPA Asbestos Materials Bans: Clarification,” US Environmental Protection Agency, 1999.

**Graph II-2
Lead Paint Risk and Age of Residential Buildings
Central District Plan Amendment 2010-11**



Exposure to asbestos occurs when asbestos-containing materials are disturbed or otherwise deteriorate, for example during product use, building demolition or remodeling, home maintenance or repair, or fire. In the case of vermiculite attic insulation, which was generally installed by pouring the insulating material loosely, without any enclosure, between attic joists, nearly any kind of work in the attic, including storing or removing objects, can cause asbestos exposure. Exposure to asbestos may cause scarring in the lungs and pleural membrane (membrane surrounding the lung), a condition called asbestosis. Asbestosis causes difficulty breathing, coughing, and in severe cases, can cause heart enlargement and death. The U.S. Department of Health and Human Services, the EPA, and the World Health Organization have determined that asbestos is a human carcinogen, and causes lung cancer and mesothelioma, a cancer of the pleural membrane.²⁸ These cancers, and asbestosis, generally occur many years after exposure, and are highly deadly.²⁹

The Federal Agency for Toxic Substances and Disease Registry has stated that asbestos products including cement pipes, electrical wire conduits, paper products, pipe covering, roofing products,

²⁸ Toxicological Profile for Asbestos, Agency for Toxic Substances and Disease Registry, 2001.

²⁹ Testimony to Congress, Dr. Harvey Pass, Professor of Cardiothoracic Surgery, New York School of Medicine. Hearing before the Subcommittee on Employment and Workplace Safety of the Committee on Health, Education, Labor, and Pensions of the US Senate, March 1, 2007.

sealants and coatings, and insulation products “remain in many buildings... built before 1975.”³⁰ Of the 412 residential buildings in the Project Area for which building age data is available, 378 were built before 1975. These buildings are likely to contain asbestos building products, which, if disturbed or deteriorated, will be unsafe or unhealthy to inhabitants.

In addition to materials intentionally manufactured with asbestos, many homes in the U.S. contain asbestos-contaminated vermiculite. This is due to asbestos contamination at the Libby, Montana vermiculite mine which was the source of 70 percent of all vermiculite sold in the U.S. between 1919 and 1990, much of it as insulation carrying the brand name “Zonolite.”³¹ An estimated 15 million to 35 million U.S. homes, or between one in nine and one in four homes, have asbestos-contaminated vermiculite insulation from the Libby mine in attics and walls.^{32,33,34}

The California Energy Commission’s Building Energy Efficiency Standards, established in 1978, require all new homes, additions and alterations to existing homes within California to meet minimum efficiency standards and include minimum insulation regulations. The most recent standards from 2008 require homes in Zone 3 to contain R-30 or greater insulation in attics.³⁵ Oakland lies in California Climate Zone 3 for which the need for heating is a dominant design concern despite the mild climate.³⁶ Of the residential buildings in the Project Area for which age data is available, 393, or 98 percent, were built before 1990.³⁷ Based upon the existence of insulation requirements and the significant usage of Zonolite, it is likely that a significant number of the 393 known pre-1990 residential buildings contain asbestos-contaminated vermiculite insulation, and therefore are unsafe or unhealthy.

2. Conditions Hindering the Viable Use of Buildings or Lots [33031(a)(2)]

Buildings within the Project Area exhibit conditions that prevent or substantially hinder their viable use or capacity. A significant number of retail and office buildings in the Project Area are hindered by obsolete design elements. In addition, a large portion of the Project Area is hindered by circulation and accessibility deficiencies including inadequate pedestrian improvements, division of city blocks by elevated freeways and BART train tracks, and railroad track sharing space with cars and pedestrians with insufficient safety barriers.

³⁰ “Case Studies in Environmental Medicine: Asbestos Toxicity,” Agency for Toxic Substances and Disease Registry, 2010.

³¹ “Fact Sheet: Protect Your Family from Asbestos-Contaminated Vermiculite Insulation,” US EPA, June 2009.

³² “Zonolite Insulation and Asbestos Lung Disease,” Mesothelioma Aid. Retrieved online December 13, 2010. <http://www.mesothelioma-aid.org/zonolite.htm>

³³ 2009 data from the American Housing Survey of the US Census Bureau. Retrieved online on October 1, 2010. <http://www.census.gov/hhes/www/housing/ahs/ahs09/ahs09.html>

³⁴ This figure is based upon a 2009 estimate of 130,112,000 housing units in the U.S. by the American Housing Survey of the U.S. Census. The housing unit estimate is likely a conservative estimate, because the number of “homes” is significantly lower than the number of “housing units,” which includes apartments in multi-unit buildings and other non-single-family home housing types.

³⁵ 2008 Building Energy Efficiency Standards for Residential and Non-Residential Buildings Effective January 1, 2010, California Energy Commission, December 2008.

³⁶ “California Climate Zone 3,” Pacific Gas and Electric. Retrieved online on December 9, 2010. <http://www.pge.com/mybusiness/cdusafety/training/pcc/toolbox/arch/climate/index.shtml>

³⁷ HdL data provided by City of Oakland staff.

a. Commercial Space Obsolescence

A significant number of buildings in the Project Area have first-floor commercial units with obsolete design that prevents or substantially hinders their viable use or capacity. Specifically, buildings have facades that lack high, wide windows to open retail spaces to the street and let in natural light; or windows, where they originally existed, have been covered. Additionally, a number of buildings were designed with low first-floor ceiling heights. Agency staff reports that these buildings have difficulty attracting tenants in a market that demands high-ceilings and floor-to-ceiling façade windows to admit light and make retail more visible from the street. Interviews conducted by CCG staff with commercial real estate brokers confirmed that among the primary considerations for tenants seeking commercial space are visibility, frontage, and ceiling height. Figure II-6 shows the locations of buildings that Agency staff have identified as experiencing difficulty-attracting tenants due to obsolete design. The Redevelopment Agency is actively addressing obsolete retail spaces in the Project Area through its Façade Improvement Program and Tenant Improvement Program. However, many commercial buildings still require Agency assistance.

b. Industrial Building Obsolescence

Many industrial buildings in the Warehouse District were built in the early twentieth century, before modern systems for transporting goods were used. These buildings do not contain loading spaces adequate for modern tractor-trailer trucks. Consequently, it is common in this district for freight to be unloaded on the street. As the Warehouse District has shifted towards a mix of residential and commercial uses, this use of the street may present a conflict. This obsolete element in industrial buildings hinders their viable use, and to some extent, the viable use of other buildings in their immediate vicinity.

c. Impeded Accessibility and Circulation

As shown in Figure II-7, the Warehouse District between I-880 and Embarcadero West is divided from the rest of the Project Area by the I-880 freeway, which takes up 14 square blocks of the Project Area between 5th Street and 6th Street. The one-block sections of sidewalk that run under the freeway, and provide the only pedestrian access between the Warehouse District and the other neighborhoods, are noisy, dark, dirty, and appear unsafe. They create a barrier that impedes the circulation of pedestrians, and hinders the development and use of properties in the Warehouse district.

In the blocks between Washington Street and Brush Street near the west side of the Project Area, this problem is compounded by BART train tracks, which emerge from the downtown tunnel and rise overhead, running toward the West Oakland station. For one stretch of three city blocks, these tracks block all car and pedestrian traffic between 4th Street and 5th Street.

Taken together, these impediments to pedestrian circulation make the Warehouse district less than desirable for development and hinder the viable use of lots in the neighborhood. The City's Community and Economic Development Agency, with the support of a number of local businesses, has established a free shuttle bus service to connect the Warehouse district with other neighborhoods, but development is still hindered by this barrier to pedestrian access.

Figure 11-6
Commercial Buildings with Obsolete or Inadequate Design

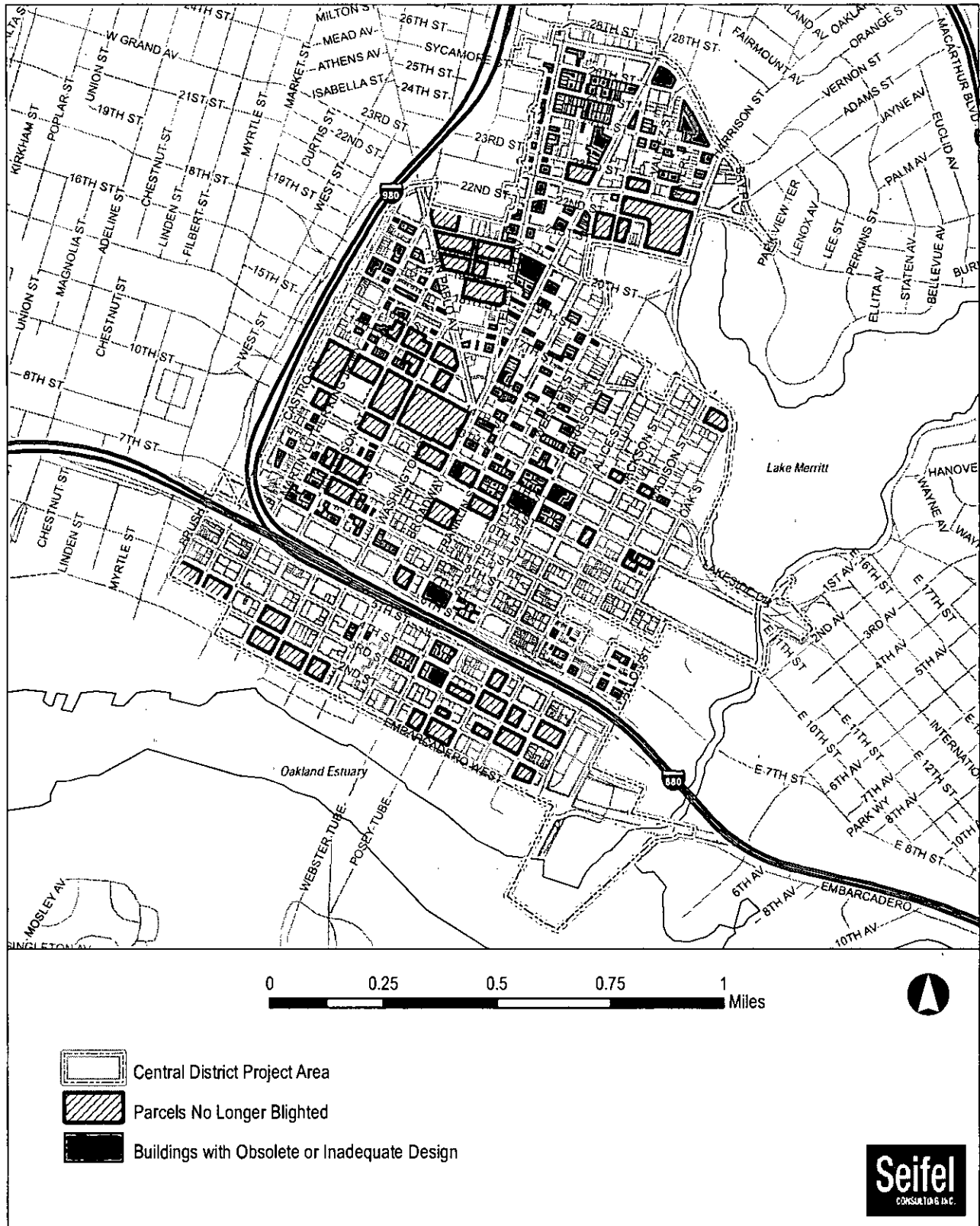
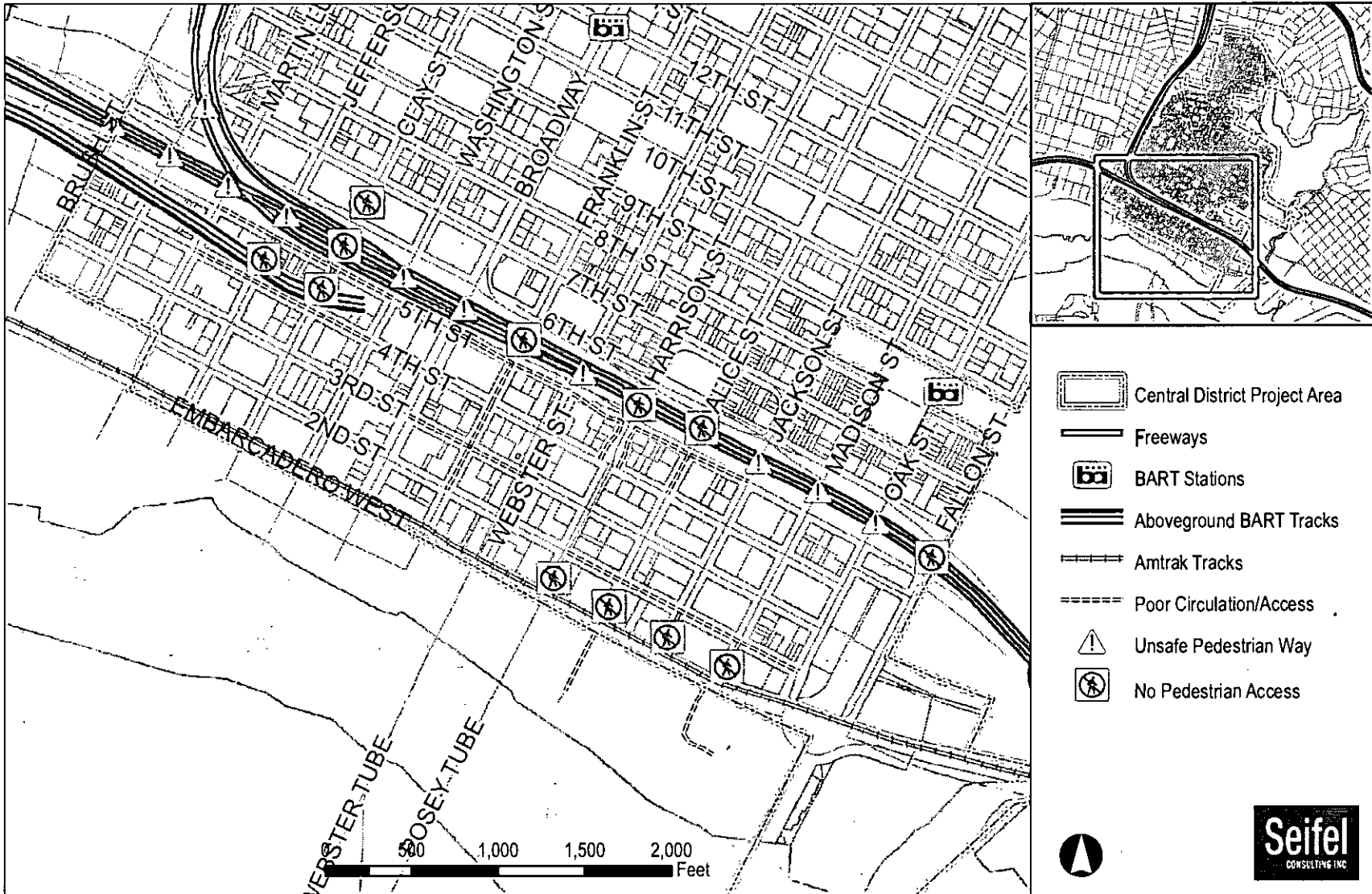


Figure II-7
Impediments to Circulation/Access



In addition to the freeway and BART tracks that cut off pedestrian access to the neighborhood, the Warehouse district is impacted by Amtrak train tracks that run through the southwest portion of the neighborhood. A portion of the tracks approximately 5 blocks long cuts off most routes between 1st Street and 2nd Street to both vehicle and pedestrian traffic. A further 5 blocks of the tracks run in an active street sharing space with vehicle and pedestrian traffic, and pose a potential safety hazard to both vehicles and pedestrians. They impair movement within the neighborhood, and hinder the viable use of lots.

Shipping trucks unloading and loading produce in the streets present another impediment to vehicle circulation. As described above under 'Industrial Building Obsolescence,' a number of produce warehouses lack facilities for unloading modern tractor-trailer trucks. As a consequence, streets surrounding these warehouses are used for unloading produce on most working days. This use of the streets presents a further impediment to vehicle traffic.

E. Remaining Economic Blighting Conditions

This section describes the economic blighting conditions in the Central District Project Area. Adverse economic blighting conditions contribute to the presence of blight in the Project Area are within five of the seven factors of economic blight as specified in the CRL and generally described as:

- Depreciated or Stagnant Property Values
- Impaired Property Values Due to Hazardous Wastes
- Indicators of Economically Distressed Buildings
- Excess of Problem Businesses
- High Crime Rate

As described below the presence of these conditions, taken together, indicates that significant economic blight remains in the Project Area.

1. Depreciated or Stagnant Property Values [§33031(b)(1)]

Property values on industrial and residential properties have depreciated over the last six years. This section analyzes property value trends and describes how industrial and residential property values have depreciated in the Project Area. These conditions indicate economic blight as defined in CRL §33031(b)(1).

a. Assessed Values

One indicator of depreciated or stagnant property values is the assessed value of property. Trends in assessed value for industrial and residential property in the Project Area were analyzed using assessed value data from The HdL Companies and the Alameda County Assessor's Office. Project Area assessed value was reviewed for a six year period in aggregate and as an average of the number of parcels for commercial office and residential land uses.

Trends in Assessed Value for Industrial Property

Table II-6 shows annual Project Area assessed values trends for industrial properties.

Over the six-year period from 2006 through 2010, assessed value of industrial properties decreased at an average annual rate of nearly 1.7 percent, with a total drop of over 8 percent, a significant depreciation in value. The assessed value of industrial property decreased between 2005-06 and 2006-07, but increased for the following two-year period by over six percent each year. In 2009-10, the assessed value of industrial property fell by 15.6 percent over the previous year and continued to decline another 1.8 percent in 2010-11.

**Table II-6
Trends in Assessed Value of Industrial Property 2006 – 3rd Quarter 2010
Central District Plan Amendment 2010-11**

Year	Assessed Value	Percent Change
2005-06	\$184,006,860	
2006-07	\$180,726,317	-1.8%
2007-08	\$192,265,893	6.4%
2008-09	\$204,183,074	6.2%
2009-10	\$172,300,244	-15.6%
2010-11	\$169,114,501	-1.8%
Average Annual Percent Change 2005-06 through 2010-11		-1.7%
Percent Change 2005-06 through 2010-11		-8.1%

Sources: The HdL Companies, Alameda County Assessor's Office, Conley Consulting Group.

The Field Survey documented the presence of deteriorated and dilapidated industrial structures in the Project Area, and in particular the Waterfront District. These conditions, as well as poor access to and circulation within this area, contribute to the decline in assessed value.

Trends In Average Assessed Value for Residential Property

As shown in Table 11-7, total assessed value for residential property showed significant double-digit increases annually over the period from 2005-06 through 2009-10. However, the assessed value for all residential property types decreased by eight percent in 2010-11.

**Table 11-7
Trends in Assessed Value of Residential Property 2006 – 3rd Quarter 2010
Central District Plan Amendment 2010-11**

Year	Assessed Value	Percent Change
2005-06	\$764,590,545	
2006-07	\$875,684,141	14.5%
2007-08	\$1,137,671,618	29.9%
2008-09	\$1,272,510,687	11.9%
2009-10	\$1,423,576,504	11.9%
2010-11	\$1,309,144,404	-8.0%

Sources: The HdL Companies, Alameda County Assessor's Office, Conley Consulting Group.

While assessed value in aggregate has risen for residential and commercial property, this is in part due to the conversion of lower valued land, such as industrial, to higher density, higher value residential or office use. The next section examines in more detail the residential assessed value trends.

From 2006-07 through 2010-11 nearly 1,600 residential parcels were added to the tax rolls, primarily due to development of condominium units produced during the period. However, the increase in residential parcels is less than the total number of new residential units produced in this period, due to how apartment and condominium units are counted. Apartment buildings with multiple residential units are reported according to the number of parcels upon which the apartment building as a whole is built, typically far less than the number of units. In contrast, a condominium unit is recorded as a separate parcel by the Assessor's Office, and each condominium has its own individual parcel number.

Averaging total assessed value across the total number of parcels reveals that the double-digit increases for total residential property values in this period were due in large part to the increase of the number of taxable residential parcels in the Project Area. Table II-8 shows that average assessed value of residential parcels has been decreasing since the 2008-09 tax year. Average per parcel assessed value dropped over ten percent since its high in 2007-08, averaging a 1.8 percent decline annually. This trend in assessed value represents a significant decline in a large component of the residential assessed value in the Project Area.

Table II-8
Change in Average Assessed Value of Residential Parcels 2006 – 2010
Central District Plan Amendment 2010-11

Year	Number of Parcels	Taxable AV	Average AV	Percent Change
2006/07	2,368	\$875,684,141	\$369,799	
2007/08	2,918	\$1,137,671,618	\$389,881	5.4%
2008/09	3,295	\$1,272,510,687	\$386,194	-0.9%
2009/10	3,824	\$1,423,576,504	\$372,274	-3.6%
2010/11	3,966	\$1,388,483,107	\$350,097	-6.0%
Average Annual Percent Change 2007-08 through 2010-11				-1.8%
Percent Change 2007-08 through 2010-11				-10.2%

Sources: Conley Consulting Group, The HdL Companies, Alameda County Assessors Office.

2. Impaired Property Values Due to Hazardous Wastes [33031(b)(2)]

This section describes the presence of hazardous wastes in the Project Area and how this presence impairs property values. These conditions indicate economic blight, as defined in CRL Section 33031(b)(2).

a. Definition of Hazardous Waste and the Polanco Act

CRL §33031(b)(2) states that impaired property values must be due in significant part to hazardous wastes where the "agency may be eligible to use its authority as specified in CRL

Article 12.5 (commencing with §33459).” Article 12.5 is known as the Polanco Redevelopment Act (Polanco Act). The Polanco Act allows a redevelopment agency to take any actions necessary to address the release of hazardous substances on, under or from property within its project area. In return, the Agency, the developer of the property, and subsequent owners receive immunity from further cleanup liability. The Polanco Act shifts more liability for both site investigation and remediation to the party determined to be responsible for the release of hazardous materials, usually the property owner at the time of the release.

Section 33459(c) defines the hazardous substances subject to Polanco Act powers. It states:

“Hazardous substance” means any hazardous substance as defined in subdivision (h) of Section 25281, and any reference to hazardous substance in the definitions referenced in this section shall be deemed to refer to hazardous substance, as defined in this subdivision.

California Health and Safety Code §25281(h) references other definitions of hazardous substances found in a variety of state and federal statutes. Through subsequent references, the Polanco Act incorporates most of the definitions in the existing state and federal environmental laws. For example, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as the federal Superfund law, lists well over 1,000 hazardous substances.³⁸ In addition, §25281 includes petroleum and petroleum byproducts, which other laws exclude.

In summary, the definition of hazardous substances in the Polanco Act is wide-ranging. Therefore, the types of hazardous waste that constitute the economic blight described in the §33031(b)(2) are numerous. Unless otherwise noted, this section uses the terms “hazardous waste” and “hazardous substance” interchangeably to refer to the materials of concern in this analysis.

b. Impaired Property Values

The presence or potential presence of hazardous wastes on a property typically impairs property values because investigation, remediation, monitoring, and ongoing liability for environmental contamination are both costly and uncertain. Under federal laws, including CERCLA, the Resource Conservation and Recovery Act (RCRA), and others, property owners may be held liable for past chemical releases, even though they were not directly responsible for the conditions that gave rise to the liability. Therefore, prior to purchasing or entering into contract to develop a site, a developer must undertake extensive environmental investigations to determine whether hazardous wastes are present. The cost of conducting any potential remediation is also uncertain, and delays are often associated with obtaining governmental approvals before development of contaminated or remediated sites may begin.

A lack of investment in properties due to confirmed or potential hazardous wastes may impair property values. Given added costs and risks of hidden cleanup costs, the presence of hazardous wastes on properties often serves as a disincentive to redevelop the properties and consequently depresses their values.³⁹ Property owners that suspect but have not confirmed the presence of

³⁸ Table 302.4, 40 CFR 302.4.

³⁹ Weber, Bruce R. “The Valuation of Contaminated Land.” *The Journal of Real Estate Research*. Vol. 14, No. 3, 1997.

hazardous wastes may not wish to undertake such efforts due to the costs associated with environmental testing.

Hazardous wastes may also impair sale prices when a property changes ownership. Due to the costs and risks described above, potential buyers may offer lower prices to account for expected remediation needs. Pre-sale negotiations often address the responsibilities of each party to remediate hazardous wastes. These negotiations add to the cost of the transaction and likely depress the sales price. Overall, these costs and risks often depress the resale value of contaminated properties as compared to similar sites without contamination history. Impaired property values due to hazardous wastes constitute economic blight under the CRL.

c. Hazardous Wastes in the Project Area

Contaminated sites in the Project Area are largely due small-scale manufacturing, automobile-related land uses and dumping activities. As discussed above, these hazardous wastes likely impair property values on those sites due to the risks associated with liability and cleanup. Sites immediately surrounding contaminated sites may also be affected as leaks can spread through water and soil over time.

The text below describes the hazardous wastes sites in the Project Area identified by the State Department of Toxic Substance Control (DTSC) and State Water Resources Control Board (SWRCB). Table 11-9 summarizes the number of hazardous wastes sites in the Project Area and Figure 11-8 maps the location of these hazardous sites, as determined by DTSC and SWRCB.

**Table 11-9
Hazardous Wastes Sites
Central District Plan Amendment 2010-11**

	Land Area (Square Miles)	LUFT			SLIC		
		Open	Closed	Total	Open	Closed	Total
Project Area	1.269	33	80	113	16	12	28
City of Oakland	56.54	279	534	813	164	65	229
Percent of Total City	2.24%	11.83%	14.98%	13.90%	9.76%	18.46%	12.23%

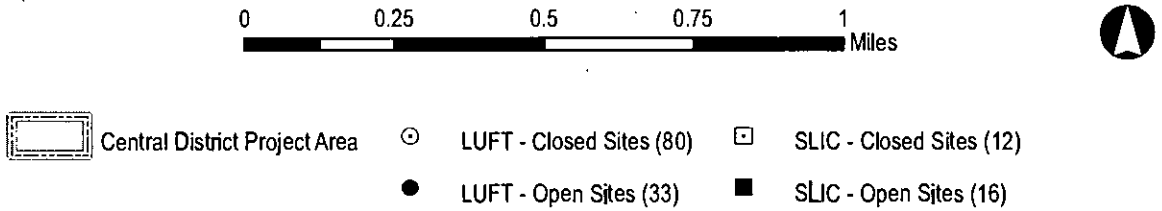
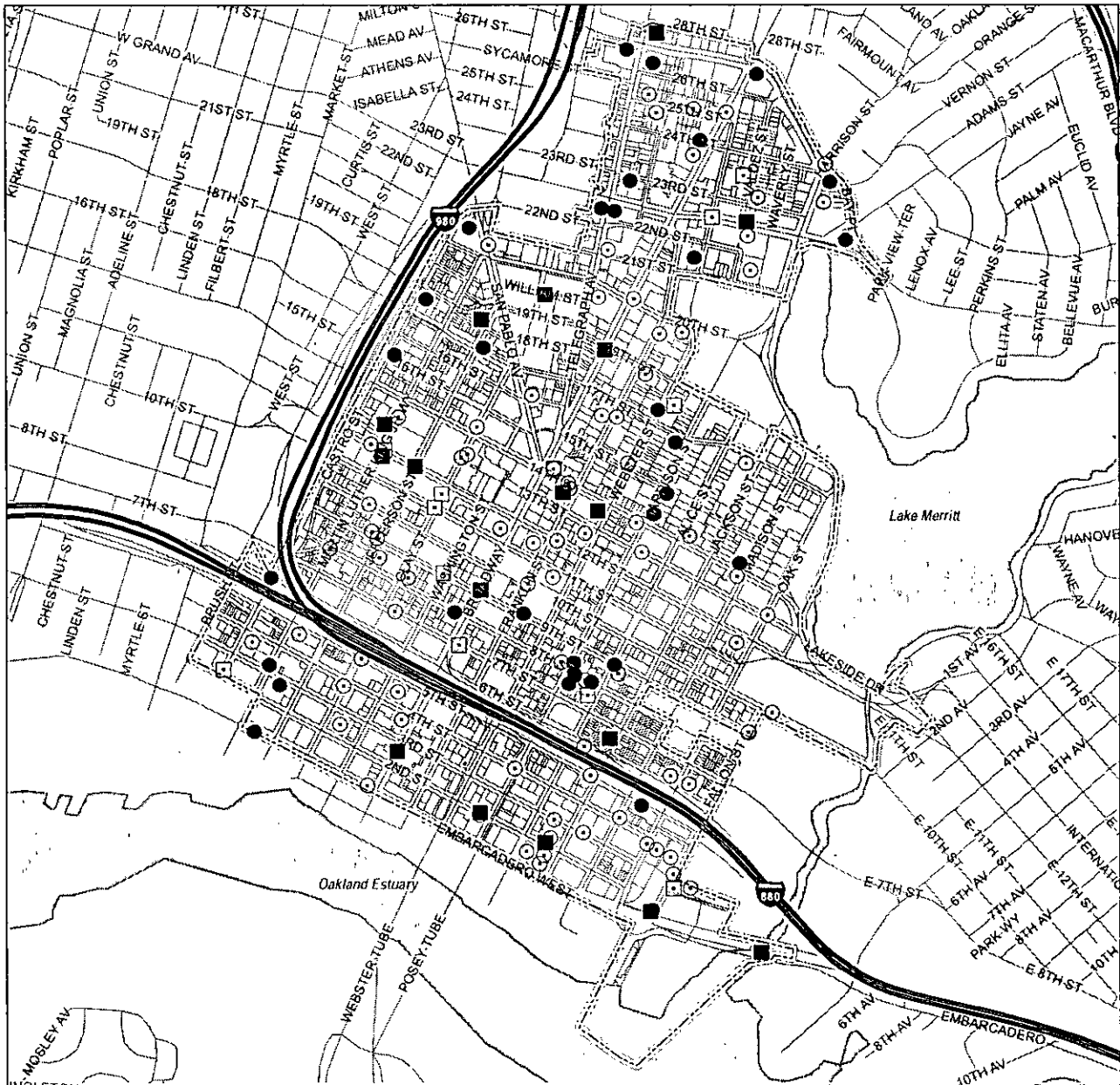
Source: State Water Control Resources Board (Geotracker), Department of Toxic Substances Control, Conley Consulting Group Seifel Consulting Inc.

d. Leaking Underground Fuel Tanks (LUFTs)

LUFTs are one of the most common sources of hazardous wastes in the Project Area. These fuel storage tanks are often located on the site of current or former automotive uses. SWRCB maintains a database of LUFTs. According to the SWRCB, underground storage tanks are the principal source of groundwater contamination. Most underground storage tanks hold fuel and additives, and by state law, local agencies must monitor them for leaks.

The SWRCB list categorizes LUFTs as either “Open” or “Closed.” Open LUFTs are sites that have not been sufficiently investigated and/or remediated. Closed LUFTs are sites in which work is no longer required since known levels of contamination are not high enough to impact public health. However, each closed case has a unique closure agreement with the regional board with different target level goals, and the SWRCB reserves the right to reopen files when necessary.

Figure 11-8
Locations of LUFT and SLIC Sites



Additionally, the closed sites are not necessarily “clean” and often, especially on industrial sites, other contaminants are in the soil or leaking into the groundwater. Furthermore, LUFT sites closed prior to newer types of contamination testing will likely be reopened for further testing and remediation. Health risks associated with closed LUFT sites are still possible and the SWRCB advises that prior to redevelopment, developers review the files for all cases to ensure that no new information has surfaced about possible risks to human health, safety or the environment.

Federal and state laws require every owner and operator of a LUFT to maintain financial responsibility to pay for any damages arising when a leak is discovered. Corrective action costs include preliminary site assessment, soil and water investigations, corrective action implementation, such as tank removal, and verification monitoring after the cleanup is completed. Other potential costs may include fees and compensation claims associated with lawsuits. Although remediation action costs vary to a wide degree, the SWRCB provides cost estimates for common corrective action scenarios at a typical site. In the examples provided by SWRCB, the costs range between \$45,000 and \$193,000 in 2009 dollars for soil excavation, cleanup and disposal related activities, not including removal of tanks or treatment of contaminated water.⁴⁰ As discussed above, costs related to hazardous waste clean up and removal impairs the value of a site as these costs are often reflected in a lower sales price for the property.

According to the SWRCB’s database, 113 known LUFTs exist in the Project Area. Of these, 33 are open cases that have not been either sufficiently investigated and/or remediated. The remaining 80 LUFT cases are categorized as “Closed.” As discussed above, both open and closed LUFTs may pose health risks and constitute a potential liability to property values. As shown in Table 11-9, while the Project Area only accounts for 2 percent of the City’s land area, it disproportionately contains nearly 12 percent of the City’s open LUFTs and 14 percent of the total LUFTs in the City.

In the future, development costs for the baseball stadium at Oak Street and Embarcadero could be affected by the presence of hazardous waste sites. The proposed site, which will consist of multiple parcels, includes seven hazardous waste sites. Five of the seven hazardous waste sites are LUFT sites, including four closed cases and 1 open case. In addition, the proposed site includes one open-inactive site and one open site assessment, both located on the same parcel of land and owned by the Port of Oakland. The site is currently not in use.

e. Spills, Leaks, Investigations, and Cleanups (SLIC) Sites

The SWRCB also maintains a list of SLIC sites. The SLIC program is designed to cleanup “unauthorized discharges” to groundwater and surface waters or soil sediments when such discharges occur and are reported. The SLIC program orders investigations, sets cleanup and treatment removal standards and provides for further monitoring. SLIC sites are not specifically linked to underground fuel tanks and are in fact likely to be more highly contaminated than LUFT sites. They could be contaminated with any number of toxic materials, including dry cleaning chemicals, percolate, dioxin, etc.

⁴⁰ California State Water Resources Control Board. Cost Guidelines Underground Storage Tank Cleanup Fund (October 2001). This document states that LUFT remediation costs may range between \$36,000 and \$154,000 in 2001 dollars. Equivalent costs in 2009 dollars were estimated for this Report using a conservative 2.8 percent annual growth factor based on the average annual percent change in the Consumer Price Index between 2001 and 2009. However, the Building Cost Index and Construction Cost Indices indicate that remediation costs may have increased by more than 2.8 percent annually.

According to the SWRCB's database, 28 known SLICs exist in the Project Area. Of these, 16 are open cases that have not been sufficiently investigated and/or remediated. The remaining 12 SLIC cases are categorized as "Closed." Similar to LUFT cases, as described above, both open and closed SLICs may pose health risks and constitute a potential liability to property values. As shown in Table II-9, while the Project Area only accounts for 2 percent of the City's land area, it disproportionately contains nearly 10 percent of the City's open SLICs and over 12 percent of the total SLICs in the City.

A recent estimate by City staff estimates that current remediation costs could typically average approximately \$20/SF and range from \$5 to \$50/SF.⁴¹ Thus, the increase in remediation costs would depress values for property with hazardous waste contamination within the Project Area.

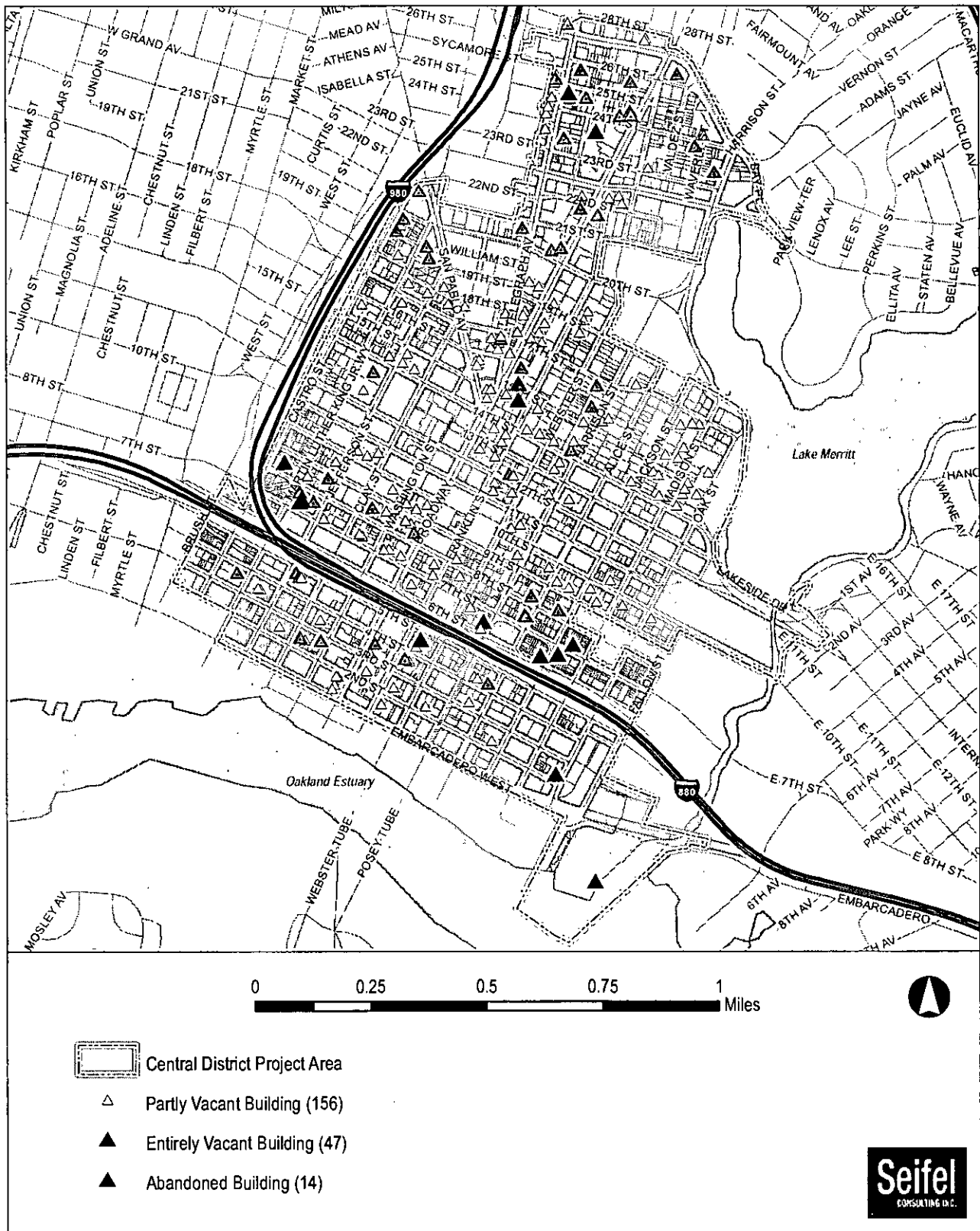
In 2006, the cost to remediate the Uptown Theater District, a SLIC site in the Project Area, was equivalent to \$22/SF. Due to the private sector's inability to remediate the site on its own, the Agency provided \$5.6 million to remediate the six acre site. Prior to the 2006 hazardous waste remediation, the Uptown site had limited land uses. The significant public subsidy provided by the Agency was necessary to allow the site to assume a residential land use. In 2007, the site was developed as a mixed-use development. However, future development is limited by land use restrictions preventing the use of the site as a hospital, day care, and senior care or for growing food. Should these uses be desired in the future, additional remediation will be necessary and most likely require further public assistance.

3. Economic Indicators of Distressed Buildings [33031(b)(3)]

Abnormally high business vacancies, low lease rates or a high number of abandoned buildings are indicators of economically distressed buildings. The Field Survey conducted by the Seifel Team analyzed economic distress of commercial property in the Project Area. Figure II-9 shows the location of partially vacant, vacant and abandoned buildings that were identified during the Field Survey. The prevalence of vacancies along the Telegraph and Broadway Avenue commercial corridors and in the Jack London Square area underscores the abnormally high business vacancies in the Project Area. To quantify the observed vacancies, CCG also reviewed quarterly trend reports for commercial properties in the Oakland Central Business District and Jack London Square and interviewed brokers with experience leasing and selling commercial properties in the Project Area for this analysis.

⁴¹ Mark Gomez, Environmental Protection and Compliance Supervisor, City of Oakland, Public Works Agency, December 2, 2010.

Figure II-9
 Location of Buildings that are Abandoned, Vacant or Partly Vacant



a. Office Vacancies and Lease Rates

The Jack London Square area suffers from abnormally high vacancy rates and abnormally low lease rates. Quarterly trend reports from major brokerage firms for commercial office space were reviewed from the 4th quarter of 2006 through the 3rd quarter of 2010 to determine trends in vacancy rates for the Project Area. The office submarkets identified as Central Business District and Jack London Square are included in the Project Area.⁴² Office vacancy trends for these two submarkets were examined by class of office space. Class A space is in buildings with steel and concrete construction, built after 1980, with excellent location, access and amenities. Class A space is usually professionally managed and attracts high quality tenants. Class B space is in buildings built after 1960 with fair to good location, access and construction. Tenant standards are high and the space has little functional obsolescence and deterioration. Class C space is generally found in buildings built prior to 1960, but can be in buildings that are 15 years of age or older. They have few amenities and may not be updated with air conditioning or other modern features. Class C office spaces are often walk-up office spaces above retail or service businesses. In a normal market, Class A rents are much higher than Class B, and Class B rents are typically higher than Class C rents.⁴³

According to commercial brokers interviewed for this analysis, factors contributing to vacancies are proximity to vacant buildings and buildings in poor condition. In addition, commercial brokers with listings in the Project Area stated that the presence of a Class C building in poor condition as well as high crime rates in the area deter Class A and B tenants from leasing space in the Project Area.⁴⁴

Table 11-10 compares Class B and Class C office vacancy rates for Jack London Square, Berkeley and Emeryville. 2009 and 2010 vacancy rates for Class B office space in Jack London Square were significantly higher than compared with Berkeley and Emeryville. At 20.7 percent, the 2009 vacancy rate for Class B office space in Jack London Square was over two times greater than the Class B vacancy rate in Emeryville (10.1 percent) and over 2.5 times greater higher than Berkeley (8.2 percent). By 2010, Class B vacancy rates declined in Jack London Square, but were still significantly higher than vacancy rates in Berkeley and Emeryville. In 2009 the vacancy rate was higher for Class C space for Jack London Square than for Emeryville.

⁴² Includes both Oakland Downtown and Lake Merritt submarkets. These two submarkets have a different development product type, tenant profile, and performance trends than the Jack London submarkets, and knowledgeable sources usually report trend data for the CBD and Jack London Square separately. Office vacancy and lease rate data by office class was reviewed for the Oakland CBD and Jack London Square and other office markets in the East Bay. The data indicates that vacancy and lease rates for Class A space in the Oakland CBD and Jack London Square were not unusually high or low. This was found to be the same for Class B office space for the Oakland CBD. In Jack London Square Class B and Class C office space tends to have higher vacancy rates and lower lease rates.

⁴³ The Urban Land Institute, Office Development Handbook, 1998 and NAI BT Commercial, I-80/I-880 Corridor Office Report, 2009.

⁴⁴ Interviews were conducted by Conley Consulting Group with Bill Purcell of Cornish & Carey, Steve Banker of LCB Associates, Reesa Tansy of Colliers International and Gary Belencourt of California Commercial Investments Group in November 2010.

**Table II-10
Class B and C Office Vacancy Rates
Jack London Square, Berkeley, Emeryville
Central District Plan Amendment 2010-11**

Year	Class B			Class C		
	Oakland JLS	Berkeley	Emeryville	Oakland JLS	Berkeley	Emeryville
2009	20.7%	8.2%	10.1%	13.7%	19.3%	7.6%
2010	13.8%	8.7%	8.3%	5.0%	18.9%	7.9%

Sources: CB Richard Ellis Quarterly MarketView Reports 2006 - 2010, Conley Consulting Group.

Discussions with brokers dealing with commercial property in the Project Area and with the City of Oakland Community and Economic Development Agency confirm that the data on Class C office inventory and occupancy rates is particularly unreliable. City sources state that Class C space reported as occupied is likely vacant but not being actively marketed by the property owner. Therefore, the vacancy rates for Class C office space in Jack London Square may be much higher than reflected in Table II-10.

The average asking lease rates per square foot for Class B and Class C space are compared in Table II-11. This table shows that Class B and Class C office space in Jack London Square had lower asking rates than both Berkeley and Emeryville in 2009 and 2010, with lease rates in Jack London Square two to twelve percent lower. The decrease in the vacancy rate from 20.7 percent to 13.8 percent for Class B space in Jack London Square was not accompanied by an increase in the asking rental rates, signifying economic stagnation. Asking lease rates for Class C office space in Jack London Square was also lower than in both Berkeley and Emeryville in 2009 and 2010. The asking rate declined for Class C space despite a drop from 13.7 percent to 5.0 percent in the vacancy rate for Class C space in Jack London Square.

**Table II-11
Class B and C Office Average Asking Price Per Square Foot
Jack London Square, Berkeley, Emeryville
Central District Plan Amendment 2010-11**

Year	Class B			Class C		
	Oakland JLS	Berkeley	Emeryville	Oakland JLS	Berkeley	Emeryville
2009	\$1.75	\$1.99	\$1.81	\$1.48	\$1.52	\$1.58
2010	\$1.75	\$1.93	\$1.79	\$1.45	\$1.51	\$1.55

Sources: CB Richard Ellis Quarterly MarketView Reports 2006 - 2010, Conley Consulting Group.

Interviews with office leasing brokers in the Project Area indicate that incentives are being offered to solicit tenants to the area, typically a sign of soft market conditions. Incentives such as free rent for the initial months of the lease period effectively reduces the lease rate but is not reflected in reported lease rates. Another common leasing incentive is enhanced tenant improvement allowances. Leasing incentives make it difficult to quantify and compare rental rates across market areas. However, the need to offer incentives to fill space is an indicator of concern among property owners about persistent vacancies for long periods of time. Brokers also noted that asking price per square foot is not necessarily reflective of actual lease rates and that lease rates generally are lower than listing rates.

Asking rents for Class B office space in Jack London Square were stagnant despite a decline in the vacancy rate between 2009 and 2010. In addition, vacancy rates for Class B office space in Jack London Square were significantly higher than in Berkeley or Emeryville. This indicates persistent economic distress for this class of office space in the Jack London Square portion of the Project Area. In Jack London Square, both vacancy rates and asking lease rates decreased between 2009 and 2010. The asking rents for Class C space in Jack London Square are lower than both Berkeley and Emeryville even with a lower vacancy rate than both those cities in 2010. This also is an indicator of persistent economic distress for Class C office space in Jack London Square.

Brokers interviewed by CCG cited crime as a major impediment to business in the Project Area. The perception of higher crime discourages leasing and thus depresses lease rates in the Project Area compared to Emeryville and Berkeley. Crime is discussed in detail in Section E.5 below. Brokers also cited persistent high vacancies as a problem for both attracting tenants and funding long term building maintenance from rental revenues.

b. Retail Vacancy and Lease Rates

CCG conducted a broker survey to assess retail lease and vacancy rates in the Project Area. The data collected was used to assess the prevalence of economic indicators of distressed buildings within the Project Area. Brokers and City Staff consulted for this effort generally stated that lease rates and vacancies within the Project Area were negatively impacted by the prevalence of crime and lack of investment for physical improvements by property owners. These factors also include the presence of non-retail uses that creates breaks in the retail frontage, and further discourage retailers from locating in the Project Area.

The retail brokers surveyed quoted lease rates for ground floor retail with adequate tenant improvements along Broadway range from \$2.00 to \$2.50/SF. In some cases lease rates are as high as \$3.00 to 3.50/SF triple net (NNN) near 13th and Broadway.⁴⁵ Reesa Tansey, a retail broker with Colliers International, stated that retail rents can be as high as \$5.00/sf in Chinatown, unlike anywhere else in the Project Area. However, retail brokers also noted that lease rates drastically declined for retail located off the Broadway-Telegraph corridor, with lease rates as low as \$1.25/SF along Franklin and Webster.⁴⁶

Brokers identified various reasons for the decline in lease rates for spaces off of the Broadway-Telegraph corridor. The dominant reason cited by brokers was the decrease in pedestrian and vehicle traffic on side streets. Brokers attributed the decline in pedestrian and vehicle traffic to the lack of destination retail and lack of public transportation. Retail on Broadway and Telegraph is supported by pedestrian traffic and benefits from close proximity to larger retail anchors in the Project Area and transportation hubs at 14th and 19th Street. In addition, the owners of retail space off of Broadway are less likely to make physical improvements and spaces suffer from functional obsolescence, which impedes their ability to be leased quickly, as discussed in Section D.2 above.

⁴⁵ Interview with Bill Purcell, Cornish & Carey, November, 2010; Interview with Steve Banker, LCB Associates, November 2010. NNN, or triple net lease, refers to a lease agreement between a tenant and owner where the tenant is responsible for paying all real estate taxes, building insurance and maintenance on the property in addition to rent.

⁴⁶ Interview with Bill Purcell, Cornish & Carey, November 2010.

Retail vacancies can be found throughout the Project Area, and the Seifel Team observed multiple retail vacancies during the Field Survey (See Figure II-9). Many brokers stated that crime and lack of investment by property owners deters retailers from leasing vacant space in the Project Area. Bill Purcell of Comish & Carey stated, "Everyone looks elsewhere due to poor street environment. People hanging out on the corner drive tenants anywhere but Oakland." Steve Banker from LCB Associates, a commercial real estate broker, stated that many retailers are deterred due to property owners' unwillingness to make the space work for tenants resulting in the persistent vacancies. Gary Bettencourt with California Commercial Investment Group commented that the "lousy street scene" coupled with vacancies drives down rents and hinders leasing of retail space.

The recession and high asking lease rates along Broadway and Telegraph Avenue have also impacted vacancies in the Project Area. A large majority of the vacant retail in the Project Area is negatively impacted by property owners who "need to maintain their pro forma without consideration to retailers."⁴⁷ Specifically, property owners have attempted to maintain higher retail lease rates that were anticipated prior to the economic decline. However, many retailers who have been negatively impacted by the recession can no longer afford to lease space at the preexisting rate. Thus, retailers locate elsewhere and the space will often remain vacant.

In addition, retail spaces afflicted by high crime, high lease rates, and/or poor physical space are often passed over for leasing opportunities elsewhere. Those spaces that are passed on by retailers are often leased by non-retailers such as cannabis club dispensaries, which have emerged over the last few years. The prevalence of non-retailers occupying space intended for retail in the Project Area has further dissuaded retailers from locating to the Project Area, as they often require a supportive retail environment to generate customer draw.

c. Residential Lease Rates

Residential lease rates in the Project Area were assessed using data from Real Facts, a database provider of apartment rental trends. Available data for developments with 50 or more units in the Project Area were analyzed from 2008 to 2010. As shown in Table II-12 the average lease rate for the Project Area in 2010 was \$1,545, a 7 percent decrease from 2008 when the average lease rate was \$1,666. Lease rates declined for the majority of unit types in the Project Area. The larger two and three bedroom units had the sharpest decline in lease rates, with as much as a 15 percent decrease in lease rates from 2008.

4. Excess of Problem Businesses [33031(b)(6)]

This section describes the presence of problem businesses in the Project Area that has led to problems of public safety and welfare, which is a condition of economic blight, as defined in CRL Section 33031(b)(6).

⁴⁷ Interview with Reesa Tansey, Colliers International, November 2010.

**Table II-12
Residential Lease Rates
Central District Plan Amendment 2010-11**

Number of Bedrooms	2008	2009	2010	Percent Change 2008-10
Studio	\$956	\$978	\$992	3.8%
1bd 1ba	\$1,515	\$1,475	\$1,415	-6.6%
2bd 1ba	\$1,419	\$1,377	\$1,361	-4.1%
2bd 2ba	\$2,359	\$2,244	\$1,996	-15.4%
2bd TH	\$1,600	\$1,600	\$1,700	6.3%
3bd 2ba	\$3,208	\$2,875	\$2,835	-11.6%
Total	\$1,666	\$1,627	\$1,545	-7.3%

Source: Real Facts, Conley Consulting Group, Seifel Consulting Inc.

a. Alcoholic Beverage Licenses

One factor of economic blight is an excess of bars, liquor stores or other businesses catering exclusively to adults that has led to problems of public safety and welfare. The California Department of Alcoholic Beverage Control (ABC) regulates alcohol beverage licenses. ABC issues several subcategories of licenses, but the overarching categories are on-sale and off-sale licenses. On-sale licenses allow the consumption of alcoholic beverages on the premises, such as a restaurant or bar, while off-sale licenses are for the sale of alcoholic beverages that are consumed off the premises, such as a package store or grocery store.⁴⁸

When an applicant applies for an alcoholic beverage license, ABC notifies the city and local police, health and planning departments. ABC also requires a 30-day posting period for public notification. ABC reviews and investigates the applicant during this time, and also considers if the license will be used in a problem area or an area with an over-concentration of licensed businesses. If an applicant meets the requirements set forth by ABC, ABC will grant the license if the number of licenses allowed has not been reached. However, if the applicant can prove that granting the license would serve a public necessity or convenience, then the license can be approved regardless of whether the maximum number of licenses has been reached. The number of licenses allowed in an area is determined by area population as defined by the most recent U.S. Census.

The current ABC ratio is one on-sale license per 2,000 residents, and one off-sale license per 2,500 residents for the sale of hard liquor. In addition to this regulatory restriction, a law passed in 1994 further limits on- and off-sale liquor licenses by census tract based on population. According to a memorandum from the City of Oakland City Attorney's Office dated November 18, 2009, this 1994 law defined many Oakland census tracts as having an over-concentration of liquor stores. This is because the law grandfathered existing liquor stores and also allowed local jurisdictions to make a finding that there is a "public necessity or convenience" met by permitting an off-sale liquor license in area of over-concentration.

⁴⁸ A package store is a term used by ABC to describe an outlet selling primarily alcoholic beverages.

b. Number and Concentration of Alcoholic Beverage Licenses

The number of alcoholic beverage licenses within the Project Area was obtained from ABC license data for the 14 Census tracts that are within or overlap the Project Area boundaries. Figure II-10 shows the locations of active on and off-sale liquor licenses. As of October 2010, a total of 170 establishments with active liquor licenses are within the Project Area. Table II-13 shows the number of liquor licenses by type and census tract. Inactive licenses within the Project Area are excluded in this tally. As of October 2010, a total of 29 establishments with off-sale licenses and 141 establishments with on-sale licenses operated within the Project Area.

Applying the current ABC ratio and using the 2010 estimated residential population of the Project Area (20,380)⁴⁹, 11 on-sale licenses and nine off-sale licenses could be issued within the Project Area. The Project Area has 141 on-sale and 29 off-sale licenses, significantly higher than the ABC population based standard.

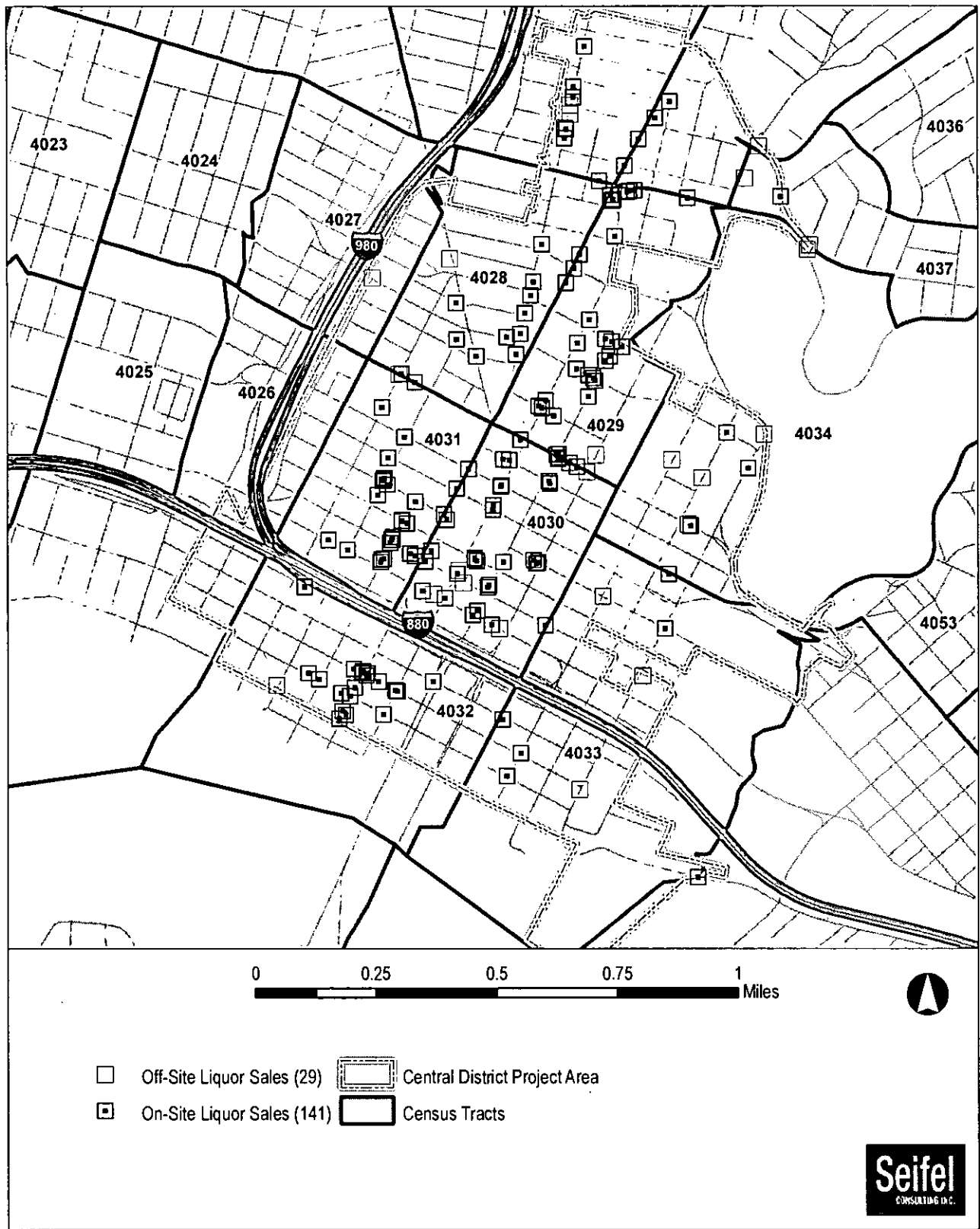
Of the eleven Census tracts in the Project Area with active liquor licenses, only Census tracts 4030 and 4031 are completely within the Project Area boundaries. Together these two census tracts stretch from I-880 to 14th Street and Martin Luther King Jr. Way to Alice Street. These two Census tracts have a combined total of 57 establishments with on-sale licenses and nine establishments with off-sales licenses. Census tracts 4028 and 4029 are almost entirely within the Project Area and are immediately adjacent to and run northeasterly from Census tracts 4030 and 4031. All four tracts are within the central downtown portion of the Project Area. Census tracts 4028 and 4029 have another 43 licensed on-sale establishments and three licensed off-sale establishments. Combined, the four Census tracts discussed above are home to 100 of the 141 on-sale liquor licenses, 71 percent of the total issued in the Project Area. These same four Census tracts also have 12 off-sale liquor stores, or 41 percent of the off-sale liquor licenses in the Project Area.

A 2007 report prepared by the Urban Strategies Council entitled "Liquor Outlets in Oakland" identified Census tract 4031 as having between two and three off-sale liquor stores per 1,000 residents and Census tract 4030 having between three and 4.5 liquor stores per 1,000 population.⁵⁰ (For comparison purposes, the ABC ratio would allow 0.4/1000.) This same report correlates higher rates of crime with concentrations of liquor outlets. Figure II-11 shows crime data mapped for the period from October 2009 through October 2010 and establishments with liquor licenses. While all types of crime occur throughout the Project Area, the map shows some clustering of crime near liquor stores, restaurants and bars.

⁴⁹ 2010 population estimates prepared by Hausrath Economics Group for the Central District Redevelopment Plan Amendments EIR.

⁵⁰ Spiker, Steve, et.al., Liquor Outlets in Oakland, prepared for Urban Strategies Council, Oakland, CA, October 25, 2007.

Figure II-10
Alcohol Beverage Licenses



**Table II-13
Active Alcoholic Beverage Licenses Within Project Area By Type and Census Tract
Central District Plan Amendment 2010-11**

Census Tract	Off-Sale General	Off-Sale Beer/Wine	Total Off-Sale Licenses	Restaurant General	Restaurant Beer/Wine	Bar	Special	Total On-Sale Licenses	Total All Licenses
4013	2	1	3	3	3	2	0	8	11
4027	0	1	1	0	0	0	0	0	1
4028	1	0	1	5	5	3	0	13	14
4029	0	2	2	2	19	7	2	30	32
4030	5	1	6	4	26	2	0	32	38
4031	3	0	3	16	7	2	0	25	28
4032	0	1	1	10	9	2	0	21	22
4033	1	2	3	3	2	0	0	5	8
4034	4	1	5	2	0	1	0	3	8
4035	0	0	0	2	1	0	0	3	3
4037	2	2	4	0	0	0	1	1	5
Total	18	11	29	47	72	19	3	141	170

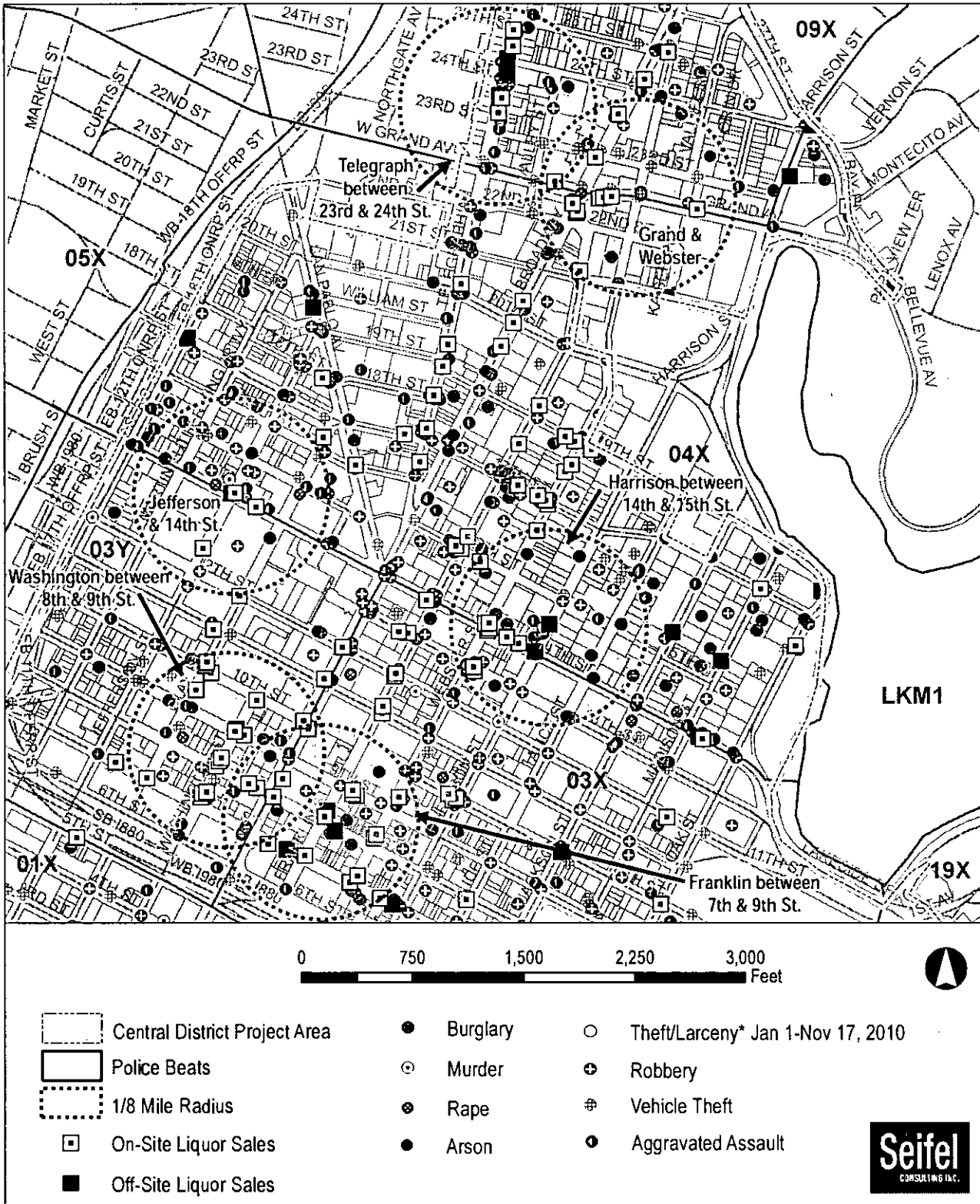
Source: California Department of Alcoholic Beverage Control October 2010, Conley Consulting Group.

Four clusters of two or three liquor stores within one block or less of one another occur in the Project Area. One cluster of three liquor stores is located on Telegraph Ave. between 23rd and 24th Streets. Mapped crime data shows a concentration of robbery, aggravated assault, vehicle theft and rape occurring within a one block radius of these stores. Another cluster of three off-sale liquor stores can be found on Franklin Street in the vicinity of 7th and 9th Streets. Incidences of robbery, aggravated assault and vehicle theft are also found within one block of this cluster of liquor stores. Two liquor stores are located within ½ block of each other on Harrison Street between 14th and 15th Streets, also showing the same three categories of crimes within a one block radius. Another duo of liquor stores is located on Washington Street between 8th and 9th Streets, an area that also experience crimes of robbery, aggravated assault and vehicle theft. Public safety concerns are also present in the vicinity of a singular liquor store at Jefferson Ave. and 14th Street.

To respond to issues associated with problem liquor stores, the City of Oakland established the Alcoholic Beverage Action Team (ABAT), which is responsible for identifying disruptive and disorderly retail (off-sale) liquor establishments. ABAT's role is to bring appropriate action to remedy or eliminate problem operations. Based on information from the Oakland Police Department, the ABAT has targeted two liquor store establishments in the Project Area. One store on 17th Street was closed through the efforts of ABAT. Another store at the corner of 14th and Jefferson has received periodic reviews by ABAT. Officer Anthony Banks in Oakland Police Department's Neighborhood Services Division stated that the liquor store at 12th and Franklin is a potential candidate for the ABAT program.⁵¹

⁵¹ Conley Consulting Group interview with Police Officer Anthony Banks, Downtown Neighborhood Enforcement Team, Oakland Police Department November, 2010.

Figure II-11
 Areas of High Crime Activity Near Liquor Sales Establishments
 October 2009 - October 2010



On-sale liquor licenses (restaurants and bars) are clustered near Jack London Square, in the Chinatown area, along Broadway, Washington and Clay Streets between 7th and 12th Streets, in the 300 Blocks of 14th, 15th, 17th and 19th Streets, and along Telegraph Avenue, between 16th and 20th Streets. A concentration of restaurants and bars with on-sale liquor licenses also exists near the intersection of Webster St. and Grand Ave. Figure II-11 shows that a concentration of robbery, aggravated assault and vehicle theft occur within one block of these restaurant areas.

The Project Area has a high concentration of on- and off-sale liquor licenses, with a ratio well above that normally permitted under ABC regulations. The report prepared by Urban Strategies Council specifically found that there is “almost a total match between the rate of liquor outlets and overall Part I & Part II crimes.”⁵² The high concentration of liquor licenses in the Project Area contributes to the perception of the area as dangerous because of crime (see Section E.5 below) and can tend to inhibit property values, rental rates and diminishes the desirability of the area for businesses and residents.

5. High Crime Rates [33031(b)(7)]

A high crime rate that constitutes a serious threat to public safety and welfare is a factor of economic blight. The City of Oakland was ranked the third most dangerous city in the country in a 2009 ranking study by the Morgan Quitno Press based on an analysis of 2008 FBI crime data. This section describes crime in the Project Area, how crime in the Project Area compares to the surrounding area and how crime and the perception of crime impairs property values and presents a serious threat to public safety and welfare. These conditions indicate economic blight, as defined in CRL Section 33031(b)(7).

a. Police Beats and Definition of Crime

The Project Area is located in Service Area 1 of the Oakland Police Department. Beats 01X, 03X, 03Y and 04X are all within the Project Area. In addition, a small portion at the southwesterly end of Beat 08X overlaps the Project area between 22nd and 28th Streets. The crime analysis presented below is based on reports from all of the beats covering the Project Area. The analysis focuses on Part 1 crimes, which include violent crimes and property crimes. Violent crimes are murder, rape, robbery, and aggravated assault. Property Crimes are burglary, larceny, vehicle theft and arson. The Oakland Police Department provided Part 1 crime data for the city and the Project Area. Information on comparison jurisdictions was obtained from the Federal Bureau of Investigation (FBI) Crime in the United States Reports for 2006 through 2009. This information was supplemented with interviews with the Oakland Police Department.

b. Part 1 Violent Crime

The rates for all Part 1 violent crimes are higher in the Project Area than in the City of Oakland, Oakland-Fremont-Hayward Metropolitan District and the State of California, particularly for robbery. Crime data was analyzed for 2009, the most recent year for which a complete annual dataset is available. Crime data for the Project Area and the City was provided by the Oakland Police Department and the Federal Bureau of Investigation Uniform Crime Reports were reviewed for the State and the Metropolitan District crime data.

⁵² Spiker, Steve, et.al., Liquor Outlets in Oakland. October 25, 2007, p. 15. Prepared for Urban Strategies Council, Oakland, CA.

Table 11-14 shows the crime rates for all Part I crimes and demonstrates how crime in the Project Area compares to the City of Oakland, the Metropolitan District and the State. The overall rate for Part I violent crimes in the Project Area is nearly 228 Part I violent crimes per 10,000 residents, compared to the citywide rate of slightly under 158 crimes per 10,000 people (almost 1.5 times the City rate). In contrast, Oakland-Fremont-Hayward Metropolitan District Part I violent crime rate was 61.61 per 10,000, and California's rate was 47.20 per 10,000 people. The Project Area's rates are nearly four times higher than the rate for the Metropolitan District and nearly five times higher than the State.

**Table II-14
Part 1 Crimes Per 10,000 Residents in 2009
Central District Plan Amendment 2010-11**

	Project Area	All of Oakland	Ratio ^a	Oakland-Fremont-Hayward		California	Ratio ^a
				Metro District ^b	Ratio ^a		
Violent Crimes							
Murder	0	2.41	0.00	0.91	0.00	0.53	0.00
Rape	8.83	7.57	1.17	3.00	2.94	2.36	3.74
Robbery	136.90	67.29	2.03	27.71	4.94	17.34	7.90
Aggravated Assault	81.94	80.46	1.02	29.99	2.73	26.97	3.04
Subtotal	227.67	157.73	1.44	61.61	3.70	47.20	4.82
Property Crimes							
Burglary	106.97	111.41	0.96	75.15	1.42	62.26	1.72
Auto Theft	90.28	151.90	0.59	76.83	1.18	166.51	0.54
Larceny Theft	487.73	205.1	2.38	196.71	2.48	44.38	10.99
Arson	1.47	5.18	0.28	Not Available		Not Available	
Subtotal with Arson	686.45	473.59	1.45				
Subtotal without Arson	684.98	468.41	1.46	348.69	1.96	273.15	2.51
Total Without Arson	914.12	631.32	1.45	410.3	2.23	320.35	2.85

Note: Calculations based on population estimates from Hausrath Economics Group and California Department of Finance.

- a. Ratio calculated by dividing the Project Area crime rate by Oakland, Metropolitan District and State rates and indicates the extent crime in the Project Area is lower or higher than these jurisdictions. Ratio of 1 means the rates are the same between jurisdictions and the Project Area, less than one means rates are lower in the Project Area and over one means rates are higher.
- b. Oakland-Fremont-Hayward Metropolitan District includes Alameda and Contra Costa Counties and is a reporting area identified in the FBI Uniform Crime Report.

Sources: City of Oakland Police Dept. Data November 2010, FBI 2009 California Crime Data, Conley Consulting Group.

Robbery and aggravated assault are the largest components of Part I violent crimes in the Project Area and in the three comparison jurisdictions. Robbery in the Project Area, at a rate of nearly 137 crimes per 10,000 people, is significantly higher than in all three comparison jurisdictions. This rate is twice as high as for the City, almost five times as the Metropolitan District and close to eight times as the State. The rate of aggravated assault is over three times higher than the state (slightly under 27 per 10,000) and nearly 2.75 times higher in the Metropolitan District. The rate for aggravated assault in the Project Area, at nearly 82 per 10,000 people, is also higher than for the City of Oakland (nearly 80.15 per 10,000).

In 2009, rape is a Part 1 violent crime that occurred at a higher rate in the Project Area than in the City as a whole, at 8.83 versus 7.57 rape incidents. Incidence of rape is significantly lower in the other three comparison jurisdictions. The Project Area incidence of rape is almost 4.5 times

higher than in the County, just under three times higher than the Metropolitan District and almost 3.75 times higher than the State.

No murders occurred in the Project Area in 2009, but statistics provided by Oakland Police Department for 2005 through 2010 show that 2009 is the only year that this was the case. Table II-15 shows the number of murders by year since 2005. As of November 17, three murders have taken place in the Project Area in 2010. This equates to a rate of 1.47 murders per 10,000 people. The rate for the City during this same period is 1.72 per 10,000, slightly higher than in the Project Area during the same period. However, the murder rate in the City as a whole has decreased since 2005, when the rate was 2.26 per 10,000 residents. The murder rate in the Project Area is increasing: The murder rate for the Project Area in 2005 was lower, 1.17 per 10,000 residents, than that for the Project Area in 2010. No partial year crime data for 2010 is available for the other comparison jurisdictions used in this analysis. In 2009 the murder ratio for the County was just 0.21 per 10,000 residents, 0.91 for the Metropolitan District and the rate for the State was 0.53.

Table II-15
Average Number of Murders per 10,000 Residents 2005 – 2009
Central District Plan Amendment 2010-11

Jurisdiction	Murders per 10,000 Residents per Year
Project Area	1.66
All of Oakland	2.88
Metropolitan District	0.94
California	0.62

• Source: City of Oakland Police Dept., FBI 2009 Crime Reports, Conley Consulting Group.

c. Part 1 Property Crime

Part 1 property crimes (burglary, larceny theft and motor vehicle theft) are lower in each of the comparison jurisdictions than in the Project Area. The Project Area rate of 685 property crimes per 10,000 residents is nearly 2.5 times the rate for the State and nearly two times that for the Metropolitan District. The rate of property crimes in Oakland is 474 per 10,000 residents, also significantly lower than in the Project Area. The incidence of larceny theft in the Project Area, the largest component of property crimes, is over twice the rate for the City, 11 times higher than the rate for the State. The larceny theft rate in the Project Area is 2.5 times that of the Metropolitan District.

d. All Part 1 Crime

Figures II-12 and II-13 show all Part 1 crimes in the Project Area from October 2009 through October 2010 and identify crime hot spots. For all Part 1 crimes combined, the Project Area has a higher overall crime rate, with 914 incidents per 10,000 as compared to 631 per 10,000 for the City as a whole. More than twice as many Part 1 crimes occurred in the Project Area during this one year period than in the State and the Metropolitan District.

Figure II-12
 Crime Activity and Crime Hot Spots in Oakland Central District Project Area - North
 October 2009-October 2010

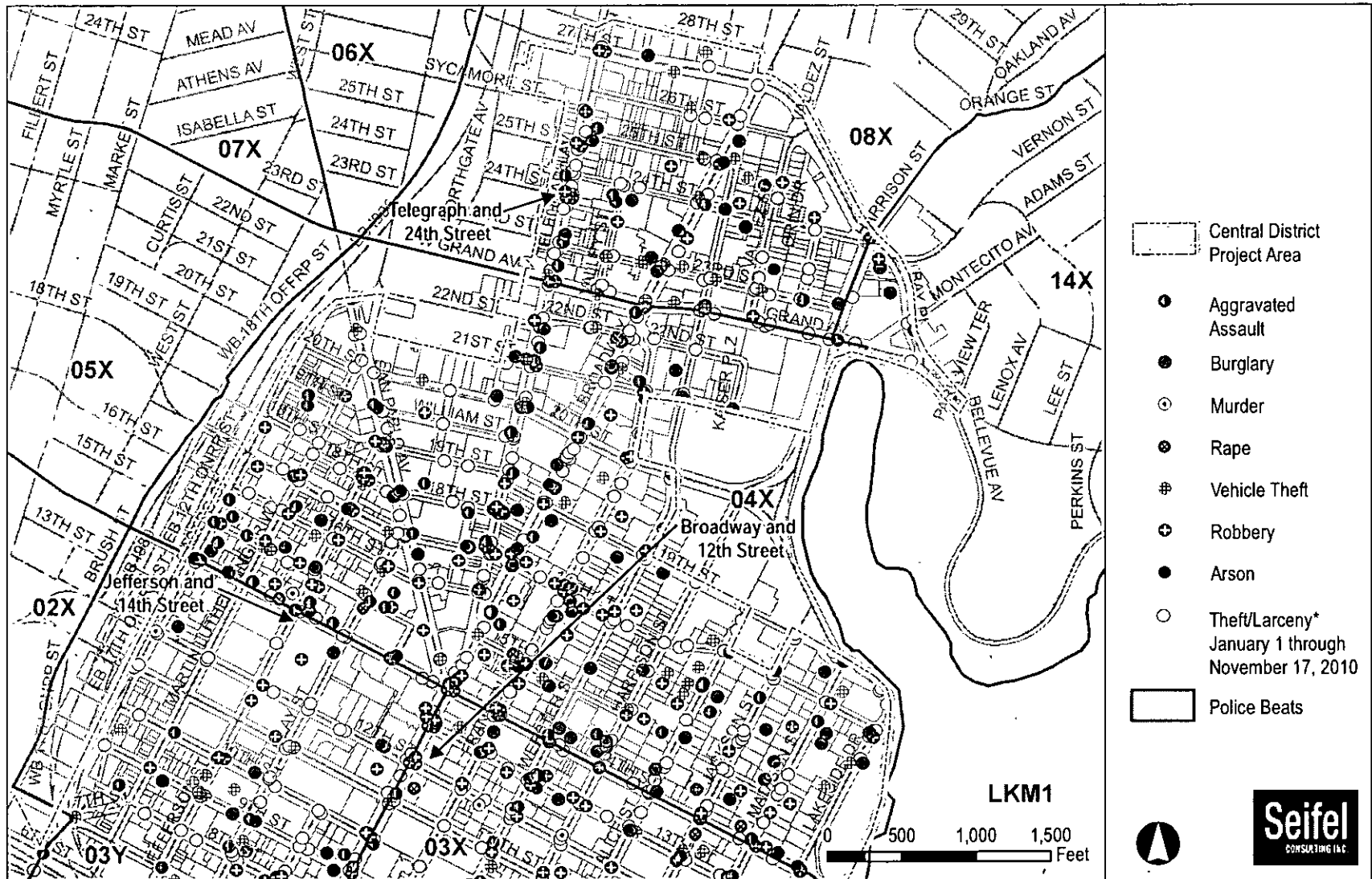
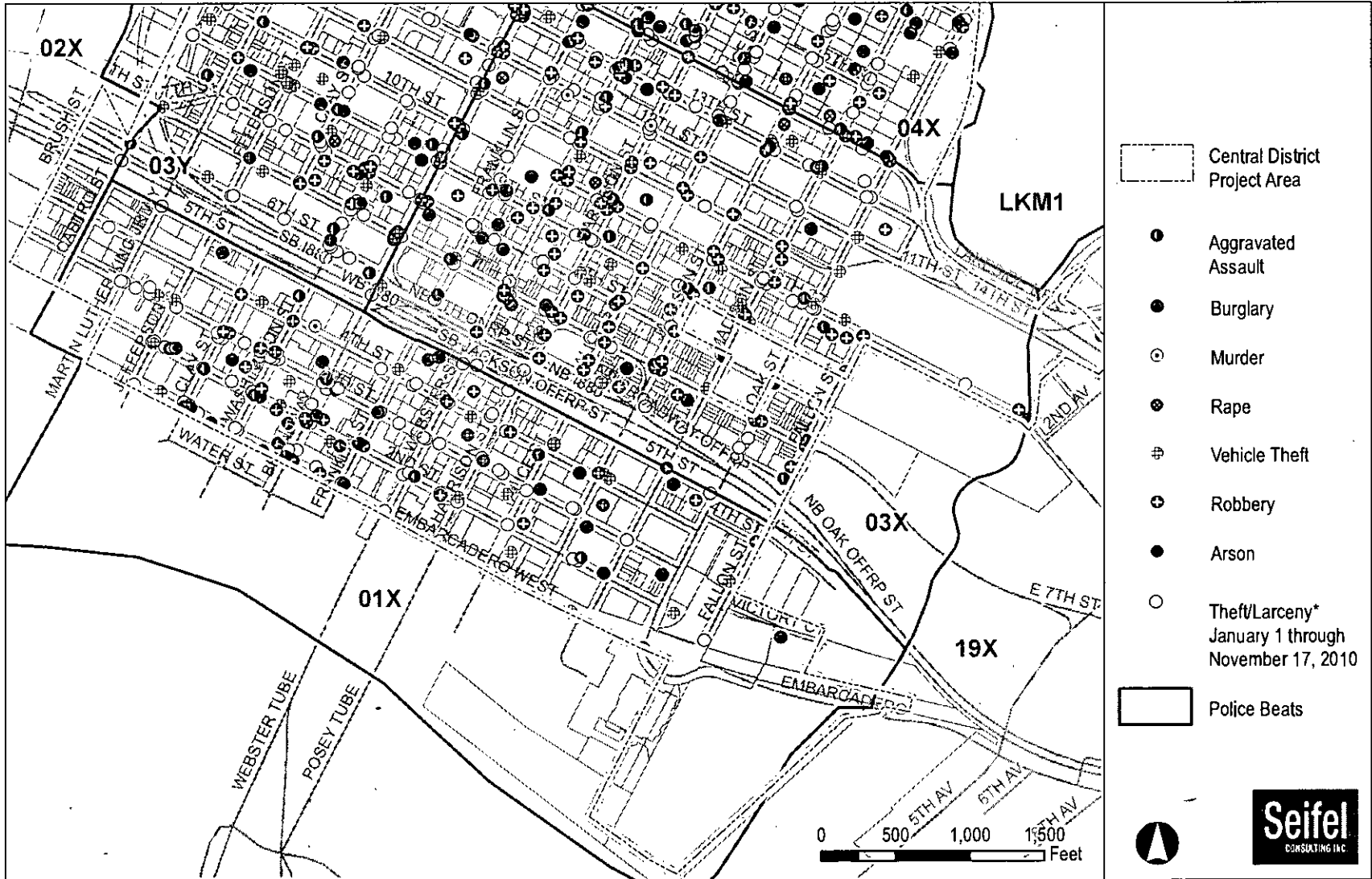


Figure II-13
 Crime Activity and Crime Hot Spots in Oakland Central District Project Area - South
 October 2009-October 2010



The major hot spots for crime in the Project Area are:

- 14th St. and Broadway
- 14th St. and Jefferson St.
- 17th St. and Franklin St.
- 21st St. and San Pablo Ave.
- Telegraph Ave. between 20th St. and 27th St

According to Officer Anthony Banks with the Downtown Unit of the Oakland Police Department Neighborhood Enforcement Team, these crime hot spots have a high incidence of loitering, drug use, drug dealing and robberies. The park at 10th St. and Jefferson St. is also has significant drug dealing activities, loitering and robberies. Officer Banks identified Telegraph Ave. between 20th St. and 27th St. as having a high number of transients who loiter and harass businesses in the area. There are at least six stay-away orders issued to individuals for drugs or alcohol use for this area.

Three of these intersections in particular are being targeted by the Police Department for drug dealing activities: 14th St. and Jefferson St., 14th St. and Broadway and 22nd St. and Telegraph Ave. A liquor store is also located at 14th and Jefferson and the neighborhood has a number of single room occupancy (SRO) hotels. Officer Banks stated that several of the SRO hotels have high incidences of crimes related to drug use and drug dealing. Figure 11-12 shows a concentration of crime in the vicinity of 14th St. and Jefferson Ave. The intersection of 14th St. and Broadway is a concern because of its high foot traffic. The Police Department is targeting the area to prevent loitering and drug dealing and increase safety for pedestrians. The intersection of 22nd St. and Telegraph Ave. has problems with transients buying drugs and using a nearby church for drug use.

The high rates of crime identified in the Project Area are a serious threat to public safety and welfare, including health.⁵³ This was highlighted in the interviews with real estate brokers who represent commercial property in the Project Area. Several noted that high crime rates lead contribute to a negative image of the area in terms of safety and security, making more difficult to attract businesses and residents to the area. At least one broker stated that businesses in essence self-select to locate in the area, and have to be willing to deal with the “edgy” name of the Project Area to lease space. In interviews several commercial real estate brokers active in the area noted that crime hinders the ability to attract both retail and office tenants to the Project Area. This limits the pool of potential businesses and residents that may otherwise locate in the Project Area. Real estate agents who broker property in the Project Area confirmed that crime is a factor that contributes to depressed or stagnating rents and property values found in the Project Area. The documented high crime rates well above crime rates for the city, the Oakland- Fremont Hayward Metropolitan District and the State, diminish the welfare of the local residents and employees coming to the Project Area and constitute a serious threat to public safety.

⁵³ Physical insecurity and violence restricts residents to their homes and limits their ability to undertake activities to promote healthy living such as exercise. Krieger, James, MD and Donna Higgins, PhD. Housing and Health: Time Again for Public Health Action, American Journal of Public Health. May 2002, Vol 92, No 5.

F. Inadequate Public Improvements

Under the current CRL, the presence of inadequate public improvements or inadequate water or sewer utilities cannot be the sole basis for characterization of an area as blighted. However, as specified in CRL Section 33030(c), such conditions may be considered as a contributing factor to blight when both physical and economic blighting conditions are present in a project area. Public improvement deficiencies negatively impact the Central District Project Area. The significant cost of remedying public improvement deficiencies tends to result in a disincentive to redevelop and invest in properties.

The following public improvement deficiencies in the Central District Project Area were observed during the Field Survey and/or were described in City and Agency reports and interviews with City and Agency staff.

1. Street and Streetscape Deficiencies

The Streetscape Master Plan calls for the construction of various public improvements to complement existing and future redevelopment projects and to attract new public and private investment into the Project Area. The recommendations of the Streetscape Master Plan were guided by the objective of improving the appearance and/or eliminating deficiencies of selected sub-areas of the Project Area.

Existing deficiencies include deteriorated pavement, narrow sidewalks, inadequate pedestrian infrastructure, lack of landscaping such as street trees, poor signage and striping, insufficient lighting, circulation problems, and limited bicycle access.

a. Poor Street Conditions

According to a 2007 study by the Metropolitan Transportation Commission (MTC), Oakland's pavement conditions ranked 95th among 109 Bay Area jurisdictions. Streets are evaluated on a 100 point scale, the Pavement Condition Index (PCI). A PCI of 80 is an optimum pavement condition to be maintained according to industry best management practices. A score of 60, according to MTC, represents a 40 percent reduction in quality that a roadway reaches in about 20 years as its condition moves from 'good' to 'fair.' The same pavement, if untreated, will experience another 40 percent reduction in quality in only the next three to five years, turning from 'fair' to 'poor.'

Oakland's overall PCI has been falling and is currently 55. The average PCI in the Bay Area is 65. As a point of reference, Oakland's overall network PCI was 63 in 2006. In addition, Oakland's current backlog of repairs is estimated to be \$418 million and is expected to grow to \$760 million by 2014. A budget and funding analysis accounting for the trends of decreasing PCI and increasing repair backlog indicates that any funding short of \$26 million annually will continue the overall network deterioration trend and growth of the deferred maintenance backlog.

Pavement deficiencies within the Project Area are shown in Figure 11-14 and include:

- Broadway from 28th Street to Embarcadero West
- Jackson Street from 9th Street to 7th Street
- 12th Street from Broadway to Harrison Street
- San Pablo Avenue from Interstate 980 to 16th Street

- Martin Luther King Junior Way from San Pablo Avenue to Embarcadero West
- Bay Place from Broadway to Grand Avenue

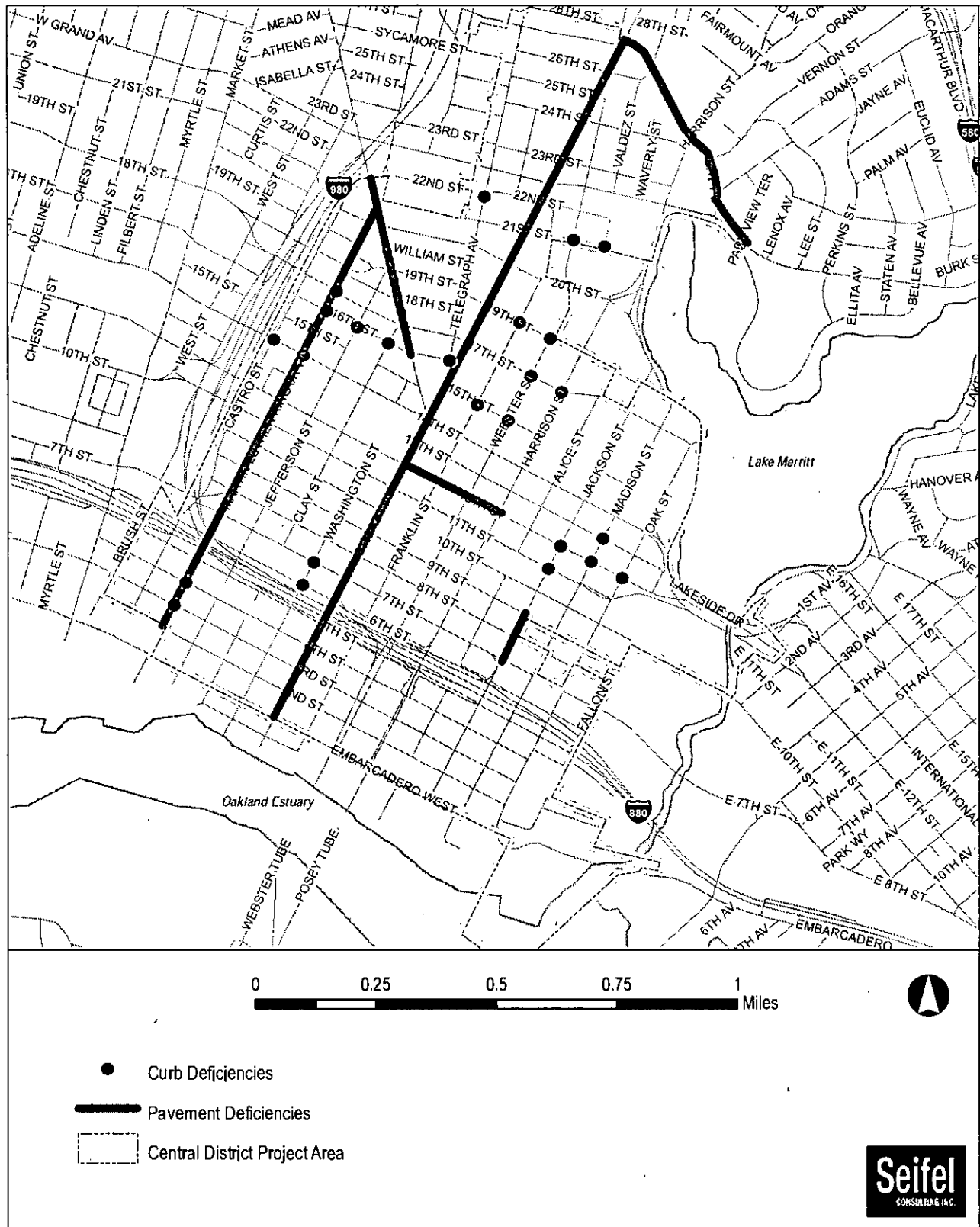
In addition to pavement deficiencies, curb deficiencies exist in the Project Area. These deficiencies include damaged curbs, curbs in conflict with hydrants and utility lines and curbs, which are not ADA compliant. Figure 11-14 shows the location of these deficiencies:

- 3rd Street and Martin Luther King Junior Way
- 4th Street and Martin Luther King Junior Way
- 6th Street and Washington Street
- 7th Street and Washington Street
- 11th Street and Jackson Street
- 12th Street and Jackson Street
- 12th Street and Oak Street
- 12th Street and Madison Street
- 13th Street and Madison Street
- 14th Street and Martin Luther King Junior Way
- 14th Street and Castro Street
- 15th Street and Webster Street
- 15th Street and Franklin Street
- 16th Street and Telegraph Avenue
- 16th Street and Clay Street
- 16th Street and Jefferson Street
- 16th Street and Martin Luther King Junior Way
- 17th Street and Martin Luther King Junior Way
- 17th Street and Webster Street
- 17th Street and Harrison Street
- 19th Street and Franklin Street
- 19th Street and Webster Street
- 21st Street and Webster Street
- 21st Street and Kaiser Plaza
- 22nd Street and Telegraph Avenue

Other streetscape and street deficiencies include:

- West side of Broadway, from 16th to 17th Streets
- East and west sides of Telegraph Avenue, from 16th to 17th Streets
- West side of Washington Street
- BART Alley between Broadway and Telegraph Avenue, and 17th and 19th Streets
- San Pablo Avenue from 16th to 23rd Streets
- Areas within the Broadway/Valdez District Specific Plan

Figure II-14
Curb and Pavement Deficiencies



b. Impediments to Pedestrian Travel

The City's Pedestrian Master Plan, created in 2002, identifies the need to promote pedestrian safety and access. The Implementation Plan designates the downtown area as a pedestrian district due to the high levels of pedestrian activity and emphasizes the need to prioritize pedestrian improvements along Washington Street, Grand Avenue, Oak Street, Telegraph Avenue, Webster Street, Broadway, and Lake Merritt due to major constraints, including pedestrian/vehicle conflicts, inadequate pedestrian infrastructure such as lighting, signalization and sidewalks and physical barriers associated with freeways and BART.

The I-880 freeway divides the Project Area. The greater part of the Project Area, including the Uptown, Old Town, Chinatown, and Lakeside neighborhoods as well as major transit hubs and all three BART stations in the Project Area, lies north of the freeway. The Warehouse district lies south of the freeway, which is elevated along a strip one block wide between 5th and 6th streets. Sidewalks running beneath the freeway connect the Warehouse district to the remainder of the Project Area; however, these routes are noisy, poorly lit, and uninviting to pedestrians, making the Warehouse district inconvenient to walk to and from transit hubs and most other neighborhoods.

This problem is made worse by BART train tracks, which emerge from the downtown tunnel near Washington Street and 5th Street. The tracks run parallel to the freeway tracks at ground level for three blocks before rising above ground level and turning toward the West Oakland BART station. The three blocks where the tracks are at ground level cut off all pedestrian and automobile traffic, as BART tracks do not have crossings for other types of traffic. The combination of the BART tracks and the freeway impose a greater hindrance on the northwest portion of the Warehouse district than on the rest.

c. Inadequate Street Lighting

Parts of the Warehouse district suffer from inadequate street lighting. Historically this district has been dominated by industrial uses, which did not require well-lit streets at night. In recent years, however, a large number of housing units have been produced in this district, and its character is becoming more residential. As this continues, well-lit streets will be more and more necessary.

2. Inadequate Water and Sewer Utilities

The City's sewer system consists of over 1,000 miles of sanitary sewer pipes, 31,000 structures and seven pump stations. Most of the system is over 50 years old and some of it is as old as 100 years. Due to the age of the system, many of the sewers are in need of repair and/or replacement and are vulnerable to overflows caused by blockages or breaks in sewer lines. In addition, Oakland has approximately 350,000 feet of sanitary sewer pipes that are susceptible to root intrusion from trees and vegetation. Root intrusions cause overflows that affect private properties and the environment, and accelerate the deterioration of the sewer pipelines. Root foaming is an accepted best management practice that curtails root growth. Furthermore, the existing sewer system has limited capacity to handle wet-weather related problems and minimize overflow of untreated sewage in the area during wet weather and winter storms.

3. Inadequate Park and Public Facilities

The City of Oakland provides parks and park facilities to residents. The Open Space, Conservation, and Recreation (OSCAR) Element of the General Plan provides a standard for the provision of parklands. At the citywide level, the OSCAR Element calls for 10 acres of parkland per 1000 residents, while at the time of the General Plan was last updated in 1998, 8.26 acres per 1000 residents were available. At a community, or local-serving level, OSCAR provides for a standard of 4 acres per 1,000 residents, while only 1.33 acres per 1000 residents was available. Because many neighborhoods in Oakland are nearly built out, opportunities to create open space is limited and the provision of parklands and facilities must be accomplished in innovative ways.

At the same time, as the population in the Central District has grown and public use of parks and facilities is increased, there is a need to address deferred maintenance issues at certain public parks and facilities within the Project Area. Park deficiencies include the following: older play structures and/or insufficient play structures, lack of athletic fields and courts, insufficient community gathering space, inadequate landscaping, and limited access to the parks. As described in the OSCAR Element, Lake Merritt and the Waterfront District lack adequate access from the 14th and Broadway commercial core.

G. Conclusions for Remaining Significant Blight

The Project Area suffers from significant remaining blighting conditions. Seven of the eleven statutorily defined conditions of physical and economic blight remain in the Project Area:

- Unsafe or unhealthy buildings (Section D.1),
- Conditions hindering the viable use of buildings or lots (Section D.2),
- Depreciated or stagnant property values (Section E.1),
- Impaired property values due to hazardous wastes (Section E.2),
- Economic indicators of distressed buildings (Section E.3),
- Excess problem businesses (Section E.4), and
- High crime rates (Section E.5).

In addition, the Project Area contains deficient public improvements (Section F). While these are not a CRL-defined category of blight, they contribute to adverse physical conditions in the Project Area, and they will continue to be addressed by the Redevelopment Program.

The Project Area contains a significant number of deteriorated commercial, residential, and industrial buildings that are unsafe or unhealthy places for people to live or work. This condition results from a combination of age, seismic susceptibility and long term neglect. In addition, some of these buildings are functionally obsolete because they are inconsistent with current development standards such as building code requirements or development standards. Over 30 percent of buildings surveyed suffer from very extensive or extensive deficiencies, and a significant percentage of these are unsafe or unhealthy for persons to live or work. In addition, a number of buildings suffer from seismic susceptibility.

Several conditions hinder the viable use or capacity of buildings or lots in the Project Area, including obsolete building design and/or elements, impeded circulation and accessibility.

Public infrastructure and facilities deficiencies contributing to blight in the Project Area include poor street conditions, inadequate streetscape, deficient sewer utilities, and inadequate park and public facilities. Inadequate pedestrian access and street lighting in parts of the Project Area also exacerbate blight and detract from the physical and economic vitality of the Project Area.

Property values have depreciated in the Project Area. The value of industrial property has dropped almost 9 percent over the last six years.

The property values of several sites in the Project Area are impaired by the presence of hazardous waste as a result of small-scale manufacturing, automobile-related land uses and dumping activities. Several parcels in the proposed location for the baseball stadium are contaminated with hazardous wastes.

The Project Area languishes from abnormally high business vacancies, abnormally low lease rates and abandoned buildings, all of which are indicators of economically distressed buildings. Such conditions do not serve to attract investment and capital into the Project Area and perpetuate the economic stagnation that characterizes the Project Area.

The Project Area exhibits an over-concentration of problem businesses. A 2007 report correlated higher rates of crime with concentrations of liquor outlets. Six clusters of liquor outlets have been identified as having problem areas with a high incidence of crime. These problem businesses contribute to negative perceptions of the Project Area and correlate to health and safety concerns outlined throughout the chapter, including unsafe or unhealthy buildings and high crime rates.

Finally, high crime rates plague the Project Area and threaten not only the safety of residents, but also the ability of the business community to flourish and attract further investment. The prevalence of crime presents a major barrier to revitalization of the Project Area.

These significant remaining physical and economic blighting conditions result in a significant physical and economic burden on the immediate area and the entire Oakland community. This blight cannot reasonably be alleviated by private sector or governmental action without the additional financial resources that would be made possible by the proposed Plan Amendment.

III. Redevelopment Program Description

A. Introduction

This chapter describes the Agency's Redevelopment Program for the Central District Project Area. The Redevelopment Program builds upon the Agency's past and current redevelopment efforts and includes projects and activities designed to alleviate remaining blight in the Project Area. This chapter summarizes the goals and objectives of the Plan Amendment and explains how the projects and activities of the Redevelopment Program will alleviate the remaining blight documented in Chapter II. Finally, this chapter presents estimates of the Agency's cost of each redevelopment program category and the entire Redevelopment Program.

1. Chapter Organization

This chapter is organized into the following sections:

- A. Introduction
- B. Plan Amendment Goals and Objectives
- C. Description of Agency's Non-Housing Redevelopment Program
- D. Description of Agency's Affordable Housing Redevelopment Program
- E. Summary of Redevelopment Program Costs
- F. Relationship Between the Redevelopment Program and Alleviation of Blighting Conditions

2. Redevelopment Program Summary

The Project Area was originally adopted in 1969, and amended in 1982 and 2001 to add territory. Since the Project Area's adoption, the Agency has undertaken a number of projects and activities to alleviate blight, and as a result some areas are no longer blighted. However, as documented in Chapter II, significant physical and economic blighting conditions remain throughout most of the Project Area. The presence of these blighting conditions warrants continued redevelopment activities within the Project Area. The Redevelopment Program has been designed in an integrated and balanced manner to address the remaining blighting conditions in the Project Area and to achieve the goals of the Plan Amendment.

The Redevelopment Program, as presented in this report, is a comprehensive set of projects and activities designed to alleviate remaining blight in the Project Area, promote economic development throughout the Oakland community, and encourage infill development that will promote the economic vitality of the Project Area and create housing opportunities for residents of all income levels. The Redevelopment Program includes critical resources for commercial development; business retention, attraction and expansion; beautification; and public infrastructure and improvements in the future. In addition, the Redevelopment Program reaffirms the Agency's commitment to affordable housing development with program funds devoted specifically for affordable housing activities.

The Agency's Redevelopment Program reflects the division of tax increment revenues into funds that can be used for any redevelopment purpose (Non-Housing Redevelopment Program) and those specifically required to be expended on the Agency's affordable housing endeavors

(Affordable Housing Program). The Agency's Non-Housing Redevelopment Program is organized broadly into two areas: real estate development and community enhancement. Within these two areas are seven Redevelopment Program categories.

The Redevelopment Program contains projects and activities that will alleviate the most significant adverse conditions identified in Chapter II. These projects will provide both immediate and long-term benefits. Most of the activities will occur throughout the Project Area and some projects will create benefits that extend beyond the borders of the Project Area, thereby enhancing the City as a whole. The Redevelopment Program is designed to meet the objectives of the CRL and the goals and objectives of the Plan Amendment.

As further described in Section E below, the Agency's estimated costs of implementing the Redevelopment Program in nominal dollars are \$598.6 billion for the Non-Housing Redevelopment Program and \$601.5 billion for the Affordable Housing Program.¹ Chapter IV discusses how the Redevelopment Program will be financed primarily from tax increment revenue generated from the Project Area in combination with other leveraged private and public financial resources.

B. Plan Amendment Goals and Objectives

The general objective of the Redevelopment Plan is to assist in the improvement of the Project Area by redevelopment and private reinvestment to correct health and safety concerns and to address economic and physical blight conditions. Specifically, the goals and objectives as excerpted from the Redevelopment Plan are as follows:²

- Strengthening of the Project Area's existing role as an important office center for administrative, financial, business service and governmental activities.
- Revitalization and strengthening of the Oakland Central District's historical role as the major regional retail center for the Metropolitan Oakland Area.
- Establishment of the Project Area as an important cultural and entertainment center.
- Re-establishment of residential areas for all economic levels within specific portions of the Project Area.
- Provisions of employment and other economic benefits to disadvantaged persons living within or near the Project Area.
- Restoration of historically significant structures within the Project Area.
- Improved environmental design within the Project Area, including creation of a definite sense of place, clear gateways, emphatic focal points and physical design that expresses and respects the special nature of each sub-area.

¹ The Agency's Non-Housing Redevelopment Program costs are the available funds projected to remain over the life of the redevelopment plans after the deduction of pass through payments to taxing entities, the affordable housing set-aside fund, and Agency's non-housing administration costs. The estimated total cost of the redevelopment program, accounting for other funding sources, is discussed in Chapter IV and summarized in Table iV-1.

² Goals and objectives excerpted from the Central District Urban Renewal Plan amended through June 20, 2006.

C. Description of Agency's Non-Housing Redevelopment Program

This section describes the Agency's Non-Housing Redevelopment Program (other than its affordable housing program), including the deficiencies to be corrected and the projects and activities intended to achieve the Plan Amendment's goals and objectives. As they are implemented, these projects and activities may be modified over time to better serve the purposes of redevelopment.

1. Real Estate Development

a. Property Acquisition, Site Preparation and Disposition

Blighting Conditions to be Alleviated

The Project Area suffers from physical and economic blighting conditions that impede efficient and economically feasible development, as described in detail in Chapter 11. Property Acquisition, Site Preparation and Disposition activities will address deteriorated and dilapidated buildings, commercial and industrial space obsolescence, and impeded access and circulation in the Project Area. In addition to these physical blighting conditions, the Agency's proposed projects and activities will help to alleviate stagnant property values, impaired property values due to hazardous waste sites, problem businesses, high crime rates, and inadequate public improvements.

Projects and Activities

Projects and activities within this category provide funding and other assistance to aid in site preparation and hazardous materials remediation. Projects and activities in this category are utilized in conjunction with the Commercial Attraction, Retention and Expansion activities listed in Section C.1.c.

Property Acquisition, Site Preparation and Disposition projects and activities may include, but are not limited to the following:

- Facilitate the assembly, environmental clean-up, consolidation and disposition of land into sites suitable for development and redevelopment. If necessary, acquire strategic properties to meet redevelopment goals.
- Consider acquisition of various opportunity sites in the Project Area, issue requests for proposals from developers, select developers, and enter into Exclusive Negotiating Agreements (ENAs), Disposition and Development Agreements (DDAs), Lease Disposition and Development Agreements (LDDAs), or Owner Participation Agreements (OPAs) with developers and property owners. As necessary, provide assistance such as land write-downs, grants or loans. Possible opportunity sites include, but are not limited to:
 - 400 Oak Street
 - 55 4th Street
 - 325 Fallon Street
 - 250 Oak Street
 - 100 Oak Street
 - 54 Embarcadero

- Continue to implement and enforce existing DDAs, OPAs, and other agreements for the redevelopment of sites in order to complete pending redevelopment projects, including:
 - 601 12th Street
 - 1100 Broadway
 - 2000-2016 Telegraph Avenue & 490 Thomas L. Berkeley Way
 - 1800 San Pablo Avenue
 - 1111 Franklin – UCOP Garage
 - George P. Scotlan Memorial Convention Center
- Issue solicit development proposals for the following Agency-owned properties:
 - T 5/6 (bounded by 11th Street, 12th Street and Clay Street)
 - 2330 Webster Street & 2315 Valdez Street
 - 822 Washington Street
 - 2100 Telegraph Avenue
 - 524-28 16th Street
 - 1901 Telegraph Avenue
- Assist with the removal or rehabilitation of unsafe, hazardous buildings or other substandard structures on key development sites to permit the return of property to economic use through new construction and rehabilitation.
- Assist developers to process entitlements and facilitate real estate development.
- Offer, when necessary, assistance to land owners and public agencies in the assessment and remediation of potentially hazardous materials on sites.
- Provide assistance to temporarily or permanently relocate residents and businesses displaced by new development or redevelopment projects assisted by the Agency.

b. Planning

Blighting Conditions to be Alleviated

The Project Area suffers from a variety of blighting conditions that need to be resolved in order for the area to attain its full economic potential as described in Chapter II. Planning activities and projects will help to alleviate unsafe or unhealthy building conditions, impeded access and circulation, stagnant property values, economically distressed buildings, problem businesses, high crime rates, and inadequate public improvements.

Projects and Activities

Planning guides future development to improve the physical landscape and economic environment. Planning facilitates redevelopment and revitalization through strategic planning, public-private partnerships and public and private investment in the area.

Planning projects and activities may include, but are not limited to the following:

- Provide funding and technical assistance for area plans, such as the Broadway/Valdez District and Lake Merritt Specific Plans.
- As necessary and appropriate, consider and potentially undertake further redevelopment plan amendments to ensure the alleviation of blighting conditions in the Project Area.

c. Commercial Attraction, Retention and Expansion

Blighting Conditions to be Alleviated

As discussed in Chapter II, significant number of parcels and buildings in the Project Area exhibit the following blighting conditions: obsolete and substandard retail properties, deteriorated and dilapidated buildings, and inadequate public improvements. The Project Area also suffers from long-term vacant storefront retail spaces. Furthermore, blighting conditions, such as problem businesses and elevated crime rates, hinder the economic vitality of the Project Area. The proposed Commercial Attraction, Retention and Expansion projects and activities will help to improve the economic climate within the Project Area.

Projects and Activities

The Agency will continue its proactive commercial attraction, retention and expansion activities to create a more active and secure urban environment. The goal of this category is to develop incentives that address specific needs of existing businesses and enhance the City's ability to attract new businesses. One component of this category involves working with existing businesses that are seen as assets to the City of Oakland in order to find ways to enhance their opportunities. This category can attract and assist in stabilizing existing small and medium sized businesses and help reduce high business vacancies. Furthermore, projects and activities will assist and promote other programs to develop entrepreneurship.

Commercial Attraction, Retention and Expansion projects and activities in the Project Area may include the following:

- Continue to implement the Façade and Tenant Improvement Programs to eliminate blight on the exterior and interior of commercial buildings, remove vacant storefronts, and attract new businesses in conjunction with the Business Rehabilitation and Modernization Program listed in Section C.I.d.
- Implement programs for business retention and recruitment efforts, including the following:
 - Implement the Retail Enhancement Strategy by: completing the Broadway/Valdez District Specific Plan, acquiring sites and attracting developers, and providing parking and other amenities to attract developers.
 - Implement the Downtown Office Strategy, which aims to attract new, financially secure and experienced business investment into Oakland's downtown office market by assisting in efforts to create an attractive place for more national and international investment and business location.
 - Operate the Oakland Business Assistance Center, a visible, easily accessible, single location for Oakland businesses to obtain support and information on how to operate, grow and sustain their businesses.
 - Assist with the implementation of the Sustainable Strategy, which provides increasing opportunities for Oakland businesses to develop sustainable business practices that promote healthy businesses as well as a healthy environment.
 - Implement the Marketing and Special Events Program, a comprehensive strategy involving creation and implementation of marketing campaigns; producing marketing collateral; facilitating high-profile special events and business support activities; promoting Oakland and the Project Area at key trade shows and conventions; generating positive publicity, including business-related media coverage; providing marketing

technical assistance for small businesses and key cultural attractions; and promoting Oakland and the Project Area as a prime destination for shopping, dining, arts and entertainment.

- Assist in infrastructure and rehabilitation projects to create a favorable environment for commercial development.
- Implement design guidelines to ensure new retail spaces are viable and provide positive contributions to the community.
- Facilitate the development and expansion of commercial spaces for potential job creation.
- Work with community representatives interested in creating new Business Improvement Districts (BIDs) and facilitate the development of policies and procedures that support effective coordination of efforts among City departments and the existing and potential new BIDs.
- Provide assistance to the Redevelopment Agency's Public Safety and Police Services Program, which provides targeted and enhanced police services to commercial districts in the Project Area above standard police patrol levels. The goal of the Program is to facilitate increased commercial investment and redevelopment activities in the Project Area by reducing crime and improving safety and security for property owners, businesses, workers, and patrons.

d. **Business Rehabilitation and Modernization**

Blighting Conditions to be Alleviated

Blighting conditions to be corrected in the Project Area by this program category include deteriorated and dilapidated commercial buildings and long-term vacancies. In addition, blighting conditions such as problem businesses, elevated crime rates and inadequate public infrastructure and circulation have led to problems of public safety and welfare, and hinder the economic vitality of the Project Area.

Projects and Activities

Business Rehabilitation and Modernization projects and activities are aimed to encourage property and business owners in the Project Area to improve the condition and economic viability of their investments. This category finances a portion of the total costs involved in the rehabilitation, façade improvement and code compliance of existing commercial structures. It is designed to encourage existing property and business owners to substantially upgrade deteriorated storefronts, correct code violations and renovate the interiors of stores in order to improve existing business properties and encourage new, infill commercial development. The Business Rehabilitation and Modernization category will promote private investment and encourage additional residential and commercial development, thereby enhancing the attractiveness and vitality of neighborhoods and commercial centers.

Business Rehabilitation and Modernization projects and activities may include, but are not limited to the following:

- Implement the rehabilitation programs to eliminate blight on the exterior and interior of commercial building. These include the following:
 - Downtown Façade Improvement Program (FIP) which provides matching grants and design assistance to existing businesses and/or property owners for façade improvements.

The FIP provides property and business owners matching grants to cover expenses for improvements to the façade, including: compliance with the Americans with Disabilities Act (ADA); painting; doors, windows and storefront systems, paint, awnings; signage; exterior lighting; and landscaping. Additional financial incentives are provided through FIP for historic buildings allocated in the Downtown Historic District to encourage the private sector to restore and reoccupy vacant historic buildings.

- Downtown Tenant Improvement Program (TIP), which provides matching grant incentives to attract retail, restaurants, arts and entertainment businesses to the Central District area with the goal of eliminating vacant retail space. The TIP provides property and business owners matching grants to cover expenses for capital improvements such as asbestos abatement, compliance with the Americans with Disabilities Act (ADA), interior demolition, upgrading mechanical, plumbing and electrical systems, and restoration of interior historic design features.
- Implement the Central District Basement Backfill and Repair Program (BBRP) to assist private property and business owners with the repair of their deteriorated sub-sidewalk basement spaces in specific areas in the Project Area.
- Encourage revitalization of existing businesses and vacant commercial space through activities such as the provision of technical assistance, grants and low interest loans, in collaboration with other City agencies and community-based organizations.
- Revitalize and/or acquire obsolete commercial and industrial buildings.
- Expand and enhance code enforcement activities, where needed.

2. Community Enhancement

a. Public Improvements

Blighting Conditions to be Alleviated

Substandard, deficient and deteriorated public improvements, such as poor street conditions, impaired circulation and accessibility, inadequate public transit, and storm water and wastewater system deficiencies negatively impact investment potential in the Project Area. As discussed in more detail in Chapter II, the Project Area suffers from impaired circulation and unsafe roadway conditions due to deteriorated roads and inadequate pedestrian improvements, barriers by elevated freeways and BART train tracks, and railroad track sharing space with cars and pedestrians with insufficient safety barriers. The Project Area also suffers from public buildings that are unsafe or unhealthy and insufficient parks.

Projects and Activities

Public Improvement projects and activities will involve upgrading the existing aged and deteriorated infrastructure systems and constructing and installing new public improvements, which will support private sector development efforts.

Projects to improve the public infrastructure in the Project Area may include improvements to accessibility and circulation, streets, public transit, stormwater and wastewater systems and utilities. The Agency will assist in funding the construction of new and rehabilitated public facilities within or serving the Project Area. These projects and activities are intended to stimulate the growth of existing and new businesses, thereby improving the physical environment and

reducing stagnant economic conditions. Public improvement projects and activities may include, but are not limited to, the following:

- Assist with the construction and/or rehabilitation of public infrastructure and public facility improvements in order to stimulate development.
- Repair and rehabilitate public structures and amenities to help revitalize commercial and industrial areas.
- Plan, facilitate and participate in public improvements for public buildings and spaces.

b. Circulation, Street Improvements and Streetscape

Blighting Conditions to be Alleviated

The blighting deficiencies to be corrected include pedestrian/vehicle conflicts, deteriorated pavement and curbs, lack of landscaping, poor signage and striping, insufficient lighting, narrow sidewalks, inadequate pedestrian infrastructure, and impaired circulation. As discussed in more detail in Chapter II, the Project Area suffers from impaired circulation and unsafe roadway conditions, barriers by elevated freeways and BART train tracks, and railroad track sharing space with cars and pedestrians with insufficient safety barriers.

Projects and Activities

Circulation improvements will involve upgrading the existing street infrastructure and constructing and installing new street and parking related improvements.

Circulation, Street Improvements and Streetscape projects and activities may include, but are not limited to the following:

- Assist City departments with the implementation of pedestrian and bicycle safety programs, including street and sidewalk improvements, traffic calming projects, and expansion of, or improvement to, the local bicycle network, to the extent such assistance is permitted under redevelopment law.
- Provide assistance to the Public Works Agency's Streetscape Improvement District projects in the Project Area, as follows:
 - Assist with the implementation of the Downtown Streetscape Master Plan by providing funding for repair and/or restoration of existing pavement, widening existing sidewalks, constructing pedestrian bulb-outs, introducing new landscaping such as street-trees, improving signage and striping, installing new lighting, modifying existing traffic lane patterns, and creating bicycle lanes, to the extent such assistance is permitted under redevelopment law.
 - Assist with the design and construction of the Old Oakland Streetscape Improvement Project.
 - Assist with the implementation of the Telegraph Avenue Streetscape Improvements.
- Provide funding for street improvement and rehabilitation.
- Facilitate improvements to circulation systems that provide access to and within the Project Area, including enhanced intersection improvements, public parking improvements and unifying streetscape and landscaping.
- Assist with public transit improvements, such as the 17th Street BART Entrance Project and the downtown shuttle service.

- Develop and implement parking optimization strategies, including the following:
 - Support public parking facilities in the Project Area, such as the City Center Garage West, the UCOP garage, the Franklin 88 garage and the Telegraph Parking Plaza by administering parking operator contracts, providing technical assistance for operator selection and facilitate sale of garages to enhance other redevelopment activities.
 - Evaluate the need to significantly upgrade or replace the Telegraph Plaza Garage.
 - Evaluate need for additional public parking facilities throughout the Project Area and identify and acquire parking development opportunity sites, such as in the Broadway/Valdez Retail Study Area.

c. Cultural Arts and Recreational Facilities Improvements

Blighting Conditions to be Alleviated

The blighting deficiencies to be corrected include inaccessible open spaces and outdated recreational facilities and a high crime rate throughout the Project Area. As discussed in Chapter II, the City of Oakland has parks and open spaces that are deficient in accessibility related to public safety, ADA compliance and physical access, and contain outdated recreational facilities, which is reflective of the overall needs in the Project Area.

Projects and Activities

Cultural Arts and Recreational Facility Improvements will support the rehabilitation and improvement of community public facilities and historic buildings, parks and recreational fields and trails to meet the current needs of residents and to enhance public safety. Projects and activities may include, but are not limited to the following:

- Assist with major improvements and renovations at City parks, recreation facilities and community facilities located in the Project Area, such as Lincoln Square Park, Malonga Casquelourd Center for the Arts, Jefferson Square Park, and Chinese Garden Park.
- Assist in the rehabilitation and seismic strengthening of those structures that are culturally and historically worthy of rehabilitation, with emphasis on owner participation; provide funds for façade preservation and improvements.
- Implement the Agency’s Public Art Program, which is funded by an allocation of 1.5 percent of Agency capital construction project funding for the commissioning of public artwork by funding artwork and public art installations as part of the Agency’s Streetscapes Improvement projects and Agency-assisted development projects.
- As needed, support the Agency-established non-profit public benefit corporation, Fox Oakland Theater (FOT), which oversees the rehabilitation, lease-up and management of the theater.
- Continue to operate and provide assistance to the Oakland Ice Center for facility upgrades and sustainability.
- Continue to lease and fund capital improvements to renovate the George P. Scotlan Memorial Convention Center.
- Undertake planning for a potential baseball stadium at Victory Court, including preparation of an EIR, negotiating and approving a DDA with the Oakland A’s and Major League Baseball; completing site acquisition and relocation of existing tenants; completing

environmental remediation, demolition and site preparation; and constructing off-site infrastructure.

- Install historic markers, way-finding and interpretive signage along commercial corridors and neighborhoods.

D. Description of Agency's Affordable Housing Redevelopment Program

This section describes the blighting conditions to be corrected through the Affordable Housing Program, as well as project and activity descriptions and estimated project costs.

1. Blighting Conditions to be Alleviated and CRL Requirements to Be Attained

Blighting conditions to be corrected by the Agency's housing projects and activities include a substantial number of buildings that are unsafe or unhealthy for persons to reside in, deteriorated and neglected residential buildings, and informally constructed structures. Conditions creating unsafe and unhealthy buildings include seismic susceptibility, mold, lead paint contamination, asbestos, dilapidation, dry rot, broken windows. Furthermore, a significant portion of the buildings in the Project Area tend to be older, and the Field Survey indicates a significant number are severely deteriorated or dilapidated, suggesting that the buildings have not undergone modernization or been maintained to a level that adheres to current health and safety standards.

2. Description of the Affordable Housing Program

The Affordable Housing Program will help alleviate blighting conditions in the Project Area. The Agency may potentially designate non-low and moderate income housing funds to assist affordable housing projects and activities, particularly where substantial rehabilitation is required in order to upgrade existing buildings to decent, safe and sanitary housing. Unlike Low and Moderate Income Housing funds, these funds would not be subject to CRL housing expenditure requirements. (Refer to the Agency's Five-Year Implementation Plan in Appendix F for a detailed discussion of CRL housing expenditure requirements.)

In addition to alleviating blighting conditions, the Agency will continue to implement a key provision of the CRL through its Affordable Housing Program: the enhancement of affordable housing opportunities for households earning at or below 120 percent of Area Median Income (AMI), with particular emphasis on those households earning at or below 50 percent AMI. Section 33334.2 of the CRL requires that an agency set aside 20 percent of all tax increment revenue allocated to the Agency to increase or enhance the community's supply of affordable housing. Since 2001, the Agency has set aside an additional five percent, or a total of 25 percent, of all tax increment revenue allocated to the Agency, to its Low and Moderate Income Housing Fund (Housing Fund). If adopted the Plan Amendment would require that the Agency set aside 30 percent of all tax increment revenue allocated to the Agency from the Project Area (other than the 2001 Area), per CRL 33333.10. Refer to Chapter IV Section F for more details on calculation of the Housing Fund.

The Agency has established, and will continue to establish a range of housing programs that seek to leverage federal, state and private funding sources to develop high quality, attractive and affordable housing developments serving a diverse population. The funds set aside for the Affordable Housing Program will be used in a flexible manner in order to respond to favorable development opportunities.

The Agency will continue to promote the development of a wide variety of affordable housing types in the community in order to enhance the vitality of the area and provide much needed housing for the City. In particular, the Agency will continue to encourage development of new housing, rehabilitation and preservation of existing rental and ownership units, infill development, mixed income development. The Agency has identified persons with special needs, large families, seniors, first-time homebuyers, and extremely and very low-income families as particular populations of interest for the housing program. The Agency will also leverage federal, state and private funding sources to mitigate the impact of home foreclosures within the City.

In developing its Affordable Housing Program, the Agency has been guided by the goals and objectives of the City's Housing Element of the General Plan. The Agency is committed to assisting the City in achieving the goals, objectives and policies presented in the Housing Element, including:³

- Provide adequate sites suitable for housing for all income groups by targeting development in the downtown and along major corridors, maintaining an adequate supply of land to meet the regional housing share and encouraging a diverse mix of housing types and densities.
- Promote the development of adequate housing for low and moderate-income households with programs for large families, seniors and other persons with special needs, the homeless, and Oakland residents and workers.
- Remove constraints to the availability and affordability of housing for all income groups by addressing existing governmental constraints such as the permitting process and zoning as well as assisting with financing and community outreach and education.
- Conserve and improve older housing and neighborhoods through housing preservation and rehabilitation programs.
- Preserve affordable rental housing with regulatory controls to limit the conversions of rental housing to market rate residential or non-residential uses.
- Promote equal housing opportunity by using fair lending practices and supporting fair housing actions.
- Promote sustainable development and sustainable communities, which minimize the environmental impacts from new housing and promote health and wellness for residents.
- Increase public access to information through technology such as electronic permitting, on-line access to information and accurate and user-friendly access to neighborhood and parcel data.

³ As found in the City of Oakland 2007 Housing Element Update. On December 21, 2010, the Oakland City Council adopted the 2007-2014 Housing Element and the California Department of Housing and Community Development certified the City's Housing Element as being in compliance with the requirements of State law.

New Construction—Owner Occupied Units

Due to the high per unit cost of subsidizing owner occupied housing for very low and low-income households, the Agency will primarily seek to provide owner occupied units to moderate-income households. Sites for new construction projects will be primarily underutilized residential lots. The Agency will continue to assist private for-profit or nonprofit developers with land write-downs and/or development subsidies. The affordability of owner occupied units is ensured through the recordation with the Agency or City of a deed of trust and resale restrictions against the property that provide for resale to qualified moderate income households or for recapture of the Housing Fund investment provided to the unit.

Another component of this program is assistance for moderate-income first-time homebuyers to purchase housing units. Subsidy will take the form of second mortgages to borrowers that may be used for down payment and first mortgage reduction. The affordability of owner occupied units is ensured through the recordation of deeds of trust and resale restrictions with the Agency or City against the property that provide for resale to qualified low or moderate income households or recapture of the Housing Fund assistance provided to the unit.

New Construction—Rental Housing

The emphasis of the Agency's rental housing construction program is to provide affordable housing to extremely low, very low, and low-income households, senior or other special needs households, and large families. Private for-profit and nonprofit developers will be assisted with land write-downs, predevelopment loans, development subsidies or land leases. Affordability is enforced through deed restrictions and language incorporated into loan and lease documents. Most rental developments are expected to incorporate other funding sources such as the federal low-income housing tax credits or the U.S. Department of Housing and Urban Development (HUD) 202 program, which supports affordable housing for the elderly.

As part of the Affordable Housing Program, the type of financial assistance to be provided may include cost write-down and gap financing for projects utilizing federal and state funds, as well as loans for property acquisition, building renovation, predevelopment costs and development fees. In carrying out its purpose to preserve, improve and increase the affordable housing supply, the Agency may use the following methods:

- Acquire land or building sites.
- Improve land or building sites with on-site or off-site improvements to the extent permitted by the CRL. Provide assistance for the remediation of contaminated sites, where necessary.
- Donate land to private or public persons or entities.
- Finance insurance premiums pursuant to CRL Section 33136.
- Construct buildings or structures.
- Provide subsidies to, or for the benefit of, persons or families of very low, low, or moderate income.
- Pay principal and interest on bonds, loans, advances or other indebtedness, or pay financing or carrying charges.
- Require the integration of affordable housing sites with sites developed for market rate housing.
- Assist the development of housing by developers.

- Provide planning and financial assistance towards a range of supportive housing options for the community's low-income aging population. Assist city departments with programs to support senior rental housing.
- Provide technical and funding assistance to nonprofit organizations that commit to preserving the long-term affordability (a minimum of 55 years) of any at-risk affordable rental development they may be purchased from a for profit owner.
- Undertake rehabilitation programs for older units posing a health hazard.
- Provide planning and financial assistance towards supportive and/or transitional housing programs for other special needs populations in the community.
- Assist landowners with planning affordable infill development where appropriate.
- Provide opportunities for housing rehabilitation for very low, low and moderate income homeowners to maintain and repair their homes.

E. Summary of Redevelopment Program Costs

The Agency's Redevelopment Program for the Project Area includes key blight eliminating activities that could be financed from tax increment revenue expected to be generated from the Project Area, in combination with other leveraged private and public financial resources. The Redevelopment Program is integrated and balanced, and addresses the most significant blighting conditions identified in Chapter II.

The majority of the projects and activities that make up the Redevelopment Program were previously identified and authorized as part of the existing Redevelopment Plan. The Agency has refined its goals, objectives and project list based on its accomplishments and evolving needs. The proposed Redevelopment Program reflects these inputs and is designed to alleviate remaining blight as effectively and efficiently as possible. Although the Redevelopment Program is an integrated and comprehensive set of projects and activities that will alleviate blighting conditions, only a limited portion of the Program can be implemented based upon the existing financial and time limits. The costs for the Non-Housing Redevelopment Program portion of the Redevelopment Program have been updated to reflect the cost of similar projects to those included in the Redevelopment Program plus an allowance for cost inflation. Refer to Chapter IV for a description of the funding sources that may be used by the Agency to help fund the Redevelopment Program.

The total estimated cost of the Redevelopment Program is approximately \$5.3 billion in nominal dollars. Table III-1 summarizes the Redevelopment Program costs by category. The estimated cost of the Non-Housing Redevelopment Program is approximately \$3.2 billion, which includes the costs for the seven Non-Housing Redevelopment Program categories described in Section C as well as a set-aside amount for contingency and interest payments. The estimated cost of the Affordable Housing Redevelopment Program is approximately \$2.1 billion. The Agency's administrative cost of implementing the Non-Housing Redevelopment Program is estimated to be approximately \$181.0 million in nominal dollars, as discussed further in Chapter IV.

The costs in Table III-1 also reflect the net cost of all Redevelopment Program projects and activities to the Agency after taking into account other funding sources. Chapter IV discusses these outside funding sources. The Agency estimates that approximately \$598.6 million in tax

increment revenues will be needed to fund its Non-Housing Redevelopment Program, and \$601.5 million in tax increment revenues will be needed to fund its Housing Program.

Due to the long-term nature of the Redevelopment Program, cost estimates are necessarily preliminary in nature and subject to considerable refinement as planning and implementation proceeds. However, the cost estimates are adequate to provide reasonable orders of magnitude for the financial feasibility evaluation and the estimated need for additional tax increment revenue made possible by the Plan Amendment to increase the tax increment collection fiscal limit and incurring debt limit, as described in Chapter 1.

**Table III-1
Summary of Agency Costs for the Redevelopment Program^a
In Nominal Dollars
Central District Plan Amendment 2010-11**

Redevelopment Programs	Estimated Total Program Cost (Nominal Dollars)	Estimated Other Funding Sources ^b	Net Tax Increment Cost to Agency ^c
Non-Housing			
Commercial Development			
Property Acquisition, Site Preparation and Disposition	\$2,444,381,000	\$2,383,250,000	\$61,131,000
Planning	\$9,905,000	\$0	\$9,905,000
Commercial Attraction, Retention and Expansion	\$67,520,000	\$60,016,000	\$7,504,000
Commercial Rehabilitation	\$135,040,000	\$120,032,000	\$15,008,000
Community Enhancements			
Public Improvements	\$111,018,000	\$10,000,000	\$101,018,000
Circulation, Street Improvements and Streetscapes	\$21,622,000	\$10,000,000	\$11,622,000
Cultural Arts and Recreational Facilities Improvements	\$25,025,000	\$10,000,000	\$15,025,000
Contingency ^d	\$24,579,000	\$0	\$24,579,000
Interest Payments	\$352,781,000	\$0	\$352,781,000
Total Cost of Non-Housing Redevelopment Program	\$3,191,871,000	\$2,593,298,000	\$598,573,000
Affordable Housing			
Total Cost of Affordable Housing Program	\$2,105,149,000	\$1,503,678,000	\$601,471,000
Total	\$5,297,020,000	\$4,096,976,000	\$1,200,044,000

- a. Figures rounded to nearest \$1,000. Calculations may not precisely match due to rounding.
- b. Based on Agency estimates. Includes land sale proceeds, lease revenues and loan payments. Other funding sources available for Affordable Housing Program estimated based on current leveraging ratios. Other funding sources are discussed in more detail in Chapter IV, Section D and in Appendix D.
- c. Total net tax increment does not include future debt and administration costs.
- d. Estimated at 10 percent of total cost of Non-Housing Program, based on bond proceeds only.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

F. Relationship Between the Redevelopment Program and the Alleviation of Blighting Conditions

The foremost objective of the Plan Amendment is to eliminate physical and economic blight in the Project Area. Therefore, the projects and activities that comprise the Redevelopment Program have been carefully crafted to alleviate the blighting conditions that remain in the Project Area, as well as to achieve the objectives and goals listed in the Plan Amendment, as summarized above in Section B.

In general, the Redevelopment Program is designed to:

- Revitalize areas that exhibit physical and economic blight.
- Stimulate private investment and complementary development.
- Improve circulation, public infrastructure and public facilities.
- Provide tax increment funds for the redevelopment activities that are needed to alleviate blighting conditions.
- Produce affordable housing, including rental and ownership units.
- Reduce criminal activity.
- Create temporary and permanent jobs.

The projects and activities of the Redevelopment Program are necessary because the Project Area continues to exhibit significant blighting conditions, as documented in Chapter II, that constitute a serious physical and economic burden on the community. Table III-2 provides a matrix summarizing the relationship between the blighting conditions described in Chapter II and the projects and activities proposed to alleviate these conditions. Sections C and D summarize the Redevelopment Program and the deficiencies to be corrected by the Redevelopment Program.

**Table III-2
How Redevelopment Program Activities Will Alleviate Blighting Conditions
Central District Plan Amendment 2010-11**

	Property Acquisition, Site Preparation and Disposition	Planning	Commercial Attraction, Retention and Expansion	Business Rehabilitation and Modernization Program	Public Improvements	Circulation, Street Improvements and Streetscape	Recreational, Entertainment, Cultural and Arts Facilities and Improvements	Affordable Housing
Blighting Conditions								
Physical Blight								
Unsafe or Unhealthy Buildings	■	■	■	■	■		■	■
Conditions Hindering Viable Use of Buildings or Lots	■	■	■	■	■	■	■	■
Economic Blight								
Depreciated or Stagnant Property Values	■	■	■	■		■	■	■
Impaired Property Values Due to Hazardous Wastes	■	■		■	■		■	
Indicators of Economically Distressed Buildings	■	■	■	■	■	■	■	■
Excess of Problem Businesses	■	■	■	■			■	
High Crime Rates	■	■	■	■	■	■	■	■
Other								
Inadequate Public Improvements	■	■	■	■	■	■	■	■

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

IV. Proposed Methods of Financing and Feasibility

A. Introduction

Chapter IV describes the public and private financing aspects of the Redevelopment Program. It presents estimated total funding requirements, identifies potential resources and methods of financing available to the Agency, presents projected tax increment revenues, assesses the general financial feasibility of the Redevelopment Program to eliminate blighting conditions.

The fundamental purpose of the Plan Amendment is to provide the Agency with the necessary financial and legal resources to complete the Redevelopment Program. As described in Chapter I, the primary reason for amending time and fiscal limits in the Project Area is to alleviate remaining blighting conditions and revitalize the Project Area. The pressure to provide funding sources to pay for the cost of blight alleviation stems from the necessity to mitigate these adverse conditions and to improve public safety, health and welfare within the Project Area and the broader Oakland community. Unsafe or unhealthy building conditions, conditions that hinder the viable use or capacity of buildings or lots, depreciated or stagnant property values, impaired property values due to hazardous waste, indicators of economically distressed buildings, excess problem businesses, high crime rates, and inadequacies in public infrastructure and facilities can only be addressed through the Plan Amendment. While the Agency will continue to pursue all other potential funding sources, those sources alone will not be sufficient to fund the activities needed to alleviate the adverse conditions in the Project Area without the tax increment financing made possible through the Plan Amendment.

This chapter is organized as follows:

- A. Introduction
- B. Stimulation of Private Investment
- C. Estimated Funding Requirements for the Redevelopment Program
- D. Potential Sources Other than Tax Increment Financing
- E. Tax increment Financing as a Primary Source of Funding
- F. Assumptions Used in Tax Increment Projections
- G. Tax Increment Projections
- H. Financial Feasibility of the Redevelopment Program for the Project Area

B. Stimulation of Private Investment

A major goal of the Redevelopment Program is to stimulate private investment in the Project Area. Public investment in the form of redevelopment funding will be used to leverage private investment.

Private investment is anticipated to include both new construction and the rehabilitation of commercial and residential buildings within the Project Area. Over time, such investment could be significant. However, the amount of private investment in the area will depend upon the improvement of public facilities and infrastructure, the elimination of blighting conditions, and

the establishment of a positive climate for private participation. Given the extent of blighting conditions, and the need for improved public facilities and infrastructure, effective implementation of the Redevelopment Program provides the most reasonable opportunity for stimulating private investment in the area.

As described in Chapter III, redevelopment tax increment investment for the Redevelopment Program is projected to require approximately \$5.3 billion (in nominal dollars). The Agency's investment in the Project Area is projected to leverage about \$4.1 billion from other sources, including a projected \$2.4 billion in private investment, through the value of anticipated new development financed by private investment.

The Agency will also contribute significant funds to affordable housing from the tax increment generated by the Project Area. As further described in Chapter III, the Agency's Low and Moderate Income Housing Fund has been used to leverage private funding. The Agency will continue to use its Low and Moderate Income Housing Fund to foster private investment for the production, rehabilitation and preservation of affordable housing for very low, low and moderate-income households.

C. Estimated Funding Requirements for the Redevelopment Program

The implementation of the Redevelopment Program for the Project Area will require substantial funding. Chapter III describes the Redevelopment Program, specifically identifying the projects and activities and their associated costs. The Agency cost estimates presented in Chapter III take into account the amount of outside funding sources that the Agency anticipates it will obtain. The estimated net cost of the Redevelopment Program to the Agency, as described in Chapter III and shown in Table IV-1, totals approximately \$1.2 billion (in nominal dollars). The cost of this program excludes funding from non-Agency sources that will supplement Agency funds (as described in Section D of this chapter and Appendix E).

D. Potential Sources Other than Tax Increment Financing

The Plan Amendment authorizes the Agency to finance the Redevelopment Program using all available funding sources, including local, state and federal sources. The Agency will make every effort to obtain alternative funding sources as a means to accelerate the implementation of the Redevelopment Program and minimize the required investment of tax increment revenues. The Agency will also work with both the City and Alameda County in order to use their combined resources to secure additional federal, state and private funding. As appropriate, the Agency will also pursue available loan programs to maximize the leveraging of its funds. Although tax increment financing is the largest source of long term funding available to the Agency, it is not the only source. Land sale proceeds, lease revenues, and loan repayments also generate substantial revenue to meet the projected funding needs of the Redevelopment Program.

Table IV-1
Estimated Net Cost to Agency of Project Area Redevelopment Program^a
In Nominal Dollars
Central District Plan Amendment 2010-11

Redevelopment Programs	Estimated Total Program Cost (Nominal Dollars)	Estimated Other Funding Sources ^b	Net Tax Increment Cost to Agency ^c
Non-Housing			
Commercial Development			
Property Acquisition, Site Preparation and Disposition	\$2,444,381,000	\$2,383,250,000	\$61,131,000
Planning	\$9,905,000	\$0	\$9,905,000
Commercial Attraction, Retention and Expansion	\$67,520,000	\$60,016,000	\$7,504,000
Commercial Rehabilitation	\$135,040,000	\$120,032,000	\$15,008,000
Community Enhancements			
Public Improvements	\$111,018,000	\$10,000,000	\$101,018,000
Circulation, Street Improvements and Streetscapes	\$21,622,000	\$10,000,000	\$11,622,000
Cultural Arts and Recreational Facilities improvements	\$25,025,000	\$10,000,000	\$15,025,000
Contingency ^d	\$24,579,000	\$0	\$24,579,000
Interest Payments	\$352,781,000	\$0	\$352,781,000
Total Cost of Non-Housing Redevelopment Program	\$3,191,871,000	\$2,593,298,000	\$598,573,000
Affordable Housing			
Total Cost of Affordable Housing Program	\$2,105,149,000	\$1,503,678,000	\$601,471,000
Total	\$5,297,020,000	\$4,096,976,000	\$1,200,044,000

a. Figures rounded to nearest \$1,000. Calculations may not precisely match due to rounding.

b. Based on Agency estimates. Includes land sale proceeds, lease revenues and loan payments. Other funding sources available for Affordable Housing Program estimated based on current leveraging ratios. Other funding sources are discussed in more detail in Chapter IV, Section D and in Appendix D.

c. Total net tax increment does not include future debt and administration costs.

d. Estimated at 10 percent of total cost of Non-Housing Program, based on bond proceeds only.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

This section describes a wide range of alternative funding sources that may be available to assist in financing the Redevelopment Program. It summarizes some of the key potential sources and evaluates the likelihood that each source will generate potential revenues for use in the Project Area. Some sources described below may generate more funds than estimated, while others may generate less. On balance, the estimate of alternative revenues provides an initial approximation of funding availability in order to determine the level of need for tax increment revenue.

Appendix D includes a matrix of funding sources that might be available to assist in financing the Redevelopment Program. It lists each potential source, the responsible entity, and a summary of the source and the type of funding (grant, loan, or other). Appendix D groups funding sources by secondary, complementary and unlikely sources of funding. As described below, tax increment revenues, land sale proceeds, lease revenues, and loan repayments are the primary funding sources to the Agency. Secondary sources are less likely to be available to provide funding for the Redevelopment Program. While not providing direct funding to the Redevelopment Program, complementary sources could provide funding for economic development, business support and expansion, neighborhood improvements, and community enhancement.

Based on Agency's staff experience with funding sources, the Agency considers it reasonably likely that approximately \$4.1 billion (in nominal dollars) in funding, other than primary funding sources will be available for the Redevelopment Program. Table IV-1, above, summarizes the Agency's estimate of other funding sources by redevelopment program category. Please refer to Appendix D for a matrix that summarizes all of the secondary and complementary funding sources.

1. Primary Funding Source

Primary sources are the sources of funding most likely to be available to support the Redevelopment Program. Tax increment financing, land sale proceeds, lease revenues, and loan repayments are the primary sources of funding anticipated to be available.

a. Tax Increment Financing

Tax increment revenue is generated by the increase in property values within a designated redevelopment project area, and it is one of the primary sources of financing for the Agency's programs. Currently the Agency is required by law to dedicate 20 percent of tax increment revenue from the Project Area to affordable housing programs. As described in Chapter III, the Agency actually dedicates 25 percent of the tax increment revenue to its Affordable Housing program. The Plan Amendment will trigger a higher required contribution to the Low and Moderate Income Housing Fund in the Project Area (other than the 2001 Area). Beginning in the fiscal year after adoption of the Plan Amendment, the Agency must dedicate 30 percent of tax increment revenue generated from the Project Area (other than the 2001 Area) to affordable housing programs. Tax increment revenue is discussed in further detail below in Sections E, F and G.

The Plan Amendment enables the Agency to receive tax increment revenues as defined in CRL Section 33670. Therefore, the method of financing commonly referred to as tax increment financing is available to the Agency for purposes of implementing the Plan Amendment in the Project Area.

b. Land Sale Proceeds, Lease Revenues and Loan Repayments

Redevelopment agencies frequently receive money from the sale or lease of property they own, or from the repayment of loans made by the agencies to developers. The proceeds from the sale or lease of properties, or from the repayment of loans, are usually deposited in the Agency's fund balance and used for authorized redevelopment projects. Any restrictions on the reuse of these funds for redevelopment purposes depend on the source of the funds used to acquire the property or make the loan. The Agency expects to allocate approximately \$48 million from land sale proceeds, lease revenues and loan repayments to projects and programs.

2. Secondary Funding Sources

While less significant or less likely to be available than primary funding sources, secondary sources, including private debt and equity financing and many federal and state funding sources, can potentially help the Agency in meeting its redevelopment goals and objectives. This section describes the secondary funding sources the Agency has used and/or anticipates using to help support the Redevelopment Program.

Secondary funding sources have provided some funding in the past and are anticipated to provide additional funding in the future. However, the level of funding provided by these funding sources has not been, and will not be, sufficient to fully fund the cost of redevelopment activities. Many funding sources restrict how funding is used, and some grant programs offer one-time funding allocations and are not a reliable source of funding for future years. Complete descriptions of all secondary sources of funding are provided in Appendix D.

a. Brownfields Assessment, Cleanup Revolving Loan Fund (BCRLF) and Cleanup Grants

EPA offers a variety of funding sources for the cleanup, revitalization and sustainable reuse of contaminated properties (brownfields). Programs include:

1. Brownfields Cleanup Revolving Loan Fund (BCRLF) provides financial assistance for the remediation of brownfields. Funding provided by the EPA enables state and local governments to make low-interest loans to carry out cleanup activities on properties that have a release or substantial threat of release of a hazardous substance that threatens public health or welfare. The BCRLF program can also provide some funding for site preparation and development activities. In California the BCRLF program is administered by the California Department of Toxic Substance Control (DTSC).
2. Brownfields Assessment Grants provide funding for a grant recipient to inventory, characterize, assess, and conduct planning and community involvement related to a brownfield site.
3. Brownfields Cleanup Grants provide funding for cleanup activities at brownfield sites. An eligible entity may apply for up to \$200,000 per site. These funds may be used to address sites contaminated by petroleum and hazardous substances, pollutants or contaminants (including hazardous substances co-mingled with petroleum). Cleanup grants require a 20 percent cost share, which may be in the form of a contribution of money, labor, material, or services, and must be for eligible and allowable costs (the match must equal 20 percent of the amount of funding provided by EPA and cannot include administrative costs). The performance period for these grants is two years.

The City of Oakland receives approximately \$200,000 each year for either a Brownfield Assessment Grant or Cleanup Grant. These grants may be used for cleanup activities in the Project Area.

b. Community Development Block Grants (CDBGs) and Section 108 Loans

Community Development Block Grant (CDBG) funds are allocated by HUD to fund activities such as public works; rehabilitation loans and grants; land acquisition, demolition, and relocation for redevelopment; public services; and affordable housing, social services and projects for the elderly or disabled. CDBG-funded projects and activities must principally benefit low and moderate-income persons, aid in the prevention or elimination of blight or address an urgent need. CDBG funds have provided a limited source of revenue for many redevelopment activities in California.

Section 108 is the loan guarantee provision of the CDBG program. The objective of the loan funding is to provide communities with a source of financing for economic development, housing rehabilitation, public facilities, and large scale physical development projects. All projects and activities must either principally benefit low and moderate-income persons, aid in the elimination or prevention of slums and blight, or meet urgent needs of the community. The maximum repayment period for Section 108 loan is 20 years.

Primarily this program can be relied upon for economic development and rehabilitation efforts. It does not generate new funds; rather it is a loan fund secured by CDBG or other dedicated revenues, such as tax increment revenues. The City of Oakland issued approximately \$2 million in HUD 108 loans in FY 2010-11, some of which were used in the Project Area.

c. Developer and Property Owner Participation

Developer and property owner participation has been used as a means for funding redevelopment activities in many communities. For example, funds may be advanced to a city or agency in the form of a negotiated fee or grant, or a loan for public improvements that is repaid during the course of project implementation from tax increment revenues. Property owners may repay loans made by the agency, match agency funding assistance amounts, or, more commonly, provide their own debt and equity financing to complete project funding. Some agencies include provisions in development agreements that call for the developer to pay for certain project components, such as project infrastructure or open space.

d. Home Investment Partnerships Program

The Home Investment Partnerships Program (HOME), administered by HUD, provides formula grants to states and localities that communities often use in conjunction with local nonprofit organizations to fund affordable housing activities. HOME funds are awarded annually to participating jurisdictions. States are automatically eligible and receive their funding each year. Local jurisdictions eligible for at least \$500,000 under the formula (\$335,000 in years when Congress appropriates less than \$1.5 billion for HOME) may receive an allocation. HOME assisted rental housing must comply with certain rent limitations. In addition, HOME regulations include a maximum per unit subsidy limit and maximum purchase price limit. Eligible activities include home purchase or rehabilitation financing assistance; construction or rehabilitation of housing for rent or ownership; or "other reasonable and necessary expenses related to the development of non-luxury housing," including site acquisition or improvement, demolition of dilapidated units and payment of relocation expenses. Ten percent of the annual allocation may be used for program planning and administration. If a project does not receive HOME funding directly from HUD, it may apply for HOME funds through California's HCD.

The City of Oakland receives approximately \$4,000,000 each year for housing development, some of which are in the Project Area.

e. CalHOME Program

The CalHOME Program, administered by the California Department of Housing and Community Development (HCD), provides grants to local public agencies or nonprofit corporations for first-time homebuyer downpayment assistance, home rehabilitation, including manufactured homes not on permanent foundations, acquisition and rehabilitation, homebuyer counseling, self-help mortgage assistance programs, or technical assistance for self-help homeownership. All funds to individual homeowners are in the form of loans. Eligible activities include predevelopment, site development, and site acquisition for development projects; rehabilitation, and acquisition and rehabilitation, of site-built housing; and rehabilitation, repair and replacement of manufactured homes. Downpayment assistance, mortgage financing, homebuyer counseling, and technical assistance are offered for self-help developments, or projects built using "sweat equity." The City of Oakland received approximately \$1,500,000 in FY 2010-11 and will likely continue to receive funding in the future.

f. Infill Infrastructure Grant Program

The Infill Infrastructure Grant (IIG) program, administered by HCD, provides competitive grants to assist in the construction and rehabilitation of infrastructure that supports higher-density

affordable and mixed-income housing in locations designated as infill. Eligible applicants include nonprofit and for-profit developers, as well as public agencies partnering with a private developer. The IIG program was approved in 2006 as part of Proposition IC. The City of Oakland received approximately \$33,000,000 in FY 2008-09.

g. Transit-Oriented Development Housing Program

The Transit-Oriented Development (TOD) Housing Program, administered by HCD, offers competitive low-interest loans for construction of rental housing developments that include affordable housing and are within one-quarter mile of a transit station. Additionally, the program provides grants for infrastructure that supports housing or facilitates connectivity to transit from one or more specific housing developments. Eligible applicants include public and private entities, such as redevelopment agencies. This program was approved in 2006 as part of Proposition IC. New funding is dependent on future statewide bond issuances. The City of Oakland received approximately \$38,500,000 in FY 2008-09.

h. State Transportation Improvement Program

The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects on and off the State highway system. STIP programming generally occurs every two years. The program lists all capital improvement projects approved by the CTC to be funded with state transportation funds, including proceeds from bond acts (such as Proposition 116) and motor vehicle fuel taxes. The STIP also includes federal funds apportioned to the State for transportation purposes.

i. Transportation Development Act

Transportation Development Act (TDA) funds are generated statewide through a one-quarter cent tax on retail sales in each county. Cities receive an annual TDA apportionment, and the MTC determines the ways in which the funds are spent. TDA funds may be used for regional and municipal transit projects, special transit projects for disabled persons, bicycle and pedestrian purposes, and other improvements or programs designed to reduce automobile usage. The City of Oakland received approximately \$310,000 in FY 2010-11.

3. Complementary Funding Sources

While not providing direct funding for the Redevelopment Program, complementary sources could provide funding for economic development, business support and expansion, neighborhood improvements, and community enhancement. Complete descriptions of complementary sources of funding are provided in Appendix D.

4. Funding Sources Considered to be Unavailable or Unlikely

As permitted by law, the Agency can utilize local, regional, state, and/or federal government funds, and funds from private sector sources. A significant number of funding sources were evaluated by the Agency for their potential to fund redevelopment activities in the Project Area. These sources were found to be unlikely to provide substantial additional financial resources to alleviate blight, and many sources are loans that would have to be repaid from tax increment. In addition, other sources have been found to be clearly infeasible or to have little potential of

generating measurable revenues. Descriptions of the sources of funding unlikely to provide funding for the Redevelopment Program are provided in Appendix D.

E. Tax Increment Financing as a Primary Source of Funding

One of the primary sources of financing for the Redevelopment Program will be tax increment revenue generated by the increase in property values from the Project Area. Based on the assumptions outlined in this chapter, the tax increment revenues generated over the tax increment collection period are projected to be sufficient to meet the Agency costs for the Redevelopment Program (for both housing and non-housing activities) that cannot reasonably be financed from other sources. The Agency annually evaluates the projected amount of funds available from tax increment and other revenue sources and sets its annual budget and long-term budget projections, taking into account the level of these funding resources.

This section presents an overview of the use and calculation of tax increment revenue under the CRL. Section F below then describes specific considerations and assumptions relevant to the estimates of tax increment revenue that may be generated, and Section G summarizes tax increment projections. Appendix E includes detailed projections of potential tax increment revenues.

1. Using Tax Increment Revenue to Eliminate Adverse Conditions

The general purpose of redevelopment is the elimination of blighting conditions, which inhibit the physical and economic development of an area. The completion of a redevelopment program results in a project area that is physically enhanced and economically stronger due to the elimination of these blighting conditions. Chapter II summarizes evidence of significant remaining blighting conditions in the Project Area. The Redevelopment Program described in Chapter III is specifically designed to stimulate private investment and alleviate physical and economic blighting conditions in the Project Area. The use of tax increment revenue is the most appropriate means of providing sufficient funding for the Redevelopment Program.

2. Stabilizing and Enhancing the Property Tax Base

In many communities, redevelopment projects have led to the stabilization of property tax revenues and tax receipts for taxing entities within project areas. As a result, these communities have avoided declines in tax revenues due to erosion of property values. In most redevelopment project areas, the investment of public redevelopment funds to leverage private investment has resulted in substantial increases in property values over time due to rehabilitation, new construction and property appreciation.

3. Existing and Proposed Time and Fiscal Limits

The CRL imposes specific time and fiscal limits that will affect the amount of tax increment revenue the Agency can receive. Table IV-2 summarizes the existing limits for the Project Area. Table IV-2 also indicates the proposed changes to the time and fiscal limits under the Plan Amendment. As discussed in Chapter I, the Agency proposes to:

- Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a proposed revised limit of \$3.0 billion.
- Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for ten years to June 12, 2022, as authorized by CRL Section 33333.10.
- Extend the time limit for tax increment collection from the Project Area (other than the 2001 Area) for ten years to June 12, 2032, as authorized by CRL Section 33333.10.
- Extend the time limit for eminent domain authority for up to 12 years but no longer than the plan effectiveness limits for the Project Area.¹
- Update various text provisions to conform to the requirements of the CRL in connection with the time extension amendments, including extending the affordable housing area production obligation, pursuant to CRL Section 33413(b) to the entire Project Area (other than the 2001 Area), and increasing the set-aside to the Agency's Low and Moderate Income Fund to 30 percent (other than the 2001 Area).

4. Establishing the Base Year Assessed Value

The first major step in implementing a tax increment financing program is establishing the base year for assessed value of a project area, which occurs at the time of redevelopment plan adoption. In the case of an amendment to add area, the base year for the original area remains the fiscal year of the original adoption date, while the base year for the added area will be the fiscal year of the amendment. To establish the base year, the total value of taxable property within a project area's boundaries is determined. The tax roll used is formally called the base year assessment roll, and more commonly referred to as the frozen base or base assessed value:

- The base year for the Original Area is FY 1968-69, as provided in the original Redevelopment Plan. The base assessed value of the Original Area is \$275,241,000.
- The base year for the 1982 Area is FY 1981-82, as provided in the current Redevelopment Plan. The base assessed value of the 1982 Area is \$0 because there was no taxable property in the area at the time of adoption.
- The base year for the 2001 Area is FY 2001-02. The base assessed value of the Project Area is \$15,780,702.

5. Distribution of Property Taxes During Project Implementation

Under the Plan Amendment, all of the entities that levy taxes in the Project Area will continue to receive all property tax revenues derived from the relevant base assessed value. In addition, the taxing entities receive a portion of the property tax revenues generated from the increases in assessed value over a relevant base year assessed value, known as pass-through payments. Assembly Bill 1290, effective for plans adopted or amended January 1, 1994 or later, eliminated the authorization for establishing or amending negotiated contractual pass-through agreements and imposed statutorily determined pass through payments to affected taxing entities.

¹ The Agency would not be authorized to employ the power of eminent domain to acquire property on which persons legally reside.

**Table IV-2
Summary of Existing and Proposed Time and Fiscal Limits
Central District Plan Amendment 2010-11**

	Central District (Original Area)	Central District (1982 Area)	Central District (2001 Area)
Background Information			
Date Adopted	June 12, 1969	August 3, 1982	July 24, 2001
Base Year	FY 1968/69	FY 1982/83	FY 2001/02
Base Year Assessed Value	\$275,241,000	\$0*	\$15,780,702
Existing Time Limits			
Incurring Debt	Eliminated ^b	Eliminated ^b	July 24, 2021
Eminent Domain	June 12, 2009 ^e	June 12, 2009 ^e	July 24, 2013
Plan Effectiveness	June 12, 2012 ^d	June 12, 2012 ^d	July 24, 2032 ^f
Tax Increment Receipt	June 12, 2022 ^d	June 12, 2022 ^d	July 24, 2047 ^f
Proposed Time Limits			
Incurring Debt	No Change	No Change	No Change
Eminent Domain	June 12, 2022	June 12, 2022	June 12, 2022
Plan Effectiveness	June 12, 2022 ^f	June 12, 2022 ^f	No Change
Tax Increment Receipt	June 12, 2032 ^f	June 12, 2032 ^f	No Change
Existing Fiscal Limits			
Combined Tax Increment Cap ^g		\$1,348,862,000	
1982 Area Tax Increment Cap ^g	N/A	\$75,000,000	N/A
Incurring Debt	N/A	\$100,000,000	N/A
Tax Increment Cap			
Tax Increment Cap ^b		\$3,000,000,000	
Incurring Debt	No Change	\$100,000,000	No Change

Note: N/A = Not applicable.

a. Estimated to be 50 as all parcels within the 1982 Area were publicly owned at the time the 1982 Area was added to the Central District.

b. The incurring debt limit for the Central District Original Area and 1982 Area was eliminated in by Ordinance 12570 C.M.S. in 2004, as authorized by the CRL.

c. Re-established and extended per Ordinance 12090 C.M.S.

d. Ordinance 12617 C.M.S. extended these time limits by one year per SB 1045, and Ordinance 12641 C.M.S. extended these time limits by two years per SB 1096.

e. Ordinance 12641 C.M.S extended these time limits by one year per SB 1045.

f. Per SB 211, the time limits for plan effectiveness and tax increment receipt for pre-1994 plans are proposed to be extended by ten years.

g. The limit of approximately \$1.3 billion applies to the entire Central District Project Area. The 1982 Area has an individual cap of \$75 million.

h. The Plan Amendment proposes to eliminate the \$75 million limit for the 1982 area and increase the Project Area's overall limit on Tax Increment collection to \$3 billion.

Source: Redevelopment Agency of the City of Oakland.

Thus, the CRL currently provides standard formulas for the calculation of pass-through payments for plans adopted or amended after 1993. Each entity receives a payment in proportion to its property tax levy in each project at the time of plan adoption or amendment. These statutorily mandated pass-through payments (statutory pass-through payments) constitute the State Legislature's determination of the payments necessary to alleviate any financial burden of the Redevelopment Program to affected taxing entities. CRL Section 33607.5(f)(1)(B) states that statutory pass-through payments are the only payments that are required of a redevelopment agency to affected taxing entities during the term of a redevelopment plan. (The calculation of statutory pass-through payments is further described in Section F.4 below.)

6. Distribution of Property Taxes after Project Completion

When a redevelopment project is completed and loans or other indebtedness have been repaid, all property taxes flow back to the respective taxing entities. Taxing entities benefit from increases in property tax revenues resulting from revitalized and redeveloped project areas. In many communities, such increases are substantial. In fact, over time, taxing entities can recoup

revenues following project completion sufficient to make up for the property tax revenues that were allocated to tax increment during the redevelopment implementation period. This recovery would occur because the increases in assessed valuation from revitalization of the project areas are greater as a result of redevelopment than the assessed valuation increases that would have occurred without redevelopment. Thus, payments to the affected taxing entities from a redevelopment project area can exceed the property taxes that the taxing entities would reasonably expect to receive from a slower-growing assessed valuation roll without redevelopment.

F. Assumptions Used in Tax Increment Projections

The tax increment projections in this report are intended only as estimates based on the best available information as of the date of this report. Actual tax increment revenues may be higher or lower than the projections. Refer to the tables in Appendix E for detailed analysis of potential tax increment revenues for the Original Area, 1982 Area, and 2001 Area. Potential revenues are presented cumulatively and individually. Revenues from the Original Area and 1982 Area are presented together, consistent with County practices to date.²

1. Present Value Assumptions

The analysis below provides estimates of tax increment revenues in both future value (nominal) dollars and present value (constant) dollars. The purchasing power of nominal dollars declines because of inflation and/or the cost of borrowing. Therefore, it is important to convert the annual future value amounts to the equivalent value in constant 2011 dollars before making a direct comparison between potential revenues and projected costs.

The present value in constant 2011 dollars is calculated by discounting future tax increment revenues by an annual rate of 5.5 percent to FY 2010-11, the year the Plan Amendment is anticipated to be adopted. This discount rate accounts for the cost of inflation, as well as the average cost of borrowing money for the City and the Agency (e.g., issuing tax allocation bonds), to approximate the present value of future dollars. Most tax increment will be pledged to the issuance of bonds, and a portion of tax increment may be used on a pay-as-you-go basis.

2. Growth Assumptions

Tax increment revenues are generated from the growth in assessed value above the base year assessed value (incremental assessed value). Tax increment revenues are projected by applying the effective property tax rate to the incremental assessed value. The tax rate in the Central District is approximately 1.17 percent, which includes a bond override above the basic one percent tax rate. Growth in assessed property values in the Project Area is based upon the factors below:

² Alameda County currently administers the Original Area and the 1982 Area as a single entity with a common frozen base value.

Annual Inflation Rate

The annual inflation rate is assumed at two percent per year for properties that remain in the same ownership. Two percent is the maximum annual increase that is allowed by the California State Constitution as a result of Proposition 13 in the absence of certain events that can trigger a reassessment, such as a sale or construction of new improvement. This two percent inflation factor is applied to the secured assessed value.³

Reassessment Adjustment

An annual reassessment adjustment represents the increases in assessed value following property reassessment, which is triggered by: (1) the transfer, or sale, of real property, (2) upgrading of real property improvements due to rehabilitation or additions to existing buildings, or (3) the reassessments of new development to market value once construction is completed. The reassessment adjustment for secured property is assumed to be one percent per year in the Project Area.

New Development in the Project Area

In addition to the annual inflation adjustment and annual reassessment adjustment, the tax increment projections are based in part on estimates of growth due to new construction and redevelopment in the Project Area.

Agency and City staff prepared a set of new development estimates based on anticipated development, summarized in Table IV-3.⁴ Projections for new development in the Project Area are within the maximum build out allowed under the current General Plan and analyzed by the EIR. Appendix E includes detailed information on the new development phasing and value assumptions for the Original Area; no specific new development is forecasted for the 1982 Area or 2001 Area.

3. Agency Tax Increment Obligations

The Agency must use tax increment revenue to fulfill the following obligations:

a. County Fee for Property Tax Administration

Alameda County retains fees for the administration of tax increment revenues. The projections in this report estimate the county administration fee at 0.7 percent of gross incremental tax revenues for the Project Area based on the amount assessed in the Project Area for FY 2010-11 as a percentage of tax increment.

³ The annual inflation rate is assumed to be 2 percent. Over the last 30 years, only in five years has the annual inflation rate as set by the State Board of Equalization been less than 2 percent. Therefore, while the annual inflation rate for FY 2011-12 is only 0.0753 percent, an average 2 percent inflation factor over the remaining years of tax increment collection time period is used.

⁴ New development projected for the Project Area includes approximately 600 units of affordable housing. The tax increment projections prepared for this report assume that these units are tax-exempt. Accordingly, the affordable units are not included for revenue projection purposes.

**Table IV-3
New Development Growth Assumptions
FY 2010-11 Through Remaining Life of the Proposed Plan Amendment
Central District Plan Amendment 2010-11**

Development Type	Projected Development in Project Area
For sale (units)	2,452
Rental (units)	1,362
Total Residential Units	5,176
Office (sq ft)	2,167,500
Retail (sq ft)	1,280,000
Hotel (sq ft)	150,000
Total Non-Residential sq ft	5,027,500
Ballpark (units)	1

Source: Redevelopment Agency of the City of Oakland

b. Statutory Pass-Through Payments

All of the affected taxing entities currently receive statutory payments from the 2001 Area, as required by the CRL for new or added project areas established January 1, 1994 or later. Statutory pass-through payments were triggered in the Original Area and 1982 Area by the 2004 repeal of the time limit on debt incurrence. In the Original Area and 1982 Area, statutory pass-through payments began for taxing entities in FY 2004-05, the fiscal year following the fiscal year when the time limit for incurring debt would have been reached. Section F.4 presents a detailed explanation of the statutory pass-through payment calculations.

c. Low and Moderate Income Housing Fund for Affordable Housing Program

Section 33334.2 of the CRL requires that 20 percent of the gross tax increment revenues generated be used for increasing and/or improving the community's supply of low and moderate-income housing. In other words, twenty cents out of each tax increment dollar generated during the tax increment collection period must be channeled into the Low and Moderate Income Housing Fund to finance the Agency's affordable housing program. The Agency has a policy to contribute an additional five percent of gross tax increment to the Low and Moderate Income Housing Fund. Adoption of the SB 211 ten year extension proposed for the Project Area (other than the 2001 Area) under the Plan Amendment triggers a CRL requirement that increases the total contribution to the Low and Moderate Income Housing Fund to 30 percent of gross tax increment beginning the fiscal year after adoption of the amendment. Administrative costs related to the implementation of the Affordable Housing Program are typically paid out of the Low and Moderate Income Housing Fund.

d. Educational Revenue Augmentation Fund (ERAF Obligation)

Several times over the last two decades, when faced with budget gaps, the State has enacted legislation requiring all redevelopment agencies to contribute to a County Educational Revenue Augmentation Fund (ERAF) in order to relieve the State of some of its educational funding obligations.

To address a state budget gap in FY 2008-09, the State Legislature passed and the Governor signed AB 1389 in September 2008 requiring redevelopment agencies to contribute to ERAF and transfer \$350 million to fund State obligations. However, the Sacramento Superior Court (Court) found this provision to be unconstitutional and signed a judgment on May 7, 2009, forbidding any county auditor-controllers from taking any actions to carry out or enforce any of the ERAF payment requirements. The State did not appeal the decision.

With a major budget deficit in FY 2009-10 (and likely beyond), the State Legislature approved and the Governor signed into law AB 26 4x, which requires redevelopment agencies to contribute a statewide total of \$1.7 billion in FY 2009/10 and an additional \$350 million in FY 2010/11 to a new ERAF-related fund (called "Supplemental ERAF" or "SERAF"). The amount contributed to SERAF from the Central District was approximately \$7 million in FY 2009-10 and will be approximately \$3.1 million in FY 2010-11. The constitutionality of these additional State takeaways from redevelopment agencies was challenged in court. On May 4, 2010, the Sacramento Superior Court issued a decision on denying the petition to challenge the constitutionality of CRL Section 33690. The following day, an appeal of the Superior Court decision was filed.

With all previous ERAF takeaways over the past two decades, the legislation specified that amounts paid by a redevelopment agency did not count as tax increment received toward a redevelopment plan limit on the total amount of tax increment that a redevelopment agency may claim. The latest takeaway legislation (AB 26 4x) does not clearly provide for the same treatment, so the amounts that will have been transferred by the Agency to SERAF in FY 2009-10 and FY 2010-11 will count toward the fiscal limit on tax increment collection for the Project Area.

In November 2010, the voters of California approved Proposition 22, which prohibits future shifts of redevelopment funds. According to the Attorney General's summary, this ballot question would "[prohibit] the State, even during a period of severe fiscal hardship, from delaying the distribution of tax revenues for transportation, redevelopment, or local government projects and services."⁵ The passage of Proposition 22 bars the State from future takings of local redevelopment funds for the time being.

The Agency's tax increment projections do not assume a continuation of annual State ERAF or SERAF payments. If the State Legislature does enact a future ERAF/SERAF contribution requirement applicable to the Agency, such a requirement would reduce the amount of tax increment revenue available in the applicable future year(s) for redevelopment program activities. However, if the State Legislature also follows past practice in connection with any possible future redevelopment agency ERAF contribution requirement, such possible future ERAF contributions could be excluded from the calculation of the tax increment collection cap for the Project Area.

e. Bond Debt Service

The Agency uses a portion of its tax increment revenues to service outstanding bonds secured by those revenues. The Agency has six series of Tax Allocation Bonds (TABs) outstanding, issued between 1992 and 2009. Appendix G includes detailed information about outstanding bond issuances secured by tax increment from the Project Area.

⁵ League of Women Voters. *Smart Voter Guide*. <http://www.smartvoter.org/2010/11/02/ca/state/prop/22/>. Accessed January 9, 2011.

f. TI Rebates

The Agency entered into agreements to subsidize two development projects, the 17th Street Garage and the Uptown apartments, through rebates to project developers of a portion of the tax increment generated by those projects. These rebate payments are scheduled through FY 2019-20.

g. Agency Administration

The projections in this Report estimate the Non-Housing Agency administrative costs at an initial amount of approximately \$8 million for FY 2010-11, escalating at three percent annually until the end of plan effectiveness. After the time limit on plan effectiveness, Non-Housing Agency administration is estimated at five percent of gross tax increment. This lower amount reflects reduced staffing and operation costs following the termination of redevelopment projects and activities. As noted above, the administrative cost related to the implementation of the Agency's Affordable Housing Program is paid out of the Agency's Low and Moderate Income Housing Fund.

4. Calculation of Pass-Through Payments

a. Pass-Through Payment Status for Project Area

The Plan Amendment will not change the pass-through obligations in the Project Area, because statutory pass-through payment obligations already exist for all taxing entities levying property taxes in the Project Area. The Agency will continue to make these statutory pass-through payments accordingly after the adoption of the Plan Amendment.

b. Statutory Pass-Through Payments Calculation

The mandated pass-through is calculated based on the difference between the assessed value in the particular year for which the pass through is being calculated and the assessed value of the relevant pass through base year. Each taxing entity receives its proportionate share of pass-through payments, calculated for three tiers. Each taxing entity receives an amount equal to its property tax levy times the increase in assessed value above the relevant pass-through base assessed value, then times a mandated pass through percentage for each of three tiers. Over the life of a redevelopment project, each entity will receive its proportionate share of three tiers of pass-through payments:

Tier One

The Tier One pass through is equal to 25 percent of the tax increment generated from assessed value growth above the relevant Tier One base year value, net of mandatory contributions to the Low and Moderate Income Housing Fund. Therefore the Tier One pass through is typically equal to 25 percent of 80 percent of gross tax increment (20 percent of gross tax increment).

In the Original Area and 1982 Area, the base year value is the FY 2003-04 assessed value and the statutory pass-through obligation began in FY 2004-05, the year following expiration of the

original time limit to incur debt.⁶ The 2001 Area was added after 1994, so the Tier One base year value is identical with the Project Area base year value.

As a result of the proposed ten year extension of the Original Area and 1982 Area, the mandatory contribution to the Low and Moderate Income Housing Fund will increase from 20 percent to 30 percent. Thus, the Tier One pass through would be calculated as 25 percent of the 70 percent of tax increment remaining after the 30 percent contribution to the Low and Moderate Income Housing Fund (17.5 percent of gross tax increment) if the Plan Amendment were adopted.⁷

The City may elect to receive its portion of the Tier One pass-through; however, it cannot participate in the Tier Two and Tier Three pass-through payments. This decision to elect the Tier One pass through is made before the adoption of the Plan Amendment. The City currently receives its portion of Tier One pass-through payments, and this report assumes that the City will continue to receive its Tier One pass through.

Tier Two

Under the CRL, the Tier Two pass through is equal to 21 percent of the gross tax increment generated from assessed value growth above the second tier statutory pass through assessed value base, net of mandatory contributions to the Low and Moderate Income Housing Fund. Therefore the Tier Two pass through is typically equal to 21 percent of 80 percent of gross tax increment (16.8 percent of gross tax increment). This Tier Two pass through is added to the Tier One payment and continues through the remaining life of the Redevelopment Plan.

In the Original Area and 1982 Area, Tier Two pass-through payments will begin in the eleventh year after the Agency began making statutory pass-through payments, projected to be FY 2014-15, and will be based on the incremental growth above the assessed value in the tenth year of tax increment collection.

If the Plan Amendment were adopted, Tier Two payments would begin after adoption. As noted above, the mandatory contribution to the Low and Moderate Income Housing Fund will increase from 20 percent to 30 percent if the ten year extension proposed under the Plan Amendment were adopted. Thus, the Tier Two pass through would be calculated as 21 percent of the 70 percent of tax increment over the Tier Two base value net of the 30 percent contribution to the Low and Moderate Income Housing Fund (14.7 percent of gross tax increment).

In the 2001 area, Tier Two pass-through payments will begin in FY 2012-13, the eleventh year after the Agency began making Tier One payments for the 2001 area. Since the 2001 Area is not being extended, the Tier Two payment for this area will be equal to 21 percent of 80 percent of gross tax increment (16.8 percent of gross tax increment).

Tier Three

The Tier Three pass-through payment is equal to 14 percent of the tax increment generated from assessed value growth above the Tier Three assessed value base, net of mandatory contributions

⁶ As noted above, the Agency repealed the time limit to incur debt by ordinance in 2004.

⁷ Due to Alameda County's treatment of the Original Area and the 1982 Area as a single entity, the Housing Set-aside and pass-through calculations used for the Original Area following the ten year extension is applied to the 1982 Area as well.

to the Low and Moderate Income Housing Fund. Therefore, the Tier Three pass-through is typically equal to 14 percent of 80 percent of gross tax increment (11.2 percent of gross tax increment). This Tier Three pass through is added to the Tier One and Tier Two payments and continues through the life of the Redevelopment Plan.

In the Original Area and 1982 Area, the Tier Three pass-through payments would not begin until FY 2035-36, after which time plan effectiveness will have expired and the Agency will no longer be collecting tax increment. Therefore, there will be no Tier Three payments from the Original or 1982 Area.

In the 2001 Area, the Tier Three payments will begin in FY 2032-33 and will continue for as long as the Agency collects tax increment from this area (FY 2046-47).

G. Tax Increment Projections

1. Incremental Tax Revenues

The Project Area is projected to generate approximately \$2.0 billion in incremental tax revenues in nominal dollars, or \$1 billion in constant 2011 dollars, over the time period for collecting tax increment. Table IV-4 shows how these funds are projected to be distributed to the County for property tax administration, pass-through payments to taxing entities, contributions to the Low and Moderate Income Housing Fund, Agency obligations and redevelopment administration. The tables in Appendix E provide detailed tax increment projections for the Project Area.

The tax increment shown in Table IV-4 reflects the combined revenues over the remaining tax increment collection period of the Project Area under the Plan Amendment (21 years after FY 2010-11 in the Original and 1982 Areas) and the 45-year tax increment collection period of the 2001 Area (36 years after FY 2010-11). Tax increment revenues will accrue over time, with limited revenues in the early years of implementation that will grow as the assessed value of the Amended Project Area increases. For detail on tax increment projections, refer to Appendix E.

H. Financial Feasibility of the Redevelopment Program for the Project Area

Tax increment revenue made possible through the Plan Amendment will provide the critical funding necessary to cover the Agency's costs related to implementing the Redevelopment Program. Section C of this chapter presents the estimated Agency funding requirements of the Redevelopment Program. Section D and Appendix D describe the non-tax increment funding sources that are likely to be available to finance a portion of the Redevelopment Program cost. From these descriptions, it is clear that tax increment revenue made possible through the Plan Amendment will be an essential component needed to fund the Agency's share of the costs of the Redevelopment Program.

To evaluate the feasibility of the Redevelopment Program, the following analysis compares its estimated costs with the projected tax increment related funding sources. As previously shown in Table IV-1, the net tax increment cost to the Agency to complete the Redevelopment Program is estimated to be \$1.2 billion.

Table IV-4
Summary of Project Area Tax Increment Projections
Central District Plan Amendment 2010-11

Project Area Information	Original & 1982	2001	Total
Base Year	FY 1968 - 1969	FY 2001 - 2002	
Time Limit on TI Collection	FY 2031 - 2032	FY 2046 - 2047	
Base Year Assessed Value (AV)	275,240,528	15,780,702	
FY 2010 - 2011 AV	4,385,974,564	98,988,966	
Tax Increment (TI) Projections^a			
<i>Nominal (Future) Dollars</i>			
Incremental Tax Revenues	1,968,179,000	64,907,000	2,033,086,000
Less: County Admin Fee	(13,777,000)	(454,000)	(14,231,000)
Subtotal: TI Remitted to Agency	1,954,402,000	64,453,000	2,018,855,000
Agency Obligations:			
Less: Low and Moderate Income Housing Fund ^b	(486,835,000)	(12,981,000)	(499,816,000)
Less: Additional TI for Housing ^b	(98,409,000)	(3,245,000)	(101,654,000)
Less: Pass-Through Payments ^c	(298,716,000)	(16,777,000)	(315,493,000)
Less: State ERAF Payments	(3,052,000)	0	(3,052,000)
Less: Existing Debt Obligation	(304,928,000)	0	(304,928,000)
Less: TI Rebates ^d	(14,325,000)	0	(14,325,000)
Subtotal: TI Available for Non-Housing Program and Agency Administration	748,137,000	31,450,000	779,587,000
Projected Use of Funds:^e			
Agency Administration	177,526,000	3,489,000	181,015,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>111,477,000</i>	<i>737,000</i>	<i>112,214,000</i>
Housing Redevelopment Program	585,244,000	16,227,000	601,471,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>316,129,000</i>	<i>6,097,000</i>	<i>322,226,000</i>
Non-Housing Redevelopment Program	570,611,000	27,961,000	598,572,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>241,248,000</i>	<i>11,502,000</i>	<i>252,750,000</i>
Total Redevelopment Program	1,333,381,000	47,677,000	1,381,058,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>668,854,000</i>	<i>18,336,000</i>	<i>687,190,000</i>

- a. Figures rounded to the nearest \$1,000. Calculations may not precisely match due to rounding.
b. Refer to Chapter IV, Section F.3.c for description of Low and Moderate Income Housing Fund amounts.
c. Refer to Chapter IV, Section F.3.b for description of pass-through payment calculation.
d. Refer to Chapter IV, Section F.3.f for description of Agency's tax increment rebate obligations.
e. Discounted to constant FY 2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Without the Plan Amendment, the Agency will have insufficient financial capacity to fund the redevelopment activities needed to eliminate blight in the Project Area. As provided for in the Redevelopment Plan governing the Project Area, the existing total amount of tax increment the Agency is eligible to collect is \$1.3 billion. The Agency has received cumulative tax increment of approximately \$841 million through FY 2009-10, leaving \$508 million to be collected under the existing limit. Without the Plan Amendment, the existing tax increment cap would be reached in FY 2017-18. Increasing the tax increment collection limit is necessary for the Agency to be able to incur debt and encounter sufficient tax increment revenue from the Project Area to fund the Redevelopment Program.

Over the life of the Plan Amendment, the Agency is projected to receive about \$2.0 billion in gross tax increment revenue, as shown in Table IV-4. After deducting existing debt service, pass-through payments, contributions to the Low and Moderate Income Housing Fund and all other Agency obligations, the total tax increment revenue available to the Agency for its Non-Housing Redevelopment Program is \$598.6 million. The amount available for the Agency's Affordable Housing Program is \$601.5 million. As shown in Table IV-5, the remaining amount of revenue is sufficient to cover the net cost to the Agency to accomplish the Redevelopment Program.

Although the estimated project costs and projected revenues will vary over time from those presented in this chapter, it is reasonable to conclude that the Redevelopment Program will be financially feasible. The Agency will adopt an annual budget and adopt an Implementation Plan every five years to develop a balanced financial approach to funding the specific action items in the Redevelopment Program. The Agency will assure through its annual budget process that the Redevelopment Program is financially feasible.

Table IV-5
Comparison of Estimated Tax Increment Revenues and Funding Requirements
(Nominal Dollars)
Central District Plan Amendment 2010-11

	Non-Housing	Housing	Total
Net Tax Increment Cost to Agency ^a	\$598,600,000	\$601,500,000	\$1,200,100,000
Future Tax Increment Available to Agency ^b	\$598,600,000	\$601,500,000	\$1,200,100,000
Funding Surplus	\$0	\$0	\$0

a. The net cost of the Agency's non-housing and housing projects after taking into account funding sources other than tax increment revenue, as shown in Table IV-1.

b. Future tax increment to the Agency after deducting county property tax administration, pass-through payments to taxing entities, and Agency administration costs. See Table IV-4 for details.

c. Debt service and tax increment rebate obligations. For details of outstanding bonds, see Appendix G.

Source: Redevelopment Agency of the City of Oakland and Seifel Consulting Inc.

V. Five-Year Implementation Plan

The implementation plan is a guide that incorporates an agency's goals, objectives and potential programs over a five-year implementation plan period, while providing flexibility so the agency may adjust to changing circumstances and new opportunities. The implementation plan describes how an agency plans to implement the goals and objectives in the redevelopment plan in a focused way during a five-year period to eliminate blight and revitalize a project area. An agency will greatly enhance its ability to revitalize a project area by strategically targeting the use of its limited funds. In addition, the implementation plan provides a mechanism for an agency to monitor its progress in meeting its affordable housing obligations as required by CRL.

The Agency adopted the current 2009-2014 Five-Year Implementation Plan (Implementation Plan) in 2009. As the Original Area's plan effectiveness will expire two years earlier than the required five year Implementation Plan cycle under existing time limits, the Agency has amended its 2009-2014 Implementation Plan to reflect additional resources that would support projects during the last two years of the five-year Implementation Plan cycle, as made possible by the Plan Amendment. The amended Implementation Plan is provided in Appendix F.

A. Statutory Requirement

This chapter and Appendix F satisfy CRL Sections 33352(c) and 33333.11(e)(7), which require that a redevelopment agency adopting or amending a redevelopment plan prepare and adopt a five-year implementation plan for the redevelopment project area.

Section 33352(c) states:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(c) An implementation plan that describes specific goals and objectives of the agency, specific projects then proposed by the agency, including a program of actions and expenditures proposed to be made within the first five years of the plan, and a description of how these projects will improve or alleviate the conditions described in Section 33031.

Section 33333.10(e)(7) states:

An amendment to the agency's implementation plan that includes, but is not limited to, the agency's housing responsibilities pursuant to Section 33490. However, the agency shall not be required to hold a separate public hearing on the implementation plan pursuant to subdivision (d) of Section 33490 in addition to the public hearing on the amendment to the redevelopment plan.

B. Analysis

The amended Implementation Plan supplements the description of the Redevelopment Program, as described in Chapter III. The purpose of the Implementation Plan is to describe:

- Specific goals and objectives of the Agency for the Project Area;
- Specific projects proposed by the Agency, including a program of both non-housing and affordable housing actions and expenditures proposed to be made within the next five years; and
- How the Agency's proposed objectives, projects and expenditures will improve or alleviate the blighting conditions in the Project Area (as described in Section 33031), and implement the affordable housing requirements (as described in Sections 33334.2, 33334.4, 33334.6, and 33413).

The Agency's amended Implementation Plan for the Project Area updates the 2009-2014 Five-Year Implementation Plan adopted by the Agency in December 2009, after a duly noticed public hearing. This amended Implementation Plan identifies the additional revenues, projects and activities that would be made possible in the last two years of the Implementation Plan cycle as a result of the Plan Amendment. The Plan Amendment reflects changes in the Agency's Redevelopment Program for the Project Area, and these changes have been incorporated into the Implementation Plan. As stated in the Implementation Plan, the Agency will have an opportunity to update the Implementation Plan, as well as the projects and estimated expenditures, during the Midterm Review process, which will occur within the second and/or third year of the five year implementation plan period, and will be completed no later than June 30, 2012.

VI. Method or Plan for Relocation

The Agency does not anticipate undertaking activities or providing assistance to activities that will result in the displacement of occupants. If Agency acquisition or redevelopment of property with Agency assistance were to result in displacement of occupants, the Agency would comply with applicable relocation requirements.

A. Statutory Requirements

California law stipulates that the report to the legislative body include a relocation plan. Section 33352(f) of the CRL requires that the report to the legislative body contain:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(f) A method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the project area, which method or plan shall include the provision required by Section 33411.1 that no persons or families of low- and moderate-income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by the displaced person or family at rents comparable to those at the time of their displacement.

B. Analysis

The Plan Amendment will not authorize the Agency to have eminent domain authority to acquire property on which persons legally reside, and the Redevelopment Plan does not contemplate the relocation of any households to accomplish its goals. Furthermore, relocation would only be used if it is reasonably necessary to redevelop a property. The Agency would not commence any relocation until it had firm commitments from public funding sources or competent developers that the desired redevelopment of the area would take place in a timely manner, with the least disruption to existing homes and businesses.

Section 700.H of the Redevelopment Plan sets forth the Agency's policy on relocation:

"The Agency shall assist all persons (including individuals and families), business concerns and others displaced by the Project in finding other locations and facilities. In order to carry out the Plan with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business by the Project, the Agency shall assist such persons (including individuals and families), business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations and otherwise suitable to their respective needs. The Agency may also provide housing inside or outside the Project Area for displaced persons.

"The Agency shall make relocation payments to persons (including individuals and families), business concerns and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code

Section 7260 et seq.) and any Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.”

The Agency’s relocation policy complies with CRL Section 33367(d)(7), requiring that a redevelopment agency have a feasible relocation method or plan if the Agency’s plans for redevelopment are to result in the displacement of any households (or businesses) in a project area.

If in the future the Agency were to acquire property by eminent domain, the Agency would comply with the relocation requirements of applicable law, if such acquisition were to result in displacement of occupants. Any use of eminent domain in the Project Area would occur only after specific conditions and negotiation procedures were met, as outlined in the Redevelopment Plan and in California state law.

VII. Analysis of the Preliminary Plan

This chapter discusses the requirement for a Preliminary Plan and why a Preliminary Plan is not required for this Plan Amendment.

A. Statutory Requirements

CRL Section 33352(g) states:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(g) An analysis of the preliminary plan.

B. Analysis

As the Plan Amendment does not propose to include additional territory in redevelopment, a preliminary plan is not required.

VIII. Planning Commission Report and Recommendations

The Planning Commission considered the Plan Amendment for its conformance with the General Plan of the City of Oakland and made recommendations regarding approval and adoption of the Plan Amendment on July 6, 2011. This chapter discusses the Planning Commission report and recommendations for the Plan Amendment, as required by the CRL.

A. Statutory Requirements

CRL Section 33352(h) and (j) state:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing ...the following:

- (h) The report and recommendations of the planning commission.*
- (j) The report required by Section 65402 of the Government Code.*

Section 65402 of the Government Code states in pertinent part:

- (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.*
- (c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overridden by the local agency.*

The following sections of the CRL describe the purpose and requirements for review of a redevelopment plan (or plan amendment) by the Planning Commission:

Before the redevelopment plan of each project area is submitted to the legislative body, it shall be submitted to the planning commission for its report and recommendation concerning the redevelopment plan and its conformity to the general plan adopted by the planning commission or the legislative body. The planning commission may recommend for or against the approval of the redevelopment plan. [Section 33346]

Within 30 days after a redevelopment plan is submitted to it for consideration, the planning commission shall make and file its report and recommendation with the agency. If the planning commission does not report upon the redevelopment plan within 30 days after its submission by the agency, the planning commission shall be deemed to have waived its report and recommendations concerning the plan and the agency may thereafter approve the plan without the report and recommendations of the planning commission. [Section 33347]

For plan amendments that extend by ten years the time limit for plan effectiveness and tax increment collection, per SB 211, CRL Section 33333.11(f) requires that:

No later than 120 days prior to holding a public hearing on the proposed amendment, the agency shall send the proposed amendment to the planning commission. If the planning commission does not report upon the amendment within 30 days after its submission by the agency, the planning commission shall be deemed to have waived its report and recommendations concerning the amendment.

Section 33333.11(h)(2) requires that no later than 45 days prior to the joint public hearing on the proposed amendment by the agency or the joint public hearing by the agency and the legislative body, The CRL requires that the agency adopt a report to the legislative body containing:

The report and recommendations of the planning commission.

B. Analysis

On July 6, 2011, the Agency referred the Plan Amendment to the Planning Commission for its report and recommendation. On July 6, 2011, the Planning Commission reviewed the Plan Amendment for its conformance with the General Plan. The Planning Commission found the Plan Amendment to be in conformance with the Oakland General Plan, based on the fact that land use designations in the Plan Amendment are the same as the land use designations in the City's General Plan. The Planning Commission transmitted to the Agency its report and recommendation to approve the Plan Amendment.

The report and recommendations of the Planning Commission on the Plan Amendment are incorporated in this Report by this reference, and the documentation are available on the City's website (<http://www2.oaklandnet.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>). Links to the documents are located under the Quick Facts section, under "Documents."

Additionally, the staff report to the Planning Commission and the report and recommendation of the Planning Commission will be provided in an addendum/supplement to this Report.

IX. Summary of Public Review of the Plan Amendment

The Agency has provided extensive opportunities for the public to participate and comment during the Plan Amendment process.

A. Statutory Requirements

This Chapter presents a summary of the Agency's consultations with the community as required by Section 33352(i) of the CRL, which states:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(i) The summary referred to in Section 33387.

Section 33333.11(h)(5) provides additional requirements and requires the report to the legislative body include:

(ii) A summary of the consultation with residents and community organizations, including the project area committee, if any.

CRL Section 33387 refers to the Agency's consultations with the Project Area Committee (PAC) and the summary of the record of PAC proceedings:

Minutes of all the meetings of the redevelopment agency with the project area committee, which meetings shall be open and public, together with a record of all information presented to the project area committee by the redevelopment agency or by the project area committee for the redevelopment agency for the purpose of carrying out the provisions of this article shall be maintained by the redevelopment agency. Such minutes and record shall be open to public inspection and a summary of such record shall be included in the report to the legislative body, submitted by the agency pursuant to Section 33352.

1. PAC Formation

Section 33385 of the CRL requires the legislative body to form a PAC for a proposed plan or plan amendment in either of the following situations:

(1) A substantial number of low-income persons or moderate-income persons, or both, reside within the project area, and the redevelopment plan as adopted will contain authority for the agency to acquire, by eminent domain, property on which any persons reside.

The redevelopment plan as adopted contains one or more public projects that will displace a substantial number of low-income persons or moderate-income persons, or both.

Section 33385.3(a) of the CRL requires the legislative body to form a PAC for a proposed plan amendment in the following situations:

If a project area committee does not exist, and the agency proposes to amend a redevelopment plan, the agency shall establish a project area committee pursuant to Section 33385 if the proposed amendment to a redevelopment plan would do either of the following:

- 1) Grant the authority to the agency to acquire by eminent domain property on which persons reside in a project area in which a substantial number of low- and moderate-income persons reside.*
- 2) Add territory in which a substantial number of low- and moderate-income persons reside and grant the authority to the agency to acquire by eminent domain property on which persons reside in the added territory. The project area committee may be composed of persons from only the added territory or both the added area and the existing project area.*

2. Agency Public Hearing

Sections 33348 and 33349 of the CRL address the Agency's hearing on the Plan Amendment.

Section 33348 of the CRL states:

Before the approval of a redevelopment plan by the agency, the agency shall conduct a public hearing on it.

Section 33349 requires the following:

- (a) The agency shall publish notice of the hearing not less than once a week for four successive weeks prior to the hearing. The notice shall be published in a newspaper of general circulation, printed and published in the community, or if there is none, in a newspaper selected by the agency. The notice of hearing shall include a legible map of the boundaries of the area or areas designated in the proposed redevelopment plan and a general statement of the scope and objectives of the plan in nontechnical language and in a clear and coherent manner using words with common and everyday meaning...*
- (b) Copies of the notices published pursuant to this section shall be mailed, by first-class mail, to the last known assessee of each parcel of land in the area designated in the redevelopment plan, at his or her last known address as shown on the last equalized assessment roll of the county; or where a city assesses, levies, and collects its own taxes, as shown on the last equalized assessment roll of the city; or to the owner of each parcel of land within the boundaries of the area or areas designated in the proposed redevelopment plan, as shown on the records of the county recorder 30 days prior to the date the notice is published.*
- (c) (1) Notice shall also be provided, by first-class mail, to all residents and businesses within the project area at least 30 days prior to the hearing.*
 - (2) The mailed notice requirement of this subdivision shall only apply when mailing addresses to all individuals and businesses, or to all occupants, are obtainable by the agency at a reasonable cost. The notice shall be mailed by first-class mail, but may be addressed to "occupant." If the agency has acted in good faith to comply with the notice requirements of this subdivision, the failure of the agency to provide the required notice to residents or businesses unknown to the agency or whose addresses*

cannot be obtained at a reasonable cost, shall not, in and of itself, invalidate a redevelopment plan or amendment to a redevelopment plan.

CRL Sections 33333.11(b) and 33452 further address the Agency's public hearing and noticing requirements:

Section 33333.11(b) states:

Before adopting an amendment of the plan, the agency shall hold a public hearing on the proposed amendment. The notice of the public hearing shall comply with Section 33452.

Section 33452 requires the following:

- (a) Notice of the hearing shall be published pursuant to Section 6063 of the Government Code prior to the date of hearing in a newspaper of general circulation, printed and published in the community, or, if there is none, in a newspaper selected by the agency. The notice of hearing shall include a legal description of the boundaries of the project area by reference to the description recorded with the county recorder pursuant to Section 33373 and of the boundaries of the land proposed to be added to the project area, if any, and a general statement of the purpose of the amendment.*
- (b) Copies of the notices published pursuant to this section shall be mailed by first-class mail, to the last known assessee of each parcel of land not owned by the agency within the boundaries referred to in subdivision (a), at his or her last known address as shown on the last equalized assessment roll of the county; or where a city assesses, levies, and collects its own taxes, as shown on the last equalized assessment roll of the city; or to the owner of each parcel of land within these boundaries as the ownership is shown on the records of the county recorder 30 days prior to the date the notice is published, and to persons, firms, or corporations which have acquired property within these boundaries from the agency, at his or her last known address as shown by the records of the agency.*
- (c) (1) Copies of the notice published pursuant to this section shall be mailed, by firstclass mail, to all residents and businesses within the project area designated in the redevelopment plan as proposed to be amended at least 30 days prior to the hearing.*
- (2) The mailed notice requirement of this subdivision shall only apply when mailing addresses to all individuals and businesses, or to all occupants, are obtained by the agency at a reasonable cost. The notice may be addresses to "occupant." If the agency acted in good faith to comply with the notice requirements of this subdivision, the failure of the agency to provide the required notice to residents or businesses unknown to the agency or whose addresses cannot be obtained at a reasonable cost, shall not, in and of itself, invalidate an amendment to a redevelopment plan.*

3. Legislative Body Public Hearing

Sections 33360 and 33361 of the CRL addresses the legislative body's hearing on the Plan Amendment. Specifically, Section 33360 states:

The legislative body at a public hearing shall consider the redevelopment plan submitted by the agency. The legislative body may adjourn the hearing from time to time.

Section 33361 of the CRL requires:

Notice of the public hearing shall be given by publication not less than once a week for four successive weeks in a newspaper of general circulation published in the county in which the land lies. The notice shall:

- (a) Describe specifically the boundaries of the proposed redevelopment project area; and*
- (b) State the day, hour and place when and where any and all persons having any objections to the proposed redevelopment plan or who deny the existence of blight in the proposed project area, or the regularity of any of the prior proceedings, may appear before the legislative body and show cause why the proposed plan should not be adopted.*

B. Analysis

The Agency has received and will continue to receive public input regarding the proposed Plan Amendment, as described in this section.

1. Project Area Committee

The Agency was not required to establish a PAC for the Plan Amendment because under the Plan Amendment, the Agency would not be acquiring by eminent domain property in which a substantial number of low- and moderate-income persons reside nor would the Plan Amendment be adding territory. Consequently, the Plan Amendment does not trigger the requirement for formation of a PAC as cited in 33385.3(a).

2. Community Meeting and Public Review of Documents

Pursuant to Section 33333.11(h)(5), the Agency consulted with residents and community organizations in the Project Area. Agency staff posted on its website and sent out 80 letters, inviting residential and community organizations to an informational session on Wednesday, April 27, 2011. Agency staff prepared a presentation for the meeting; however, no residents or community organizations attended the informational session.

On June 14, 2011, Agency staff met with the Chinatown Chamber of Commerce (CCC) to discuss the Plan Amendment and solicit feedback from the CCC. Following a presentation by Agency staff, CCC members and Agency staff discussed the Agency's affordable housing requirements, potential location of future affordable housing, the Agency's outreach efforts, budgeting process, and Plan Amendment EIR components.

Additionally, the Agency made available, the Preliminary Report, serving as the Report to State Departments, and other documents associated with the Plan Amendment on the Agency's website (<http://www2.oaklandnct.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>), as well as at the City Clerk's Office, so that the general public would have an opportunity to review and comment on the documents prepared for the Plan Amendment.

3. Joint Public Hearing

In addition to the public participation methods described above, the Agency and the City Council will consult and obtain the advice of residents and community organizations on the adoption of

the Plan Amendment at the joint public hearing on the Plan Amendment. Per CRL Sections 33349 and 33452, the Agency will send a first class mailing containing the required notice of the joint public hearing to the last known assessee (the "property owner") of each parcel of land not owned by the Agency in the Project Area; to persons, firms or corporations which have acquired property within the Project Area from the Agency; and to all residents and businesses within the Project Area ("occupants") within the Project Area. The Agency is also required to send by certified mail with return receipt requested, the notice of the joint public hearing to the governing body of each affected taxing agency. The notice will explain the purpose of the joint public hearing and contain other pertinent information, such as the meeting date, time and location. As prescribed by CRL Section 33349 and Government Code 6063, the hearing will be advertised in a newspaper of general circulation (the Oakland Tribune, a daily newspaper serving the City of Oakland and the broader Oakland community) once a week for four successive weeks prior to the public hearing. The Agency will respond to any written objections from property owners and taxing agencies in writing and such written response will become a part of the record of the adoption of the Plan Amendment.

The Agency is anticipated to will recommend adoption of the Amendments to Council and request a joint public hearing regarding the Plan Amendment at the Community and Economic Development Committee (CED) on September 13, 2011. Subsequently, the Rules Committee will schedule the joint public hearing. The joint public hearing is anticipated to be held on September 20, 2011.

Appendix H includes the documents related to the public review process.

X. Environmental Review

The Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (Final EIR) for the Plan Amendment have been prepared by the City of Oakland. The Draft and Final SEIR (together, the EIR) provide the environmental documentation required by the CRL and the California Environmental Quality Act (CEQA) for the Plan Amendment, and are incorporated by this reference into this Report, in compliance with Section 33352(k) of the CRL.

A. Statutory Requirements

Section 33352(k) of the CRL requires that a report to the legislative body include the report required by Section 21151 of the Public Resources Code.

CRL Section 33352(k) states:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(k) the report required by Section 21151 of the Public Resources Code.

CA Public Resources Code Section 21151 states:

(a) All local agencies shall prepare, or cause to be prepared by contract, and certify the completion of an environmental impact report on any project that they intend to carry out or approve which may have a significant effect on the environment. When a report is required by Section 65402 of the Government Code, the environmental impact report may be submitted as a part of that report.

(b) For purposes of this section, any significant effect on the environment shall be limited to substantial, or potentially substantial, adverse changes in physical conditions which exist within the area as defined in Section 21060.5.

(c) If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any.

Furthermore, CRL 33333.11 (h)(3) requires the report to the legislative body include:

A negative declaration, environmental impact report or other document that is required in order to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code.

B. Analysis

The EIR is intended to serve as a public disclosure document. It identifies and describes environmental impacts associated with the Plan Amendment that are expected to be significant and describes mitigation measures that could minimize or eliminate significant adverse impacts. The EIR also identifies and evaluates a range of reasonable alternatives to the Plan Amendment. The EIR is incorporated in this Report by this reference.

As required by law, the Draft EIR was distributed to the affected taxing entities, the State Clearinghouse, all State trustee agencies, and other interested parties on March 18, 2011. The public review period for the Draft EIR was March 19, 2011 to May 2, 2011. On June 17, 2011, the Final EIR was completed and submitted to the Planning Commission for its report and recommendation and to all entities that commented on the Draft EIR. The Final EIR includes responses to all comments received on the Draft EIR. The staff report to the Planning Commission recommending adoption of the EIR was transmitted on July 6, 2011, pursuant to Section 21151 of the Public Resources Code. The staff report was also transmitted to all commenting public agencies.

The City Council is anticipated to approve the EIR on September 20, 2011.

Chapter XIII of this Report includes the "Neighborhood Impact Report," a summary of the neighborhood impacts of the redevelopment activities associated with the Plan Amendment, as addressed by the Draft EIR.

XI. Analysis of the County Fiscal Officer's Report

Section 33352(1) of the CRL requires under certain circumstances that a Report to Council contain the County Fiscal Officer's Report (33328 Report), and Section 33352(n) requires inclusion of the analysis of the County Fiscal Officer's Report. This chapter of the Report to Council explains why the County Fiscal Officer's Report and analysis is not required under the Plan Amendment.

A. Statutory Requirements

Section 33352(1) of the CRL requires:

The report of the county fiscal officer as required by Section 33328.

Section 33352(n) of the CRL requires:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

An analysis by the agency of the report submitted by the county as required by Section 33328...

B. Analysis

Because the Plan Amendment does not add new territory to the Project Area, the County Fiscal Officer's Report is not required. Therefore, an analysis of the County Fiscal Officer's Report is also not required. A summary of consultations with the affected taxing entities is included in Chapter XII of this Report.

XII. Summary of Consultations with Taxing Entities

Sections 33328 and 33333.11(c) of the CRL requires that prior to a public hearing on the Plan Amendment, the Agency must consult with each taxing entity that levies taxes, or for which taxes are levied, on property in the Project Area. The Agency must consult on the Plan Amendment and the allocation of tax increment revenues.

An analysis by the agency of the report submitted by the county as required by Section 33328, which shall include a summary of the consultation of the agency, or attempts to consult by the agency, with each of the affected taxing entities as required by Section 33328. If any of the affected taxing entities have expressed written objections or concerns with the proposed project area as part of these consultations, the agency shall include a response to these concerns, additional information, if any, and, at the discretion of the agency, proposed or adopted mitigation measures.

A. Statutory Requirements

CRL Section 33328 requires that:

Prior to the publication of notice of the legislative body's public hearing on the plan, the agency shall consult with each taxing agency which levies taxes, or for which taxes are levied, on property in the project area with respect to the plan and to the allocation of taxes pursuant to Section 33670.

CRL Section 33352(n) provides the following:

Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing...the following:

(n) (1) An analysis by the agency of the report submitted by the county as required by Section 33328, which shall include a summary of the consultation of the agency, or attempts to consult by the agency, with each of the affected taxing entities as required by Section 33328. If any of the affected taxing entities have expressed written objections or concerns with the proposed project area as part of these consultations, the agency shall include a response to these concerns, additional information, if any, and, at the discretion of the agency, proposed or adopted mitigation measures.

(2) As used in this subdivision:

(A) "Mitigation measures" may include the amendment of the redevelopment plan with respect to the size or location of the project area, time duration, total amount of tax increment to be received by the agency, or the proposed use, size, density, or location of development to be assisted by the agency.

(B) "Mitigation measures" shall not include obligations to make payments to any affected taxing entity.

CRL Section 33333.11(c) states:

Prior to the publication of the notice of the public hearing on the proposed amendment, the agency shall consult with each affected taxing agency with respect to the proposed amendment. At a minimum, the agency shall give each affected taxing agency the opportunity to meet with representatives of the agency for the purpose of discussing the effect of the

proposed amendment upon the affected taxing agency and shall notify each affected taxing agency that any written comments from the affected taxing agency will be included in the report to the legislative body.

CRL Section 33333.11(h) requires the report to the legislative body include:

No later than 45 days prior to the public hearing on the proposed amendment by the agency or the joint public hearing by the agency and the legislative body, the agency shall adopt a report to the legislative body containing all of the following:

(4) A summary of the consultations with the affected taxing entities. If any of the affected taxing entities, a project area committee, if any, residents, or community organizations have expressed written objections or concerns with the proposed amendment as part of these consultations, the agency shall include a response to these concerns.

B. Taxing Entities Affected by the Plan Amendment

The following taxing entities are affected by the Plan Amendment:

- Alameda County General Fund
- Peralta Community College District
- Oakland Unified School District
- Alameda County Office of Education Superintendent Institute Pupils
- Alameda County Office of Education Superintendent Juvenile Hall Education
- Alameda County Office of Education Superintendent Service
- Alameda County Office of Education Superintendent Capital
- Alameda County Flood Control and Water Conservation District
- Alameda County Flood Control and Water Conservation District, Flood Control Zone 12
- Bay Area Air Quality Management District
- Alameda County Mosquito Abatement District
- AC Transit Special District 1
- Bay Area Rapid Transit District
- East Bay Regional Parks District
- East Bay Municipal Utilities District
- East Bay Municipal Utilities District Special District
- City of Oakland
- Oakland Knowland Zoo District
- Educational Revenue Augmentation Fund (ERAF)

C. Communications with Taxing Entities

On March 29, 2011, at least 120 days prior to the scheduled public hearing on the Plan Amendment anticipated to be scheduled for September 20, 2011, the Agency transmitted a copy of the Preliminary Report, draft City Council adopting ordinance and draft Agency resolution to

the governing body of each affected taxing entity.¹ The DEIR on the Plan Amendment was sent to the governing body of each affected taxing entity on March 18, 2011. The transmittal letter included with the Preliminary Report notified the taxing entities of the tentatively scheduled September 20, 2011 public hearing and described the Agency's plan to conduct taxing entity consultations.

The Agency is anticipated to send the taxing entities a notice of the Joint Public Hearing on the Plan Amendment and the Report to Council on the Plan Amendment in August 2011. The taxing agencies will continue to have the opportunity to comment on the Plan Amendment at, or prior to, the Joint Public Hearing of the Agency and City Council. Notice of these hearings will be sent by certified mail to County officials and affected taxing agencies at least forty-five (45) days prior to the Joint Public Hearing of the Agency and City Council.

D. Meeting with Taxing Entities

From April 2011 through June 2011, the Agency made multiple phone calls to affected taxing entities to confirm receipt of the Preliminary Report and to discuss the Plan Amendment. During these calls, Agency staff responded to comments and questions and offered opportunities to meet in person. The Agency held a meeting with affected taxing entities on Friday, June 10, 2011 from 2:30 to 4:00 PM, at 250 Frank H. Ogawa Plaza, Suite 5313 (5th Floor), Dunsmuir Conference Room. A presentation was given regarding the amendment process and future projects in the Project Area. Agency staff responded to comments and questions. Representatives from Alameda County, the Peralta Community College District and the City Planning Commission attended the meeting.

Appendix I includes a log of consultations, or attempted consultations with affected taxing entities, as well as a list of attendees at the June 10, 2011 meeting.

E. Comments Received from Taxing Entities and Agency Responses

Several topics were discussed at the June 10, 2011 meeting. Representatives from Alameda County inquired about pass-through agreements, planned developments in the 1982 Area, location of future projects, and possible infrastructure improvements on Jackson and 12th Streets and the surrounding historic courthouse, County garage and Clay Street garage.

Following the June 10, 2011 meeting, two written comments were received from affected taxing entities. The Peralta Community College District prepared a written comment. Alameda County submitted comments to the Agency, raising concerns about the target areas for use of Agency funds and the blighted conditions of the roads and buildings in the area between the Lake Merritt BART station, Peralta College and the Scottish Rite Center. Written comments from these two taxing entities and the Agency's responses are included in Appendix I.

¹ Per Section 33333.11(c), the Agency is required to send the preliminary report no later than 120 days before the date set for the joint public hearing on the Plan Amendment to affected taxing entities.

If any further written comments are received from the taxing entities prior to or at the public hearing, the City/Agency will respond in writing, and those letters and such responses will be presented to the City Council, as an addendum to this Report, for approval prior to any action to adopt the Plan Amendment.

The Agency responded to questions and comments during the consultation with taxing entities via email and phone calls and at the June 10, 2011 taxing entity meeting. The Agency will prepare written responses to the written comments received from the Peralta Community College District and Alameda County.

Appendix I includes the written comments received from affected taxing entities and the Agency's responses to the written comments.

XIII. Neighborhood Impact Report

A. Introduction

Section 33352(m) of the CRL states that a report to the legislative body must contain a neighborhood impact report if the proposed project area contains low or moderate-income housing. Because the Project Area contains low and moderate-income residential housing, a neighborhood impact report is required.

CRL Sections 33333.10 and 33333.11 describe the actions a redevelopment agency must take to adopt a plan amendment extending the time limit for plan effectiveness and tax increment collection, as the proposed Plan Amendment to the Central District Urban Renewal Plan would do. Per Section 33333.11(h), the Report to Council must contain the information contained in the preliminary report, including a new neighborhood impact report, pursuant to Section 33333.11(e)(8), if the plan amendment meets the criteria set forth in Section 33352(m), namely that the affected project area contains low or moderate-income housing. The Project Area does contain low or moderate-income housing, so this Preliminary Report is required to contain a Neighborhood Impact Report.

This chapter is the Neighborhood Impact Report, meeting these CRL requirements. The Neighborhood Impact Report summarizes the potential impacts of the Plan Amendment on the residents of the Project Area and surrounding areas.

The Draft Environmental Impact Report for the 17th Amendment to the Central District Redevelopment Plan (DEIR) prepared by ESA Associates for the Agency is the source of much of the information included in this chapter.¹ All neighborhood impacts described in this analysis are from the DEIR, unless otherwise noted.

1. Chapter Organization

This chapter is organized into the following sections:

- A. Introduction
- B. Statutory Requirements
- C. Analysis Overview
- D. Neighborhood Impacts
- E. Low or Moderate Income Housing
- F. Summary

¹ *Draft Environmental Report for the Proposed Amendments to the Central District Urban Renewal Plan*, March 17, 2011. Both the Planning Commission and Agency Commission are expected to consider certifying the Final EIR as accurate, complete and in compliance with CEQA on July 6, 2011.

B. Statutory Requirements

Section 33352(m) of the CRL requires that this Report include a neighborhood impact report:

If the project area contains low- or moderate-income housing, a neighborhood impact report which describes in detail the impact of the project upon the residents of the project area and the surrounding areas, in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report shall also include all of the following:

- (1) The number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of a redevelopment project*
- (2) The number of persons and families of low or moderate income expected to be displaced by the project.*
- (3) The general location of housing to be rehabilitated, developed, or constructed pursuant to Section 33413.*
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, other than replacement housing.*
- (5) The projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation.*
- (6) A projected timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.*

Section 33333.11(e)(8) requires:

A new neighborhood impact report if required by subdivision (m) of Section 33352.

C. Analysis Overview

1. Summary of Plan Amendment

The intent of the Plan Amendment is to provide a means for the Agency to continue and expand activities to eliminate adverse physical and economic blighting conditions and facilitate the continued revitalization of the Project Area. To achieve these goals, the Plan Amendment would:

- Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a proposed revised limit of \$3.0 billion.
- Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for ten years to June 12, 2022, as authorized by CRL Section 33333.10.
- Extend the time limit for tax increment collection from the Project Area (other than the 2001 Area) for ten years to June 12, 2032, as authorized by CRL Section 33333.10.

- Extend the time limit for eminent domain authority for up to 12 years but no longer than the plan effectiveness limits for the Project Area.²
- Update various text provisions to conform to the requirements of the CRL in connection with the time extension amendments, including extending the affordable housing area production obligation, pursuant to CRL Section 33413(b) to the entire Project Area (other than the 2001 Area), and increasing the set-aside to the Agency's Low and Moderate Income Fund to 30 percent (other than the 2001 Area).

The Plan Amendment would provide for implementation of a combination of redevelopment activities in the Project Area within the Agency's Redevelopment Program categories, which include the broad areas of:

1. Real Estate Development
2. Community Enhancement
3. Affordable Housing

For a more detailed description of the Redevelopment Program, please refer to Chapter III and the Plan Amendment.

2. Draft EIR for the 17th Amendment to the Central District Redevelopment Plan

This Neighborhood Impact Report is based on analysis in the Draft EIR (DEIR) prepared in connection with the Plan Amendment. (Certification of the Final EIR is expected to be considered by the City Council, Agency Board, and Planning Commission in the summer of 2011.) In accordance with Public Resources Code Section 21002.1, the purpose of the EIR is to identify the significant environmental impacts of the Project, to identify alternatives to the Project, and to indicate the manner in which those significant effects could be mitigated or avoided.³

The EIR is a Redevelopment Plan EIR, and is treated as a Program EIR, pursuant to CEQA Guidelines Section 15180(a). As permitted by CEQA Guidelines Section 15180(c) and 15168, the DEIR considers all actions under the proposed Plan Amendment as one project because they will take place in one geographic location, the Central District Project Area. The DEIR addresses all environmental topics identified in the City of Oakland's CEQA Thresholds/Criteria of Significance document.⁴

The DEIR evaluates the environmental effects facilitated by the Plan Amendment at a project level of detail and examines all phases, including planning, construction and operation, as well as the direct, indirect and cumulative impacts that might result. It also provides mitigation measures, if possible, that could minimize or eliminate significant adverse impacts.

² The Agency would not be authorized to employ the power of eminent domain to acquire property on which persons legally reside.

³ DEIR, p. 1-6.

⁴ DEIR, p. 1-2.

A summary of these impacts, organized for the purposes of meeting the statutory requirements of the Neighborhood Impact Report, is presented below. Refer to the DEIR for a full description of anticipated impacts and proposed mitigation measures.

D. Neighborhood Impacts

The Agency's redevelopment projects and activities are facilitating the revitalization of the Project Area. The Plan Amendment will support this revitalization by alleviating physical and economic blighting conditions, stimulating private investment, improving housing conditions and infrastructure, and providing tax increment funds for redevelopment activities.

The residents of the Project Area and surrounding areas would benefit from redevelopment activities through:

- Improved transportation and circulation;
- Development of retail, cultural, and recreational facilities and amenities catalyzing area revitalization;
- Upgraded, modernized and expanded public infrastructure; and
- Revitalization of the Project Area through business attraction, retention and expansion.

This growth and stabilization will in turn produce specific impacts, which are discussed in the following sections.

This section describes the impact of the Project on the residents of the Project Area and the surrounding areas, in the categories set forth in the CRL:

1. Relocation
2. Traffic Circulation
3. Environmental Quality
4. Availability of Community Facilities and Services
5. Effect on School Population and Quality of Education
6. Property Assessments and Taxes
7. Other Matters Affecting the Physical and Social Quality of the Neighborhood

1. Relocation

As necessary, the Agency will provide relocation assistance and benefits in accordance with the CRL and the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, and will meet applicable federal, state and local regulations.

a. Relocation of Residents

If any persons are displaced from residential dwellings as a result of Agency-assisted redevelopment activities, the Agency shall assist them in finding other locations and facilities that are decent, safe, sanitary, within their financial means, in reasonably convenient locations, and otherwise suitable to their respective needs. This may include providing housing inside or outside the Project Area for displaced individuals and families, and/or relocation payments to individuals

and families for moving expenses, replacement housing expenses, and direct losses of personal property, as described in the Redevelopment Plan.⁵

b. Relocation of Businesses

If any businesses are displaced as a result of Agency-assisted redevelopment activities, the Agency will help them find other locations and facilities that are suitable to their respective needs. As described in the Redevelopment Plan, relocation assistance may include providing relocation payments to businesses for moving expenses, reestablishment expenses, search costs, and direct losses of personal property.⁶

Additionally, the Agency will mitigate potential adverse impacts from business relocation by meeting the relocation assistance and business preference rules mandated by the CRL. The CRL requires public agencies to provide relocation assistance and benefits to displaced businesses. Specifically, the CRL requires redevelopment agencies to take the following measures to reduce any business displacement impacts of redevelopment actions:

The Agency must extend reasonable preferences to persons who are engaged in redevelopment area businesses who are displaced by Agency actions to re-enter in business within the redevelopment area if their activities otherwise meet the requirements of the redevelopment plan.

The owners of an acquired property must be given a reasonable opportunity to participate in the project, provided that such participation is consistent with the requirements and goals and objectives of the plan.

2. Traffic Circulation

The Project Area is served by regional roadways including I-680, I-880, I-980, SR 24 and SR 60; local roadways including Broadway, Grand Avenue, 27th Street, 14th Street, San Pablo Avenue, Harrison Street, and Embarcadero. It is also served by public transit services operated by AC Transit, BART, and Amtrak; ferry services to Alameda and San Francisco operated by the Water Emergency Transportation Authority (WETA); and pedestrian and bicycle facilities.

The Plan Amendment is expected to result in the following developments that would generate higher traffic and demand for transportation services:

- Valdez Triangle Alternative 3: 1.1 million square feet of commercial/retail space, 752 multifamily housing units and a 150,000 square foot hotel in the area bounded by Broadway, 27th Street, Harrison Street, and 23rd Street.
- Victory Court Ballpark: 39,000 seat ballpark, up to 180,000 square feet of retail space, 540,000 square feet of office space, and 700 multifamily housing units in the area bounded by Oak Street, I-880, Lake Merritt Channel, and the railroad tracks.⁷
- 1800 San Pablo Avenue: 110,000 square feet of retail.

⁵ Central District Urban Renewal Plan, June 12, 1969, as amended up to June 20, 2006, p.30

⁶ Central District Urban Renewal Plan, June 12, 1969, as amended up to June 20, 2006, p.30.

⁷ Half of the proposed ballpark would be inside the Project Area, and half would be outside. All of the proposed retail space, office space, and housing units in the Victory Court Ballpark development would be inside the Project Area.

- About 608 affordable housing units distributed throughout the Project Area.

Because the size and location of most future projects under the Redevelopment Plan are not known, and individual future developments will be subject to further CEQA review, impacts of the Project on traffic have not been evaluated at the intersection level. However, the DEIR has projected Project impacts at the road segment level.⁸

The DEIR projects that these developments will degrade levels of service (LOS) on roadway segments in the Project Area. Most roadway segments are expected to maintain acceptable levels of service after the anticipated developments (D or better); however, two roadway segments are expected to have unacceptable levels of service: Grand Avenue between Harrison Street and I-580 (LOS E during PM Peak Hour) and Embarcadero east of 5th Avenue (LOS F during PM Peak Hour).

The DEIR identifies the increased traffic volumes on these roadway segments as a “significant” environmental impact requiring mitigation. Two mitigation measures are planned:

1. Prior to approval of any application for a development project, which may adversely affect these roadway segments, the applicant must conduct a Traffic Impact Study (TIS) to determine whether the development project will create a significant impact on the roadway segments.
2. Depending on the results of the TIS, the project applicant’s traffic engineer must evaluate the feasibility of, and implement if the City determines feasible, the following:
 - New traffic signals and other roadway improvements supporting the movement of vehicle traffic as well as all other modes of traffic to and through the intersection.
 - Modified signal operation or phasing.
 - Changed lane assignments.
 - Bicycle and pedestrian facilities.
 - Optimized signal timing for peak hours.

These mitigation measures would be applied by the City on a case-by-case basis, as appropriate. These measures are expected to reduce impacts to congested roadway segments. Actual impacts cannot be projected, given that future development projects are not yet known. Therefore the DEIR conservatively projects that significant and unavoidable impacts will remain on some particularly congested roadway segments, even after these mitigation measures are taken, and classifies the impact on roadway segments as “significant and unavoidable.”

3. Environmental Quality

Redevelopment activities will generally enhance the environmental quality of the Project Area by improving neighborhoods. The basic redevelopment objective of blight elimination, which the Plan Amendment would make possible, is a positive environmental impact.

The Plan Amendment would facilitate specific impacts on the quality of the environment. The DEIR fully evaluates these environmental impacts and the significance of each impact; and

⁸ Full analysis of transportation impacts is presented in DEIR Section 4.12.

identities mitigation measures, where possible, to minimize or eliminate significant adverse impacts. The impacts associated with environmental quality are listed below along with the citation of the section of the DEIR that details these factors.

- Air Quality and Greenhouse Gases (Section 4.2)
- Biological Resources (Section 4.3)
- Geology, Soils and Geohazards (Section 4.5)
- Hazardous Materials (Section 4.6)
- Hydrology and Water Quality (Section 4.7)

4. Availability of Community Facilities and Services

The Plan Amendment could increase use of and demand for community facilities and services including police, fire and emergency services; school facilities; parks and recreational facilities; water supplies; energy supplies; and storm and sanitary sewer facilities. However, the DEIR has concluded that these increases would not exceed the current capacity of any of these services or facilities, and has categorized the impacts as “less than significant”.

The Plan Amendment and the Agency’s Redevelopment Program will help alleviate these impacts by providing resources to help create and improve community facilities and services within the Project Area. The impacts associated with community facilities and services are listed below along with the citation of the section of the DEIR that details these components:

- Public Services and Recreation Facilities, including police services, fire and emergency medical services, public schools, parks and recreational facilities (Section 4.11)
- Utilities and Service Systems, including water supply, sanitary sewer, storm sewer and energy services (Section 4.13)

The Plan Amendment would facilitate the development of new recreational facilities, enhance existing recreational amenities, improve public utility systems, and support public services. In summary, the Plan Amendment would assist in producing positive improvements to community facilities and services that otherwise would not be possible.

5. Effect on School Population and Quality of Education

The Oakland Unified School District (OUSD) operates public schools in the City. The OUSD operates 77 elementary schools, 19 middle schools, 31 high schools, two K-12 schools, three alternative schools, two special education schools, three continuation schools, three community day schools, and one opportunity school.⁹

Most of the Project Area falls inside OUSD District 3. Some blocks between 14th Street, Broadway, and I-880 are inside OUSD District 2. Westlake Middle School and Lincoln Elementary School are inside the Project Area. Outside the Project Area but nearby are Street Academy Alternative School of Choice, Dewey Academy Continuation School, La Escuelita Elementary, Metwest Alternative School of Choice, Lafayette Elementary, and Martin Luther King, Jr. Elementary. Also outside the Project Area but nearby is the Downtown Education

⁹ DEIR, Section 4.11 further details in this section are also provided by the DEIR.

Project, currently under construction, which will house MetWest High School, Yuk Yau Child Development Center, Central Infantile Child Development Center, and the relocated La Escuelita Elementary. The Downtown Education Project is expected to finish construction in 2013.

Senate Bill 50 (SB 50), also known as the Leroy F. Greene School Facilities Act of 1998, authorizes school districts to levy developer fees to finance the construction or rehabilitation of school facilities. Developer fees are set by the State Allocation Board (SAB). In January 2010, the SAB left fees unchanged at their prior levels of \$2.97 per square foot for residential development and \$0.47 per square foot of enclosed and covered space for commercial and residential development.

School enrollment in the OUSD has been declining since 1999, when it peaked at 55,000 students. By 2007, enrollment had declined to 39,000, and it is projected to continue declining.

Although the Plan Amendment would not directly create new residential, commercial, or industrial uses, the projects it facilitates could create new residential units and jobs within the Project Area, and therefore increase enrollment at schools inside and near the Project Area. The DEIR identifies this impact to public schools as less than significant for the following reasons:

1. Increased school enrollment is unlikely to require new facilities because:
 - Due to enrollment declines since 1999, which are projected to continue, future increases in enrollment are unlikely to exceed the capacity of schools inside or near the Project Area.
 - New students would be distributed among schools inside and near the Project Area, reducing the impact to any single school.
2. If new facilities are required, this expense would be mitigated by several factors:
 - Pursuant to Senate Bill 50 (SB 50), applicants for new projects would be required to pay school impact fees to offset potential impacts on school facilities.
 - Any proposed projects requiring discretionary review would be subject to CEQA environmental review, during which their impacts to school facilities would be evaluated and needed mitigations proposed.

Payment of the school impact fees mandated under SB 50 is the mitigation measure prescribed by the statute, and is deemed full and complete mitigation. Additionally, pursuant to CRL Section 33607.5, the Agency will make pass-through payments of a portion of tax increment revenues to the OUSD. The DEIR deems impacts to public school facilities to be less than significant, and no additional mitigation measures would be required.¹⁰

6. Property Assessments and Taxes

Chapter IV provides an overview of the tax increment financing process proposed to be the primary funding source for the Agency's Redevelopment Program described in Chapter III. Under tax increment financing, all entities collecting property tax revenues would continue to receive the base year levels of revenue from the Project Area at a constant annual rate during the redevelopment period.

¹⁰ DEIR Section 4.11.

Any additional revenues generated by increased property values due to new development in the Project Area would be used to pay for the Agency's Redevelopment Program; for affordable housing activities; and for statutorily mandated pass-through payments to affected taxing entities. Chapter IV describes these payments in detail.

Affected taxing entities would continue to receive annual increases in property tax revenue from portions of their tax rate areas outside the Project Area.

a. Entities Affected

According to County financial reports, 19 taxing entities levy property taxes in the Project Area:

- Alameda County General Fund
- Peralta Community College District
- Oakland Unified School District
- Alameda County Office of Education Superintendent Institute Pupils
- Alameda County Office of Education Superintendent Juvenile Hall Education
- Alameda County Office of Education Superintendent Service
- Alameda County Office of Education Superintendent Capital
- Alameda County Flood Control and Water Conservation District
- Alameda County Flood Control and Water Conservation District, Flood Control Zone 12
- Bay Area Air Quality Management District
- Alameda County Mosquito Abatement District
- AC Transit Special District I
- Bay Area Rapid Transit District
- East Bay Regional Parks District
- East Bay Municipal Utilities District
- East Bay Municipal Utilities District Special District
- City of Oakland
- Oakland Knowland Zoo District
- Educational Revenue Augmentation Fund (ERAF)

Adoption and implementation of the Plan Amendment would not result in any change in property tax rates or any new or increased property tax assessments payable by any property owner in the Project Area.

As described in Chapter III, without further redevelopment assistance, the Project Area will continue to suffer from physical and economic blighting conditions that will continue to discourage new investment and growth in property values. Since the redevelopment activities planned are expressly designed to alleviate these conditions and encourage economic growth, it is reasonable to conclude that a significant portion of the projected growth in property values would be attributed to redevelopment. In other words, without continued redevelopment, a major portion of the tax increment revenue that will fund redevelopment activities will not be generated in the first place.

Second, in the case of school districts or offices, the contributed revenue does not translate into a direct loss of revenue for local school and community college districts because the state makes up the difference in property tax revenues that a school or community college district receives with or without a redevelopment project in place.

The fiscal impacts upon services would be offset by substantial benefits (both physical and fiscal), and would be derived from the planned public improvements, improved housing stock, increased sales tax revenues, and a revitalized climate anticipated from the Plan Amendment.

7. Other Matters Affecting the Physical and Social Quality of the Neighborhood

The impacts associated with physical and social quality of a neighborhood are listed below along with the citation of the section of the DEIR that details these components.

- Aesthetics, Shadow and Wind (Section 4.1)
- Cultural Resources (Section 4.4)
- Land Use, Plans and Policies (Section 4.8)
- Noise (Section 4.9)
- Population, Employment and Housing (Section 4.10)

Overall, the Plan Amendment will have a beneficial impact upon the residents, property owners and businesses within the Project Area. The Plan Amendment will allow the Agency to continue to alleviate blighting conditions and remove barriers to development. It will make the Project Area more attractive, which in turn will stimulate reinvestment. More importantly, the Plan Amendment and the Agency's associated Redevelopment Program will eliminate blighting influences that deter and negatively impact the Project Area as a whole.

E. Low or Moderate-Income Housing

The Plan Amendment will result in an increase of funds available for the development of affordable housing throughout the City. Over the term of the Redevelopment Plan, the Agency will use a significant portion of the tax increment revenue available for its Redevelopment Program for affordable housing, as further described below. This amount will be a significant source of funding available for affordable housing development, rehabilitation and preservation.

The following text addresses the six specific housing requirements specified in CRL Section 33352(m).

1. Removal or Destruction of Low or Moderate-Income Housing

In accordance with the CRL, if the Agency causes the removal or destruction of any dwelling units housing persons or families of moderate or low income, the Agency will develop or cause

the development of an equal number of replacement units to house persons or families of moderate to low income at affordable costs.¹¹

a. Replacement Housing Requirement

Should future Agency activities result in the removal of dwelling units occupied by persons or families of low and moderate incomes, the Agency will be required to construct, develop or rehabilitate, or cause the construction, development or rehabilitation of, low and moderate-income dwelling units to the extent required by state or federal law.¹² Replacement housing units must be subject to affordability restrictions, consistent with and to the extent required by CRL.

If it is determined that the acquisition of real property, the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, would result in the removal of any units from the low and moderate-income housing stock, the Agency Board will adopt by resolution, a Replacement Housing Plan; and provide replacement housing, pursuant to CRL Section 33413. Pursuant to CRL Section 33413.5, the Replacement Housing Plan must describe:

- (1) The general location of housing to be rehabilitated, developed, or constructed pursuant to Section 33413,*
- (2) An adequate means of financing such rehabilitation, development, or construction,*
- (3) A finding that the replacement housing does not require the approval of voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained,*
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, and*
- (5) The timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.*

b. Relocation Plan Requirement

As discussed above in Section D.1, should any significant residential relocation occur as a result of redevelopment or City action, a relocation plan would be adopted prior to displacement and relocation benefits would be provided in accordance with state law.

2. Number of Low or Moderate-Income Households Expected to Be Displaced

The Agency does not anticipate undertaking activities or providing assistance to activities that will result in the displacement of low and moderate-income households.

¹¹ Central District Urban Renewal Plan, as amended up to June 20, 2006, p.29.

¹² The Agency may acquire real properties by purchase, gift, exchange, condemnation or any lawful manner, except that the Agency is not authorized to employ the power of eminent domain to acquire property in the Central District Project Area on which persons legally reside.

3. Number and Location of Low and Moderate-Income Housing Units Planned Other than Replacement Housing

The Plan Amendment is designed to encourage new development in the Project Area. It is anticipated to facilitate the construction of approximately 608 affordable housing units in the Project Area.¹³

a. Area Production Housing Requirements

Currently, in the 1982 Area and the 2001 Area, at least 30 percent of all units created or rehabilitated by the Agency are currently required to be affordable to persons or families of low or moderate income, with at least 50 percent of those units made available to persons or families of very low income at affordable costs, as required by CRL 33413(b). Additionally, as also required by section 33413(b), at least 15 percent of all units created or rehabilitated by private entities in those areas are required to be affordable to persons or families of low or moderate income, with at least 40 percent of those units made available to persons or families of very low income at affordable costs.¹⁴

Because the Original Area was established before this area production housing requirement became law, currently the Original Area has no requirement to build specific numbers of inclusionary or affordable units on Agency-built or privately-built housing developments. The Plan Amendment would trigger this requirement in the Original Area. Following the Plan Amendment, the area production housing requirements described above, which now apply in the 1982 Area and 2001 Area, would apply to the entire Project Area.

Estimated Affordable Units

The Agency estimates that approximately 608 housing units will be developed for persons and families of moderate, low, or very low income in the Project Area over the remaining life of the Redevelopment Plan.¹⁵ Please refer to the updated Five-Year Implementation Plan for further discussion of the Agency's compliance with the affordable housing production, replacement housing, and Low and Moderate Income Fund requirements of the CRL.

4. Financing Affordable Housing

Several means of financing, policies and programs will be used to produce affordable housing. The Agency will continue to promote the development of a wide variety of affordable housing in the community in order to enhance the vitality of the area and provide much needed housing for the City. In particular, the Agency will encourage mixed-use development, development of new and rehabilitation of existing rental and ownership units, infill development, mixed income development, and an array of senior housing possibilities.

Section 33334.2 of the CRL requires that an agency set aside 20 percent of all tax increment revenue allocated to the Agency to increase or enhance the community's supply of affordable housing. In Oakland, the Agency sets aside an additional five percent, or a total of 25 percent, of

¹³ DEIR Section 4.12.

¹⁴ Central District Urban Renewal Plan, amended through 6/20/06, p.29.

¹⁵ DEIR Section 4.12.

all tax increment revenue allocated to the Agency since 2001. If adopted the Plan Amendment would require that the Agency set aside 30 of all tax increment revenue allocated to the Agency from the Project Area (other than the 2001 Area), per CRL 33333.10.¹⁶

a. Timetable for Provision of Relocation and Replacement Housing

The Agency is required to provide relocation and replacement housing pursuant to Section 33410 through 33418 of the CRL. This would include taking the necessary steps to cause the construction, rehabilitation, development and availability of such housing in accordance with the time limits prescribed by law.

When residential units housing very low, low and moderate-income households are destroyed or removed, or are no longer affordable due to agency action or assistance, an agency must cause the replacement of the units within four years. The relocation and replacement housing plan(s) prepared by the Agency for a particular development activity will contain schedules to ensure housing is available in accordance with the requirements of the CRL and the State Relocation Guidelines.

F. Summary

The Project would create positive impacts for the Project Area by generating intill development, creating new services and community amenities, and removing barriers to development. In addition, through the construction and rehabilitation of housing units, the redevelopment process will continue to improve the quality and affordability of housing in the Project Area. Commercial development projects stimulated by redevelopment will alleviate adverse conditions, stimulate the local economy and increase employment oppormnities for surrounding residents. The Agency's proposed Non-Housing Program will enhance the physical environment, stimulate economic development and encourage revitalization of the Project Area.

¹⁶ Refer to Chapter IV, Section F.3 for details on the Agency's set-aside obligations to the Low and Moderate Income Housing Fund.

XIV. Necessity for the Plan Amendment

The analysis presented throughout this Report has demonstrated that significant physical and economic blight remains in the Project Area and that the proposed Plan Amendment would provide the needed tools for the elimination of this remaining blight. This chapter summarizes the blight analysis and reiterates the necessity for the Plan Amendment to increase the time limits on plan effectiveness and tax increment collection, and fiscal limit on tax increment collection of the Project Area. Additionally, the Plan Amendment would reinstate the Agency's eminent domain authority within the Project Area for up to 12 years but no longer than the plan effectiveness time limit. This chapter also explains why private enterprise and governmental action, working alone or together, cannot reasonably be expected to reverse existing blighting conditions without the Plan Amendment.

A. Necessity for Amendment to Increase Tax Increment Collection Limit

Chapter IV of the Report demonstrates the general financial feasibility of the Redevelopment Program and the reason for including the provision for the division of taxes pursuant to Section 33670 in the Redevelopment Plan, as required by law. As discussed in Chapter IV, the costs to alleviate documented blighting conditions substantially exceeds available funding from public and private sources. Tax increment financing is the only source available to the community to fill the substantial gap between the costs of the Redevelopment Program and other public and private revenue sources. Because these projects and activities are critical to the revitalization of the Project Area, tax increment financing is needed to assist in funding these projects. Tax increment financing has been and will continue to be the critical funding source that will help the Agency fund the Redevelopment Program's cost.

To continue the Agency's efforts in alleviating blighting conditions, the Agency is proposing to increase the tax increment collection limit over the Project Area. Without the Plan Amendment, the Agency will have insufficient financial capacity to fund the redevelopment activities needed to eliminate blight in the Project Area. As provided for in the Redevelopment Plan governing the Project Area, the total amount of tax increment the Agency is eligible to collect is \$1.3 billion. The Agency has received cumulative tax increment of approximately \$841 million through FY 2009-10, leaving \$508 million. Approximately \$319 million of the remaining amount under the tax increment collection cap is committed to existing bonded debt and other obligations, leaving only \$189 million for additional redevelopment projects and activities and related administrative costs. The Agency's cost for the Redevelopment Program is over \$1.2 billion in nominal dollars, as shown on Table IV-1. Therefore, the tax increment collection limit needs to be increased in order for the Agency to continue its efforts to alleviate blighting conditions. Increasing the tax increment collection limit is also necessary for the Agency to be able to incur debt and encumber sufficient tax increment revenue from the Project Area to fund the Redevelopment Program.

B. Necessity for Amendment to Extend Plan Effectiveness Time Limit

Under the existing time limit for plan effectiveness for the Project Area (other than the 2001 Area), the Agency must cease redevelopment activities within the Project Area (other than the 2001 Area) by June 12, 2012. Given the poor economic conditions over the last several years, the Agency has not been able to move forward on its Redevelopment Program as anticipated. As a result, the existing time limit restricts the Agency's ability to continue alleviating the significant blighting conditions that remain. Therefore, the Agency is proposing to extend this time limit by ten years for the Project Area. Without the extension on the Project Area's plan effectiveness time limit, the Agency would not be able to complete its Redevelopment Program as described in Chapter III.

C. Necessity for Amendment to Extend Tax Increment Collection Time Limit

To enable the Agency to support the Redevelopment Program, the Plan Amendment proposes to extend the tax increment collection time limit by ten years in the Project Area (other than the 2001 Area). As discussed in Chapter III, the Agency's cost for the Redevelopment Program is over \$1.2 billion. In order for the Agency to complete the Redevelopment Program, it would need to extend both its time and fiscal limit for tax increment receipt in order to collect sufficient tax increment revenues to complete the Redevelopment Program. Without extending the time limit for tax increment collection, the existing \$1.3 billion tax increment collection limit would likely be reached in FY 2017-18, prior to the existing time limit for tax increment collection in FY 2021-22. Therefore, additional time beyond the existing tax increment collection time limit is needed in order to continue alleviating blighting conditions.

D. Necessity for Extension of Eminent Domain Authority

Eminent domain has been, and will continue to be, a necessary and effective tool for alleviating remaining blight on non-residential properties in the Project Area.¹ In some cases it is the only way to overcome significant barriers to private investment, and without this tool the government would be unable to effectuate redevelopment. Through eminent domain, the Agency can assemble appropriate sites and prepare them for redevelopment. Site assembly by the Agency may be the only way to create parcels large enough for catalyst mixed-use projects or new affordable housing developments.

Private sector investment can be hindered in areas where different property owners own adjacent smaller lots and/or buildings. Development or redevelopment of these sites can be prohibitively expensive given the costs of construction, market conditions in the Project Area, and other site constraints. Larger sites would allow developers to design for the market and to capitalize on locational strengths such as proximity to the freeway. The same physical and economic

¹ Currently, the Redevelopment Plans authorize eminent domain over non-residential properties. However, this authority expired in the Original and 1982 Areas on June 12, 2009. The CRL allows eminent domain authority to be extended for up to 12 years but no longer than the plan effectiveness time limit.

conditions that limit the redevelopment potential of small sites also constrains their property value, thus owners of small properties typically have limited financial capacity. Therefore, it is often financially or logistically prohibitive for one property owner to purchase enough land to create a site suitable for redevelopment. In some instances, without the authority to use eminent domain, the public sector can only take limited action to alleviate blight. For example, loans to businesses and property owners to upgrade the safety and appearance of buildings will have little effect if the market demand for the types of businesses that can occupy small and irregular spaces is limited. Owners have little incentive to participate, and the Agency may not see a strong positive return on its investment.

Eminent domain can also be necessary in cases of unsafe or unhealthy buildings and crime hotspots. In some cases, the owners of properties that contain unsafe or unhealthy buildings, or are locations of regular criminal activity may be absentee, unresponsive, or otherwise unwilling to cooperate with the Agency in its efforts to alleviate these blighting conditions through other redevelopment tools such as financial assistance. In these situations, the Agency's ability to purchase properties through eminent domain may be the only way to address the most extreme and persistent blighting conditions.

Furthermore, the authority to exercise eminent domain is a powerful tool even if the Agency does not ultimately go through the entire process to complete the transaction. The potential for eminent domain action may be sufficient to persuade a property owner to sell or redevelop the property on his or her own.

E. Summary

In summary, the current time and fiscal restrict the Agency's ability to issue new debt, finance ongoing programs, and effectively alleviate blighting conditions. By increasing the tax increment time and fiscal limits, the plan effectiveness limit and the eminent domain time limit, the Agency will have the necessary resources to complete an effective redevelopment program aimed at eliminating remaining blight and constraints to development in the Project Area. The Agency will not have the ability to assist in the alleviation of remaining blight unless the existing time and fiscal limits are increased by adoption of the Plan Amendment. By extending eminent domain authority over non-residential properties and unoccupied residential properties in the Project Area, the Agency will continue to have an important tool, which is required in some cases to overcome significant barriers to private investment. Without this authority, the Agency would not have the needed leverage to encourage redevelopment in the non-residential areas of the Project Area.

F. Extent of Remaining Physical and Economic Blighting Conditions

The remaining physical and economic blighting conditions in the Project Area are significant and cannot reasonably be reversed without continued redevelopment assistance. The documentation of the physical and economic blighting conditions in the Project Area in Chapter II and in the photographs contained in Appendix C demonstrates that significant blight is still prevalent.

The Project Area contains a substantial number of buildings that suffer from deficiencies related to seismic susceptibility, construction type, dilapidation, deterioration and lead paint and asbestos hazards, that make these buildings unsafe or unhealthy for persons to live or work. Conditions that substantially hinder the viable use of buildings or lots also exist in the Project Area, including obsolete commercial building design and limited accessibility and circulation.

Several adverse economic conditions adversely impact the Project Area, such as depreciated property values, the presence of potentially hazardous or toxic materials that impair property values, high commercial vacancies and low lease rates, low residential rental rates, an excess of problem businesses, and high crime rates.

Inadequate public improvements also negatively impact portions of the Project Area, including deficient streets and streetscapes, poor street conditions, impaired pedestrian and vehicular circulation and accessibility deficiencies, and park and other public improvement deficiencies.

These physical and economic blighting conditions and public improvement deficiencies are a hindrance to the Project Area that cannot be reversed or alleviated without the continued assistance of the Agency through the authority of the CRL. These blighting conditions continue to cause a reduction of, or lack of, proper utilization of buildings and lots in the Project Area and constitute a serious physical and economic burden on the community that cannot be reversed or alleviated without the use of redevelopment powers.

G. Significant Burden on the Community

Chapter II documents blighting conditions that burden on the community and Project Area. The reduction of, or lack of, proper utilization constitutes a serious physical and economic burden on the community in at least the following respects:

- Hinders the enhancement of the physical environment.
- Prevents proper usefulness and development of land.
- Hinders the development of a stronger economic base for the community
- Deprives residents of Oakland and surrounding areas of employment opportunities.
- Prevents adequate supply of affordable and other housing.
- Deprives property and business owners of a competitive return on their investments.
- Deprives the City, County, education districts, and other affected taxing entities of an expanding tax base.

H. Limitations of Private Enterprise

The alleviation of blighting conditions in the Project Area continues to be financially infeasible for the private sector acting alone. Without continued redevelopment, many of the program costs would have to be borne solely by the private sector. Chapter IV and Appendix E present a discussion of possible sources of public and private sector funds for redevelopment. The Agency has leveraged private sector funds in the past and will continue to do so in the future. However, by themselves, private sources have not been able to, and would not be able to, provide the resources necessary to eliminate the significant blighting conditions and implement the full Redevelopment Program.

The private sector's ability to alleviate blight is limited by the following factors, among others:

- Depreciated or stagnant property values.
- High commercial vacancy rates and low commercial and residential lease rates.
- High cost of the remediation of parcels contaminated with toxic or hazardous waste that creates a financial disincentive to reinvestment or development.
- Excess of problem businesses that contribute to a negative perception of the Project Area.
- A high crime rate is a deterrent to business located and locating in the area.
- Limited accessibility and circulation.
- Inadequate public facilities and infrastructure deficiencies hinder private sector development.

Private funds will continue to be an important piece in the redevelopment of the Project Area, but they will likely not be enough to alleviate blighting conditions and meet community goals for the area while achieving a reasonable rate of return.

I. Limitations of Other Governmental Action

Alleviating blighting conditions is not feasible by governmental action alone. Financially, governmental action is limited by the lack of a reliable flow of federal, state, or local financial resources available to fund a comprehensive revitalization program, as discussed earlier.

The economic downturn, as well as constraints to the City's budget, have further limited government's ability to provide financial resources for local revitalization programs. These financial constraints would further limit the City of Oakland's ability to fund a comprehensive revitalization program on its own.

J. Conclusion

This Report has documented that significant blight remains in the Project Area. This blight could not reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment. Therefore, an increase in the tax increment fiscal limits, time limit for plan effectiveness and tax increment collection, as well as the extension of eminent domain authority, are necessary and important tools to alleviate remaining blight.

Redevelopment assistance in the form of tax increment revenue made possible by the Plan Amendment continues to be a last-resort funding source that is essential to fund the alleviation of the remaining blighting conditions and an effective revitalization effort for the Project Area. Other funding sources, including public and private funding sources, are insufficient to fully fund the Redevelopment Program. In light of recent proposals at the State level to utilize local funds to balance the State's budget, as well as the current economic climate, both public and private funding sources are even more limited. As described in Chapter IV and in Appendix D, all other feasible sources of non-tax increment revenue will be applied toward the Redevelopment Program costs. However, the costs of the Redevelopment Program to alleviate blighting conditions are significant and more than the amount available from other potential funding sources. Therefore, the projects and activities of the Redevelopment Program could not be undertaken without redevelopment assistance.

Tax increment financing is a necessary financing tool, which will continue to be used to support the Redevelopment Program. The costs to alleviate the remaining documented blighting conditions, as discussed in Chapter III, substantially exceed available funding from public and private sources, as described in Chapter IV. Tax increment financing is the only source available to fill the substantial gap between the costs of the Redevelopment Program and other public and private revenue sources.

Eminent domain authority is a necessary and important tool to alleviate remaining blight in the non-residential portions of the Project Area, and the Agency's ongoing redevelopment efforts will be enhanced by extending its eminent domain authority. If the power of eminent domain in the non-residential portions of the Project Area is reauthorized, the Agency would retain its flexibility to use this tool, yet continue to pursue eminent domain only as a last resort.

If adopted, the Plan Amendment would:

- Increase the limit on the amount of tax increment revenue that the Agency may claim from the Project Area from the current limit of \$1.3 billion to a proposed revised limit of \$3.0 billion.
- Extend the time limit for plan effectiveness over the Project Area (other than the 2001 Area) for ten years to June 12, 2022, as authorized by CRL Section 33333.10.
- Extend the time limit for tax increment collection from the Project Area (other than the 2001 Area) for ten years to June 12, 2032, as authorized by CRL Section 33333.10.
- Extend the time limit for eminent domain authority for up to 12 years but no longer than the plan effectiveness limits for the Project Area.²
- Update various text provisions to conform to the requirements of the CRL in connection with the time extension amendments, including extending the affordable housing area production obligation, pursuant to CRL Section 33413(b) to the entire Project Area (other than the 2001 Area), and increasing the set-aside to the Agency's Low and Moderate Income Fund to 30 percent (other than the 2001 Area).

The Plan Amendment is necessary to provide the Agency with the financing and other tools necessary to complete the Redevelopment Program. This chapter and Chapter IV demonstrated the general feasibility of the Plan Amendment pursuant to Section 33670, as required by the CRL. This chapter and Chapter IV demonstrated that the proposed Plan Amendment is necessary to eliminate the remaining documented blight in the Project Area.

Neither the private sector alone, the public sector alone, nor the private and public sectors working together without continued redevelopment assistance can financially support the costs of the redevelopment efforts in the Project Area. Because these projects and activities are critical to the revitalization of the Project Area, tax increment financing and eminent domain authority will continue to be critical tools enabling the Agency to accomplish the goals and objectives of the Redevelopment Program.

² The Agency would not be authorized to employ the power of eminent domain to acquire property on which persons legally reside.

Appendices

Redevelopment Agency of the City of Oakland
Central District Plan Amendment 2010-11
Report to Council

- Appendix A. Sources and Definitions
- Appendix B. Central District Plan Amendment Building Conditions Survey Form
- Appendix C. Photographs of Blighting Conditions
- Appendix D. Funding Sources
- Appendix E. Tax Increment Projections
- Appendix F. Amended 2009-2014 Five-Year Implementation Plan
- Appendix G. Description of Agency Bonds
- Appendix H. Community Participation
- Appendix I. Taxing Entities Consultations
- Appendix J. HCD Correspondence

Appendix A:
Sources and Definitions

Sources

Information presented in the Report to Council was compiled from the following sources:

Documents Relating to Plan Amendment

- Oakland Redevelopment Agency. *Central District Urban Renewal Plan Adopted June 12, 1969 As Amended Up To June 20, 2006*. 2006.
- Oakland Redevelopment Agency. *Central District Redevelopment Project Five-Year Implementation Plan 2009-2014*.
- ESA Associates. *Draft Environmental Impact Report for the Proposed Amendments to the Central District Urban Renewal Plan*. March 2011.

Documents Relating to Central District Project Area History and Planning

- City of Oakland. *General Plan*. Adopted 1998 and in effect until 2015.
- City of Oakland. *Protect Oakland: City of Oakland General Plan Safety Element*. November 2004.
- City of Oakland. *Housing Element 2007-2014*. Revised Public Review Draft. June 3, 2009.
- City of Oakland. *Housing Element January 1, 2007 – June 30, 2014: Draft Environmental Impact Report*. August 2010.
- US Census Bureau. California Quicklinks: Population Estimates. Retrieved online at <http://quickfacts.census.gov/qfd/states/060001k.html>
- U.S. Census Bureau. Data from American Housing Survey. Retrieved online at <http://www.census.gov/hhes/www/housing/ahs/ahs09/ahs09.html> on October 1, 2010.
- City of Oakland. Building Construction Code. Accessed online at <http://library.municode.com/index.aspx?clientId=16308&stateId=5&stateName=California> on January 12, 2011.

Data and Documents Relating to Existing Conditions

- Oakland Police Department. Data on Part I crimes.
- City of Oakland. *Open Space, Conservation, and Recreation (OSCAR) Element: An Element of the Oakland General Plan*. June 1996.
- City of Oakland. *Pedestrian Master Plan*. November 2002.
- The National Academies Institute of Medicine. Press release: *Indoor Mold, Building Dampness Linked to Respiratory Problems and Require Better Prevention*. May 25, 2004.
- Field, Edward H. and Kevin R. Milner, U.S. Geological Survey. *Forecasting California's Earthquakes – What Can We Expect in the Next 30 Years*. 2008. Available online at <http://pubs.usgs.gov/fs/2008/3027>.
- Association of Bay Area Governments. Website: Interactive Earthquake Shaking Scenarios map. Accessed online at <http://gis.abag.ca.gov/Website/Shaking-Maps/viewer.htm> on January 12, 2011.
- Association of Bay Area Governments. *Shaken Awake! 1996*. As excerpted online at www.abag.ca.gov/bayarea/eqmaps/shelpop/bldg.html.
- Association of Bay Area Governments. Website: ABAG FAQs and Retrofit Resources. Retrieved December 10, 2010. <http://www.abag.ca.gov/bayarea/eqmaps/fixit/FAQs.html>

- Cutcliffe, Steven. "Earthquake resistant building design codes and safety standards: The California experience." *GeoJournal* 51: 259-262. 2000.
- National Academies Institute of Medicine. Press release: *Indoor Mold, Building Dampness Linked to Respiratory Problems and Require Better Prevention*. May 25, 2004.
- Hillemeier, MM, et al. "Measuring Contextual Characteristics for Community Health." *Health Services Research* 38:6, Part II. December 2003.
- National Safety Council. *Lead Poisoning Factsheet*. 2009.
- Agency for Toxic Substances and Disease Registry. *Toxicological Profile for Lead (Update)*. August 2007.
- Agency for Toxic Substances and Disease Registry. *Toxicological Profile for Asbestos*. 2001.
- Agency for Toxic Substances and Disease Registry. *Case Studies in Environmental Medicine: Asbestos Toxicity*. 2010.
- Brody, Jane E. "Dally No Longer: Get the Lead Out." *New York Times*. January 17, 2006.
- U.S. Environmental Protection Agency. *EPA Asbestos Materials Bans: Clarification*. 1999.
- U.S. Environmental Protection Agency. *Fact Sheet: Protect Your Family from Asbestos-Contaminated Vermiculite Insulation*. June 2009.
- Dr. Harvey Pass, Professor of Cardiothoracic Surgery, New York School of Medicine. Testimony to Congress as published in *Asbestos: Still Lethal/Still Legal: The Need to Better Protect the Health of American Workers and their Families: Hearing before the Subcommittee on Employment and Workplace Safety of the Committee on Health, Education, Labor, and Pensions of the U.S. Senate, One Hundred Tenth Congress, First Session on Examining Asbestos, Focusing on Efforts to Better Protect The Health of American Workers and their Families*. March 1, 2007. Available online at <http://www.gpoaccess.gov/congress/senate>.
- Mesothelioma Aid. Website: Zonolite Insulation and Asbestos Lung Disease. Retrieved online December 13, 2010. <http://www.mesothelioma-aid.org/zonolite.htm>
- California Energy Commission. *2008 Building Energy Efficiency Standards for Residential and Non-Residential Buildings Effective January 1, 2010*. December 2008.
- Smith, Geoff & Duda, Sarah. *Foreclosure fallout: An analysis of foreclosure auctions in the Chicago region*. Woodstock Institute. 2008.
- Immergluck, Dan & Smith, Geoff. "The external costs of foreclosure: The impact of single-family mortgage foreclosures on property values." *Housing Policy Debate*. Volume 17, Issue 1, 57-79. 2006.
- Weber, Bruce R. "The Valuation of Contaminated Land." *The Journal of Real Estate Research*. Vol. 14. No. 3, 1997.
- California State Water Resources Control Board. *Cost Guidelines: Underground Storage Tank Cleanup Fund*. October 2001.
- City of Oakland Community and Economic Development Agency. *Vacancy Rate Report*. November 18, 2010.
- Spiker, Steve, et al *Liquor Outlets in Oakland*. Prepared for Urban Strategies Council. October 25, 2007.
- League of Women Voters. Smart Voter Guide. Accessed online at <http://www.smartvoter.org/2010/11/02/ca/state/prop/22/> on January 9, 2011.
- MDA DataQuick. Home sales transactions. 2008-2010.
- The Urban Strategies Council. Foreclosure Maps. September 20, 2010.

- The HdL Companies. *The City of Oakland Property Data and Property Tax Reports Addendum*. 2009-2010.
- CB Richard Ellis. 4th Quarter MarketView Reports for Oakland/East Bay Office. 2006-2010.
- Cassidy Turley/BT. *East Bay Commercial Office Market Report*. 3rd Quarter 2010.
- Comish & Carey Commercial. *East Bay Office and Flex Space Report*. 3rd Quarter 2010.
- Cushman & Wakefield. *MarketBeat Report for Oakland Office*. 4th Quarter 2009.
- Jones Lang LaSalle. *Pulse Oakland-East Bay Office Highlights Report*. 3rd Quarter 2010.
- CoStar Group. Office Space, Vacancy and Lease Rate Reports. November 2010. Courtesy of the City of Oakland Community and Economic Development Agency.
- Crone, Theodore M., Federal Reserve Bank of Philadelphia. "Office Vacancy Rates: How Should We Interpret Them?" *Federal Reserve Bank of Philadelphia Business Review*. May 1989.
- The Urban Land Institute. *Office Development Handbook*. 1998.
- NAI BT Commercial. *I-80/I-880 Corridor Office Report*. 2009.
- The Urban Strategies Council. *Liquor Outlets in Oakland: 2007 Liquor Outlet Report: A Preliminary Analysis of the Relationship Between Off-sale Liquor Outlets and Crime in Oakland for 2007*. October 25, 2007.
- City of Oakland Office of the City Attorney. *City Attorney Report on the Status of Liquor Stores in Oakland*. November 18, 2009.
- Krieger, James, MD and Donna Higgins, PhD. "Housing and Health: Time Again for Public Health Action." *American Journal of Public Health* Vol. 92, No 5. May 2002.
- Federal Bureau of Investigation. Crime in the United States Reports. 2006-2009.
- Oakland Public Works Agency. Street and Curb Deficiencies.

City/Agency Persons Contacted

Esther Tam, Oakland Community and Economic Development Agency
 Patrick Lane, Oakland Community and Economic Development Agency
 Jens Hillmer, Oakland Community and Economic Development Agency
 Brian Kendall, Oakland Community and Economic Development Agency
 George Dumey, Oakland Community and Economic Development Agency
 Edward Labayog, Oakland Community and Economic Development Agency
 Deborah Acosta, Oakland Community and Economic Development Agency
 Mark Gomez, Oakland Public Works Agency
 Gus Amirzehni, Oakland Public Works Agency
 Anthony Banks, Oakland Police Department

Real Estate Brokers Contacted

Bill Pumell, Comish & Carey
 Steve Banker, LCB Associates
 Reesa Tansey, Colliers International

Gary Bettencourt, California Commercial Investments Group

Katherine Kelleher, CB Richard Ellis

Other Organizations and Persons Contacted

Paula Cone, The HdL Companies

Linda Hausrath, Hausrath Economics Group

This report was produced by the Redevelopment Agency of the City of Oakland in association with Seifel Consulting Inc. and Conley Consulting Group.

Definitions

1982 Area: The portion of the Central District Project Area that was added to the Central District Project Area by the 1982 Plan Amendment.

1982 Plan Amendment: Amendment to the Central District Redevelopment Plan that added territory (1982 Area) to the Central District Project Area.

2001 Area: The portion of the Central District Project Area that was added to the Central District Project Area by the 2001 Plan Amendment.

2001 Plan Amendment: Amendment to the Central District Redevelopment Plan that added territory (2001 Area) to the Central District Project Area.

Affected Taxing Entity: As defined in Section 33353.2 of the Community Redevelopment Law (CRL), any government agency that levies a property tax on all or any portion of the property in the Merged Project Area.

Agency: The Redevelopment Agency of the City of Oakland, a redevelopment agency established pursuant to Sections 33100–33115 of the CRL.

Agency Board: The public body that is the Redevelopment Agency of the City of Oakland's governing body.

Base Assessed Value: The total value of taxable property within the boundaries of a project area in the year the redevelopment plan is adopted, or the value of taxable property within the boundaries of an added area when a plan is amended to add territory. The Central District Project Area has different base assessed values for each of its three components (Original Area, 1982 Area and 2001 Area).

Base Year: The fiscal year of the last equalized assessment roll used in connection with the taxation of property within a project area prior to the effective date of the ordinance adopting the redevelopment plan or amending the plan to add territory. The Central District Project Area has different base years for each of its three components.

Blight/Blighting Conditions: Adverse physical or economic conditions, as defined by Sections 33030, 33031, and 33032 of the CRL.

Building Conditions Survey: A comprehensive survey of buildings in the Central District Project Area, during which the surveyors recorded the specific characteristics of each building observed and rated the overall condition of each building based on a combination of these factors.

Central District Project Area/Project Area: The redevelopment project area established by the Central District Redevelopment Plan in 1969 and as amended at various times, including the 1982 and 2001 Plan Amendments to add territory.

City: The City of Oakland, a municipal corporation in the State of California.

City Council: The City Council of the City of Oakland, also referred to as the City's "Legislative Body" as referred to under the CRL.

Consultants: Seifel Consulting Inc. (Seifel) and Conley Consulting Group (Conley).

County: Alameda County, California.

CRL (Community Redevelopment Law): Redevelopment law of the State of California contained in California Health and Safety Code sections 33000 et seq.

DOF (California Department of Finance): A state department that under SB 1206 receives the 33451.5(c) Report to State Departments.

EIR (Environmental Impact Report): An analytic document required under the California Environmental Quality Act (CEQA). It describes the project area's location, its existing setting, the impacts that the redevelopment program will have on the environment, potential alternatives to the proposed redevelopment plan, and proposed measures necessary to mitigate significant environmental impacts to insignificant levels. The Draft EIR is subject to public comments. The Final EIR includes these comments and responses to the comments.

Federal: Any agency or instrumentality of the United States.

Five Year Implementation Plan (Implementation Plan): The Implementation Plan identifies projects and activities for the Central District Project Area over the next five-year Implementation Plan period. The Agency's current implementation plan covers the period FY 2009-2014.

FY (Fiscal Year): A Fiscal Year of the Agency comprising a period from July 1 to the following June 30. Where only a single year is shown for a Fiscal Year (e.g. "FY 2011") the reference is to the calendar year in which the Fiscal Year ends, so that FY 2011 refers to Fiscal Year 2010/2011 covering the period from July 1, 2010 through June 30, 2011.

General Plan: The Oakland General Plan (as amended to date) prepared pursuant to the state Government Code, sections 65300 et seq.

HCD (Department of Housing and Community Development): A state department that under SB 1206 receives the 33451.5(c) Report to State Departments.

Housing Set-aside Fund: Also Housing Fund. Section 33334.2 of the CRL requires that a redevelopment agency set aside and spend 20 percent of all tax increment revenue allocated to the agency to preserve, increase or enhance the community's supply of affordable housing. The Housing Set-aside Fund is also called the Low and Moderate-Income Housing Fund.

Legal Description: A description of the boundary of the Project Area prepared in accordance with specifications approved by the California State Board of Equalization.

Legislative Body: The City Council of the City of Oakland.

Low and Moderate-Income: Persons or families of low or moderate income, as defined in the State Health and Safety Code, Section 50093.

Low and Moderate-Income Housing Fund: See Housing Set-aside Fund.

Original Area: The portion of the Central District Project Area that was originally adopted in 1969.

Pass-Through: The portion of the property tax revenues generated from the increases in assessed value over the base year assessed value that the affected taxing entities receive pursuant to the CRL.

Plan Amendment: A set of proposed redevelopment plan amendments to the Central District Redevelopment Plan that is being prepared by the Agency for consideration of adoption by the City Council, and that are the subject of this Report to Council. The nature and scope of the proposed Plan Amendment is further described in Chapter 1.

Planning Commission: The Planning Commission of the City of Oakland.

Preliminary Report: The Preliminary Report on the proposed Plan Amendment, which is the first of two reports designed to provide the affected taxing entities, legislative body and all interested parties with the requisite analysis and documentation pursuant to Section 33344.5 of the CRL.

Redevelopment Plan: The redevelopment plan for the Central District Project Area, established in 1969 and proposed to be further amended and restated with the proposed Plan Amendment.

Redevelopment Program: The proposed projects and activities to be undertaken by the Agency in the Central District Project Area to alleviate remaining blight in the Project Area.

Report to Council: The Report to Council on the Plan Amendment. Also known as the “report on the plan,” it is the report to the legislative body containing the statutorily enumerated elements from Section 33352 of the CRL that must accompany a redevelopment plan adoption or amendment in preparation for the public hearing. It is the second of two required reports.

Report to the State Departments: The report required to be transmitted by the Agency to the State Department of Finance and the State Department of Housing and Community Development pursuant to Section 33451.5 of the CRL. The Report to the State Departments includes information contained in the Preliminary Report together with certain statutorily prescribed additional information.

State: Any agency or instrumentality of the State of California.

TI (Tax Increment): That portion of property tax revenues received from the property tax levy against all assessed value within a project area in excess of the base year assessed value, as defined in Section 33670 of the CRL. Tax revenue allocated by the Agency towards inflation allocation payments to affected taxing entities is not considered tax increment revenue.

Appendix B:

**Central District Plan Amendment
Building Conditions Survey Form**

Oakland Building Conditions Survey Form

APN: _____	Surveyor ZJ EV JP DL SH NC AG JT HL MR LP Other () Date: 2010
Address: _____	[Information available electronically can be shown in this section on the handheld devices to help surveyors locate correct parcel (land use, year built, owner, etc.)]
Site Note/Additional APN for Site: _____	
Basic Information	
Number of Buildings on Parcel: _____ Number of Bldgs Rated (this form only): _____ Number of Other Forms (Paper & Electronic): _____ *Fill out paper form(s) if there are multiple buildings on one parcel unless the conditions are identical for all buildings.	
Building Type: Wood frame / Brick / Concrete Block / Concrete / Steel-framed / Mobile Home/Trailer / Other / Unknown Use: Single-Family / Duplex / Multi-Family / Office / Retail / Ind /Inst/Mixed Use/Other Issues: URM / Partly Reinforced Mas. / Soft Story / Settling / Other	
Vacant Lot Detail: Entirely Vacant Lot / Partly Vacant Lot / Vacant Lot - In Use Vacant Bldg Detail: Entirely Vacant Bldg / Partly Vacant Bldg / Abandoned Bldg For Rent _____ For Sale _____ Vac. Business _____ Construction _____ Broker/Vacancy Note: _____ # of Vacant Units _____ # of Vacant Sq Ft _____	
Building Condition Indicators	
<p style="text-align: center;">Factors</p> <p>1) Major Structural</p> <input type="checkbox"/> Dilapidation/Deterioration <input type="checkbox"/> Brick/Missing/Cracked Foundation <input type="checkbox"/> Alignment problems/Subsidence <input type="checkbox"/> Fire Damage <input type="checkbox"/> Dry Rot/Termite damage <input type="checkbox"/> Informal/Substandard construction <input type="checkbox"/> Major Roof Deterioration Major Structural Note: _____	Note - MAPC=Major Adverse Physical Condition, OAPC=Other Adverse Physical Condition (MAPC) (MAPC unless the problem is partial) (MAPC) (MAPC unless the problem is partial) (MAPC unless the problem is partial) Garage conversion, substandard addition (MAPC unless partial) (MAPC) eg. URM, apparent abandonment, extensive deterioration, earthquake damage (MAPC)
<p>2) Roofing</p> <input type="checkbox"/> Moderate Roof Deterioration <input type="checkbox"/> Poor Eave/Chimney/Gutter Roofing Note: _____	(OAPC) (OAPC) eg. Excessive layers, rusted metal roof
<p>3) Siding/Stucco/Wall/Flooring</p> <input type="checkbox"/> Peeling/Faded paint <input type="checkbox"/> Cracked/Deteriorated Wall <input type="checkbox"/> Mold/Mildew/Water Damage <input type="checkbox"/> Deteriorated Façade/Sign/Awning Siding Note: _____	(OAPC) (OAPC) (OAPC unless expensive and/or structural in which case MAPC) (OAPC) eg. rusted corrugated metal, deteriorated masonry
<p>4) Windows/Duors/Other</p> <input type="checkbox"/> Broken/Boarded Window/Door <input type="checkbox"/> Deteriorated/Older Window/Door <input type="checkbox"/> Unsafe Wiring/Plumbing <input type="checkbox"/> Extensive Deferred Maintenance <input type="checkbox"/> Poor Stair/Porch Other Deficiency Note: _____	(OAPC) (OAPC) (OAPC) (OAPC) (OAPC)
Building Condition Rating	
<input type="checkbox"/> Very extensive physical deficiencies (Rating 1)	Very extensive physical/structural deficiencies (often dilapidated). Typical conditions present include Major Adverse Physical Conditions or significant combination of Other Adverse Physical Conditions. Likely Cost of Correcting Deficiencies is very high.
<input type="checkbox"/> Extensive physical deficiencies (Rating 2)	Extensive physical/structural deficiencies. Typical conditions present include a number of Other Adverse Physical Conditions or significant cumulative deferred maintenance. Likely Cost of Correcting Deficiencies is high.
<input type="checkbox"/> Fair condition, some deficiencies (Rating 3)	Fair condition, some deficiencies present. Typically some Other Adverse Physical Conditions are present. Likely Cost of Correcting Deficiencies is significant.
<input type="checkbox"/> Relatively few physical deficiencies present (Rating 4)	Relatively few deficiencies, good condition. Typically few Other Adverse Physical Conditions are present. Likely Cost of Correcting Deficiencies is low to moderate.
<input type="checkbox"/> Very good to excellent (Rating 5)	Generally excellent condition, very few deficiencies. Typically few or no Other Adverse Physical Conditions are present. Likely Cost of Correcting Deficiencies is low to minor.
Conditions Hindering	
<input type="checkbox"/> Inadequate Drainage/Standing Water <input type="checkbox"/> Inadequate Access/Circulation <input type="checkbox"/> Inadequate/Deteriorating Curb/Sidewalk <input type="checkbox"/> Abandoned Rail Line <input type="checkbox"/> Defective/Substandard/Obsolete Design <input type="checkbox"/> Outdoor Storage <input type="checkbox"/> Poor Visibility Conditions Hindering Note: _____	<p style="text-align: center;">Other Physical Conditions Inhibiting Development or Use</p> <input type="checkbox"/> Lack of Parking <input type="checkbox"/> Poor Building Configuration <input type="checkbox"/> Hindered by Incompatible Use <input type="checkbox"/> Lack of Buffer to Noise/Fumes <input type="checkbox"/> Impaired Development due to Irregular Lot <input type="checkbox"/> Inadequate Street Lighting Other Physical Conditions Note: _____
Economic Conditions	
<input type="checkbox"/> Evidence of Overcrowding <input type="checkbox"/> Informal/Garage/Shed Unit <input type="checkbox"/> Bar/Nightclub <input type="checkbox"/> Liquor Store <input type="checkbox"/> Adult Business Economic Conditions Note: _____	

Appendix C:
Photographs of Blighting Conditions

Introduction

Appendix C provides photographs that illustrate existing conditions within the boundaries of the Central District Project Area (Project Area). The photographs, taken by the consultants in October and November 2010, are representative of the adverse conditions observed during that time.

A. Conditions Illustrated in the Photographs

The photographs illustrate a wide variety of conditions present in the Project Area. Many of the photographs document adverse conditions that may be used to support a finding that the Project Area continues to exhibit significant blight and is in need of continued redevelopment. Conditions illustrated in the photographs include, but are not limited to:

Unsafe or Unhealthy Buildings (CRL Section 33031(a)(1))

A significant number of buildings in the Project Area are dilapidated or deteriorated. Deficiencies shown in the photographs include informal and substandard construction; deteriorated; sagging and failed roofing; extensive deferred maintenance; dry rot; broken windows; mold and mildew; peeling paint; and water damage. These conditions stem from apparent long term neglect and may reflect building code violations. They result in unsafe or unhealthy buildings.

Seismically Vulnerable Structures (CRL Section 33031(a)(1))

Buildings in the Project Area are also seismically vulnerable due to their age, construction type, and state of repair. The photographs indicate aged wood frame structures, concrete and masonry buildings with inadequate reinforcement, dry rot, and other structural deterioration that weakens a building's resistance during an earthquake. These conditions result in unsafe or unhealthy buildings.

Inadequate Public Improvements (CRL Section 33030(c))

Photographs in the appendix also show a number of public improvement deficiencies. These include informal and deteriorated curbing, uneven and deteriorated pavement surfaces, standing water, and lack of pedestrian infrastructure. These conditions contribute to blight in the Project Area.

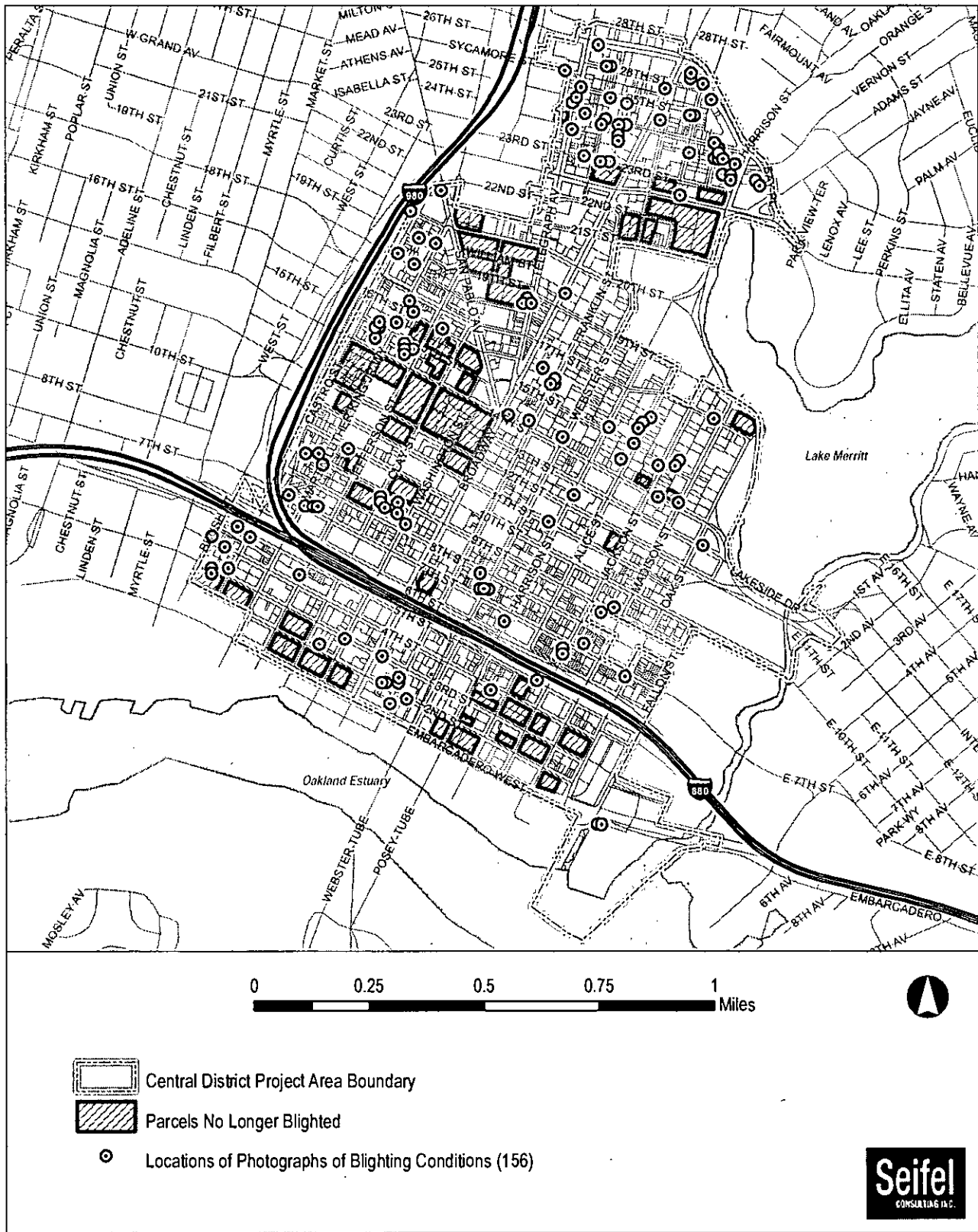
Indicators of Economically Distressed Buildings (CRL Section 33031(a)(2), 33031(b)(3))

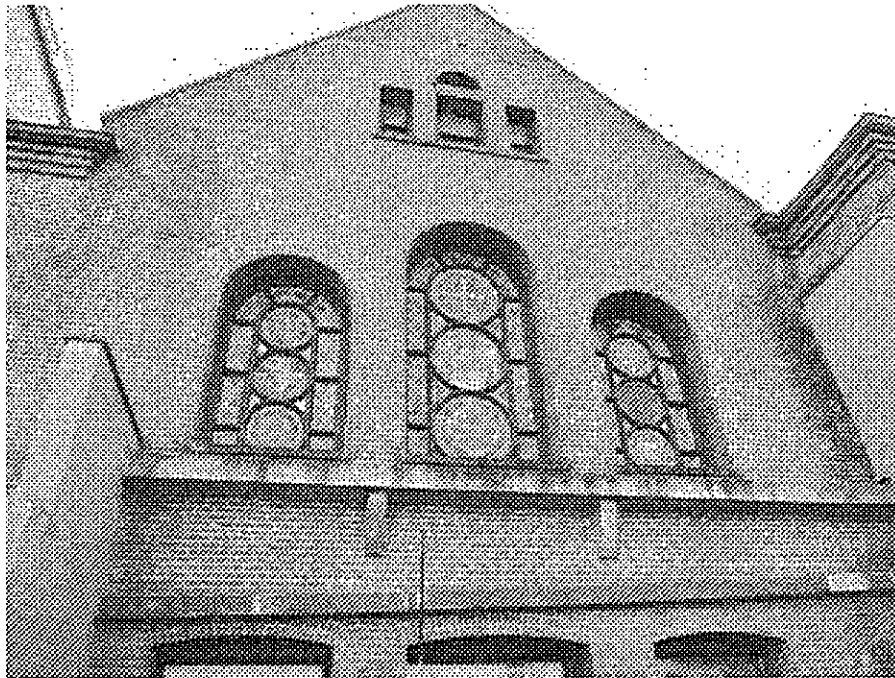
Vacant businesses and abandoned buildings are common in the Project Area. Some of these buildings have boarded windows and/or security fencing. Vacant businesses, both commercial and industrial, are often evidence of the physical obsolescence of a building type or the general economic decline of an area.

B. Organization

Figure C-1 indicates the approximate location of the photographs taken in the Project Area. The pages following the map present the photographs in roughly a geographic procession through the Project Area.

Figure C-1
Locations of Photographs of Blighting Conditions

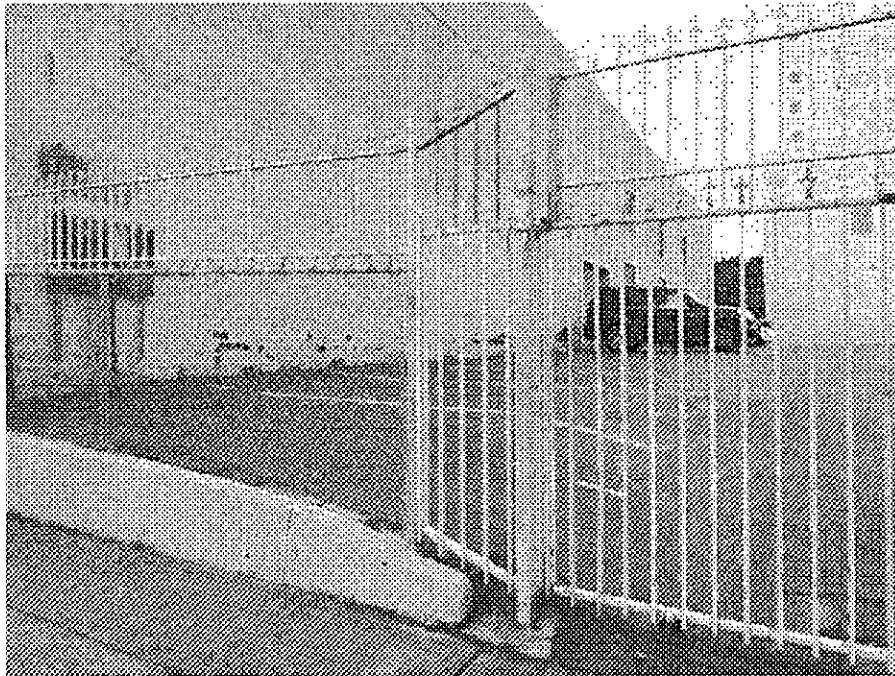




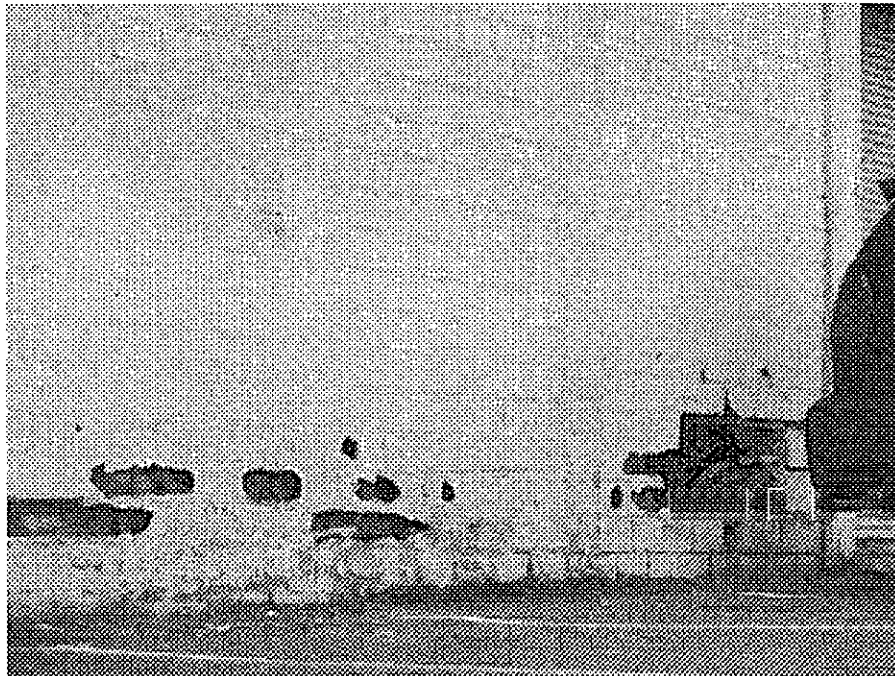
Grand and Valdez: unreinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



Grand and Valdez (close up of above): cracked and deteriorated masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



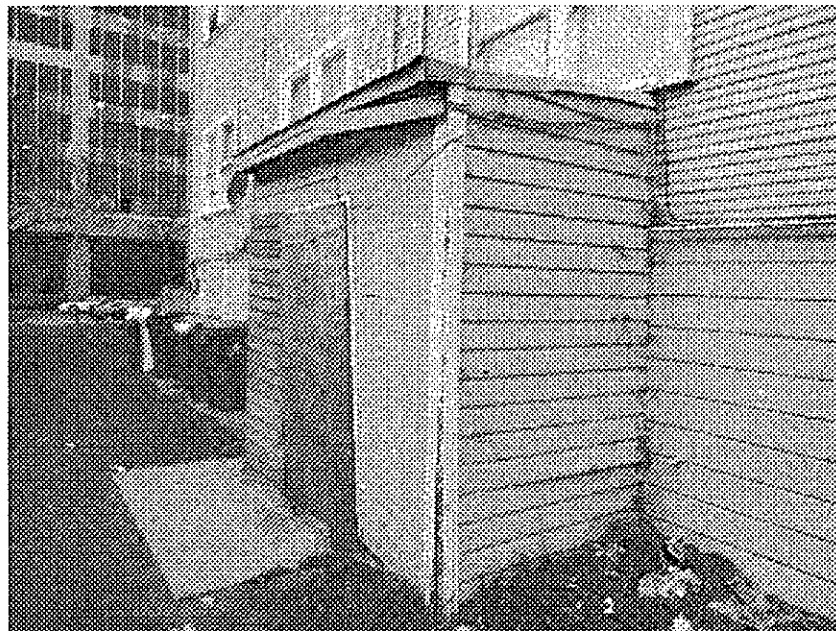
Grand and Valdez: masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



Grand and Valdez (close up of above): severely deteriorated masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



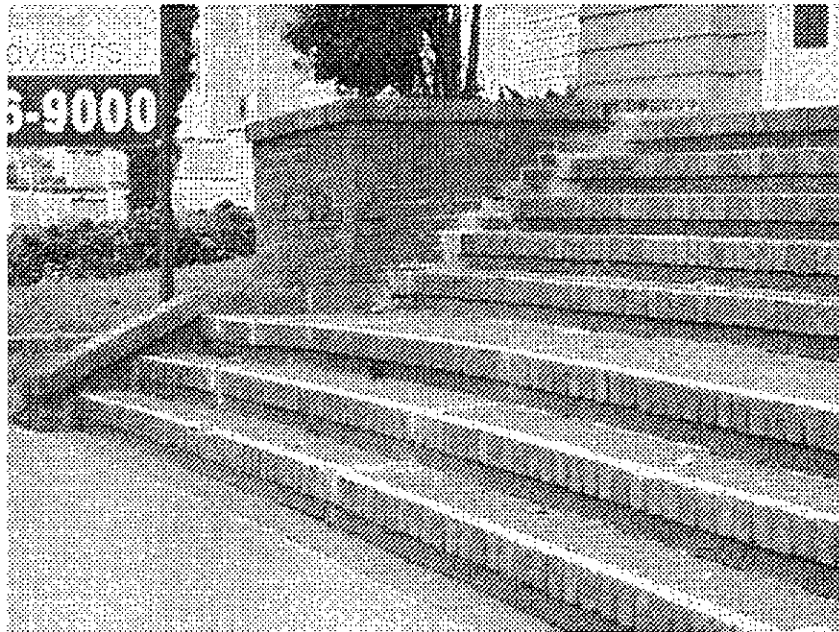
Grand and Valdez: unreinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



23rd Street and Waverly: deteriorated siding, peeling paint, dry rot, and boarded doors apparently due to long-term neglect.



23rd Street and Harrison: structural alignment problems observed in building siding.



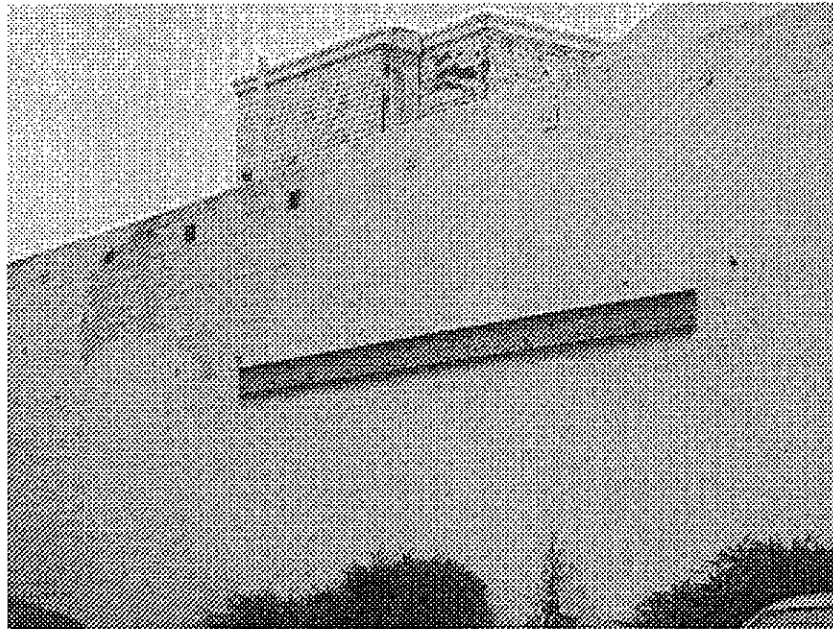
23rd Street and Harrison: cracked and deteriorated masonry stairway.



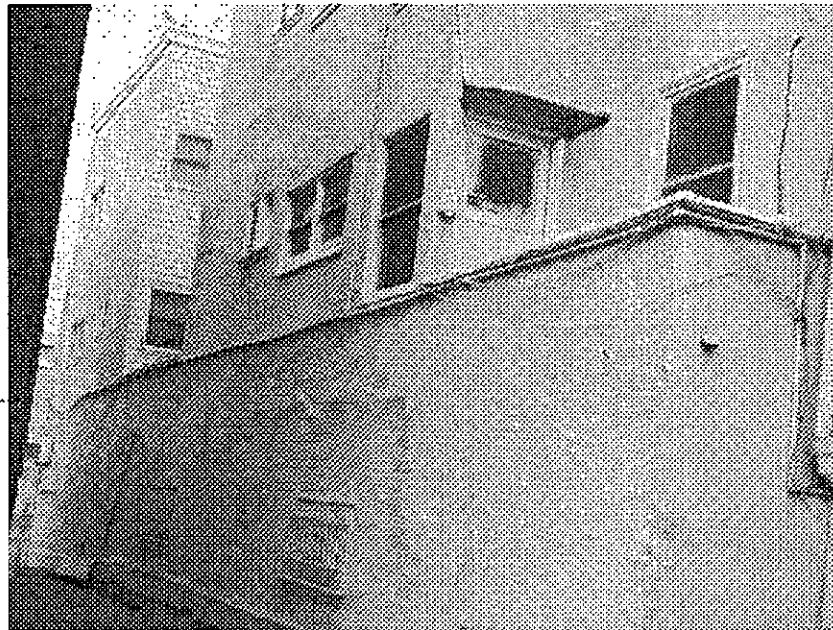
Bay Place and Access Road: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



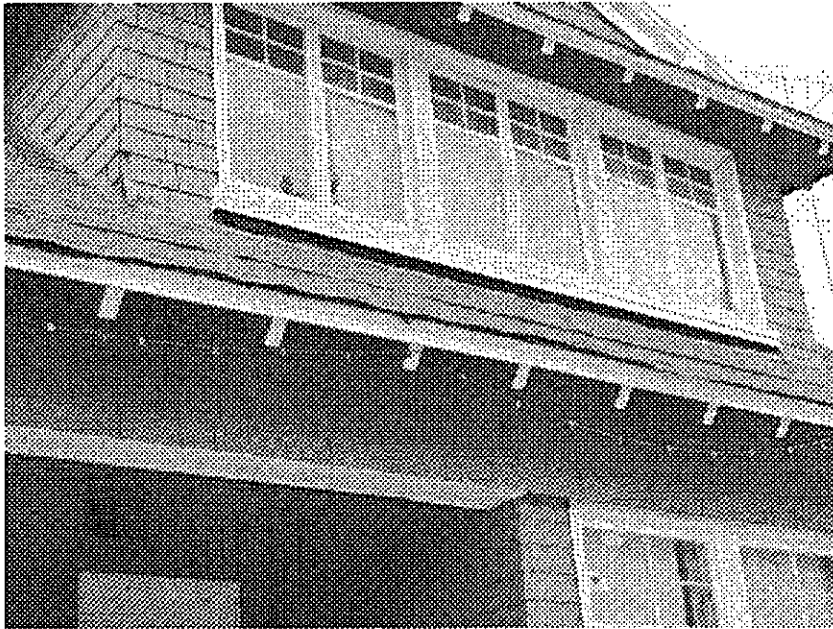
Bay Place and Access Road: cracked masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



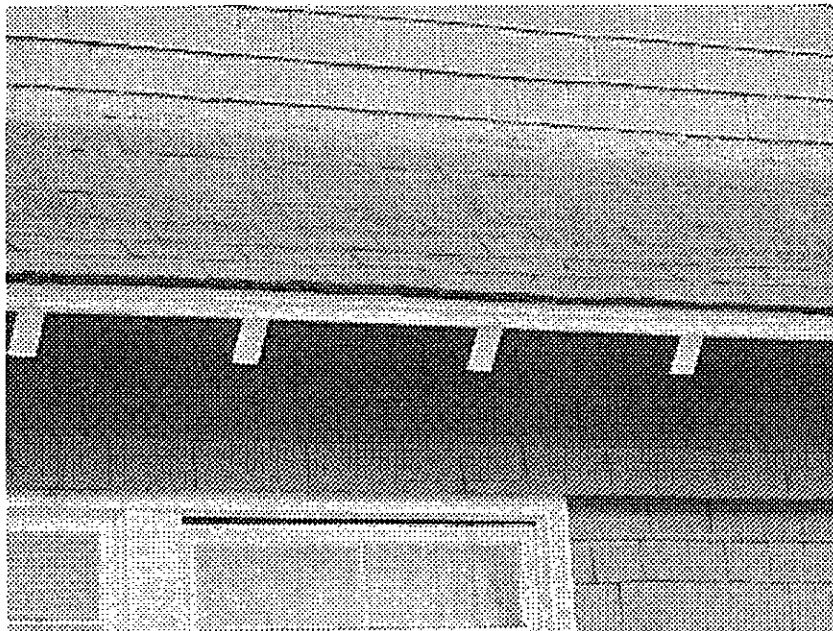
24th Street and Harrison: partially reinforced building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



24th Street and Waverly: apparent water intrusion in building wall likely allowing mold contamination and structural wood rot.



24th Street and Waverly: deteriorated roof apparently due to long-term neglect.



24th Street and Waverly (close up of above): deteriorated roof likely allowing moisture intrusion, mold contamination and structural wood rot.



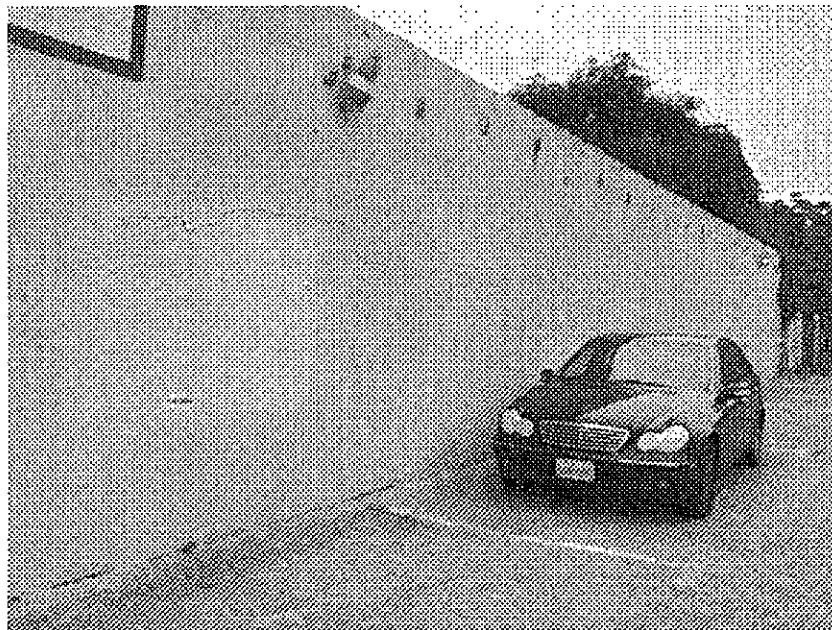
24th Street and Waverly: unreinforced masonry building vulnerable to serious damage from seismic events, building potentially hazardous in event of earthquake, deteriorated facade.



24th Street and Waverly (close up of above): cracked and deteriorated masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



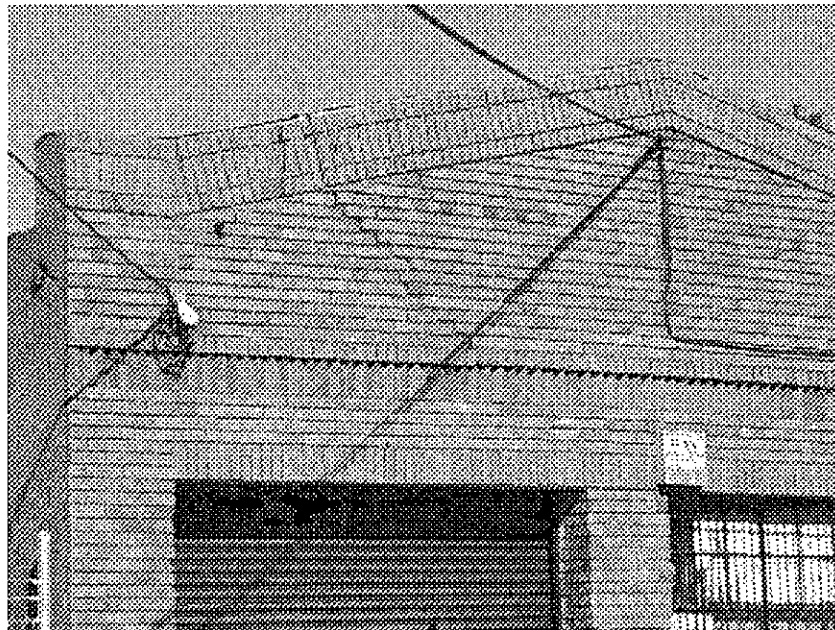
24th Street and Waverly: severe roof deterioration likely allowing moisture intrusion, mold contamination and structural wood rot.



24th Street and Valdez: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake.



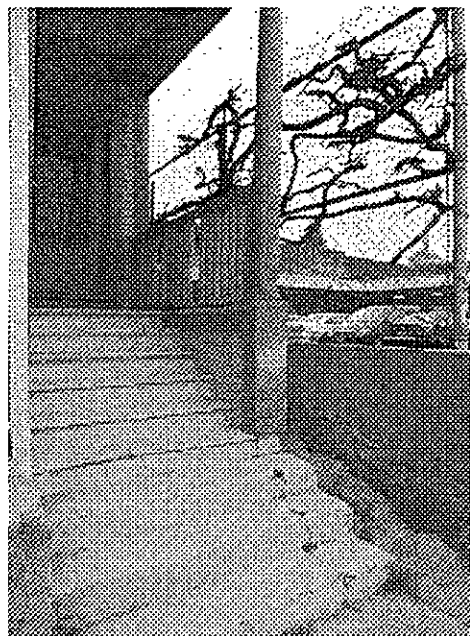
25th Street and Broadway: cracked wall, peeling paint.



25th Street and Broadway: unreinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake.



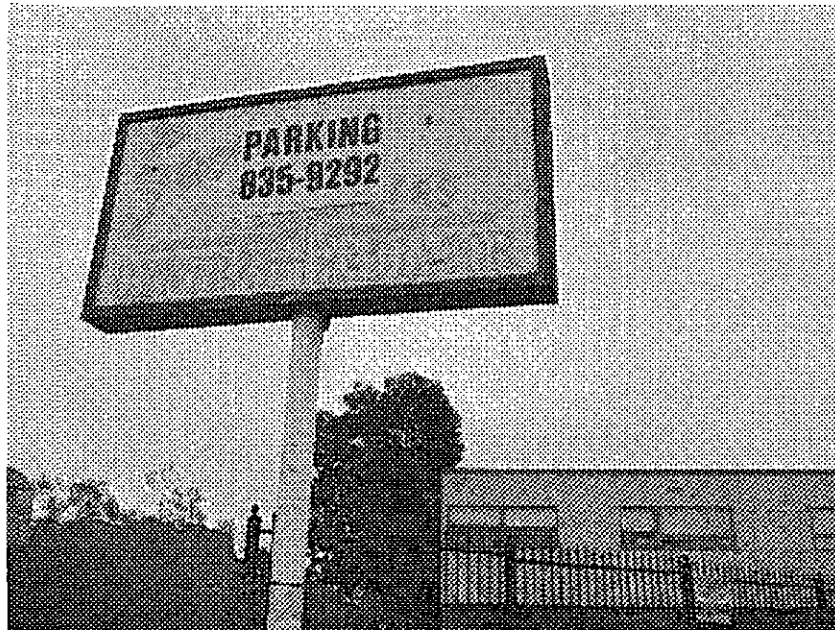
24th Street and Valdez: deteriorated stairs, peeling paint.



24th Street and Valdez (close up of above): cracked stairs, peeling paint, dry rot.



26th and Broadway: peeling paint, dry rot and cracked wall on commercial building apparently due to long-term neglect.



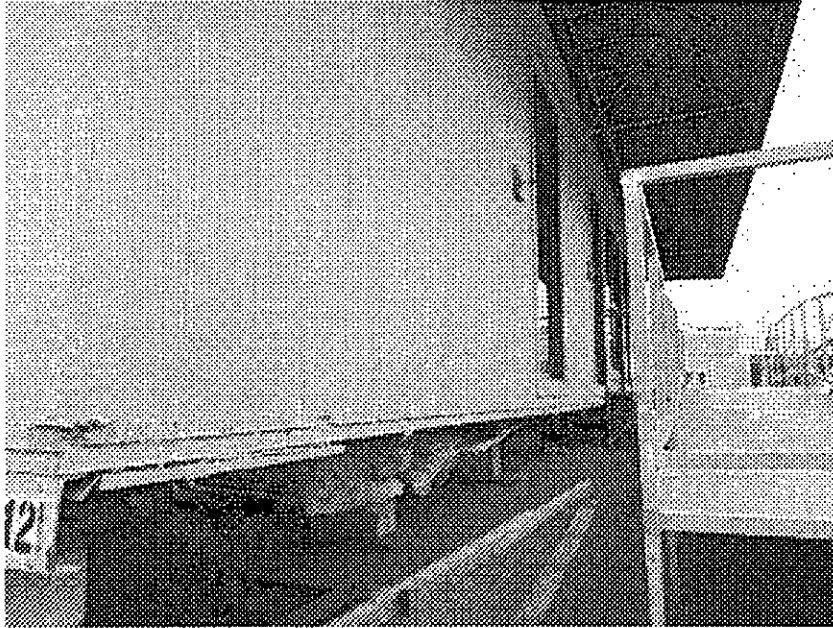
26th Street and 27th Street: partially utilized commercial parcel, deteriorated sign.



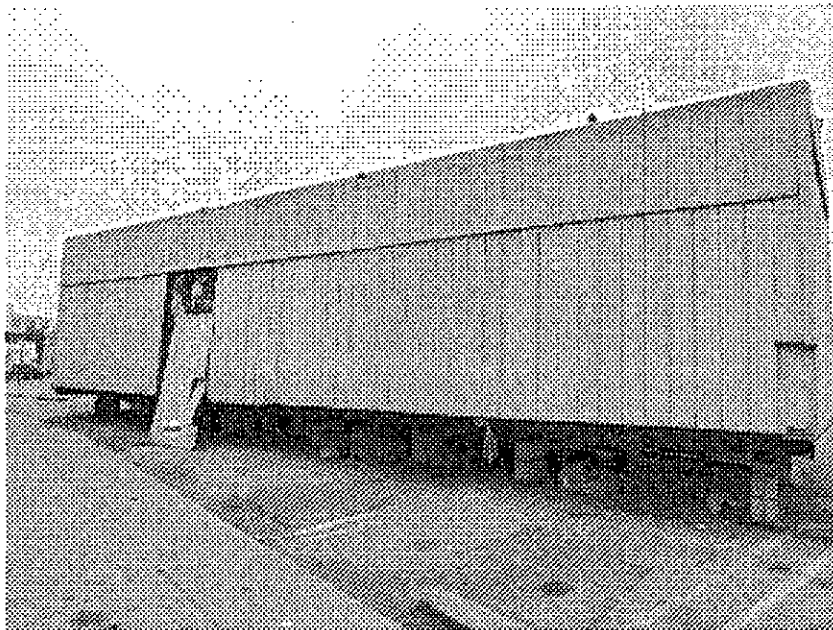
27th Street and Valdez: abandoned, vacant and boarded commercial building, obsolete building design.



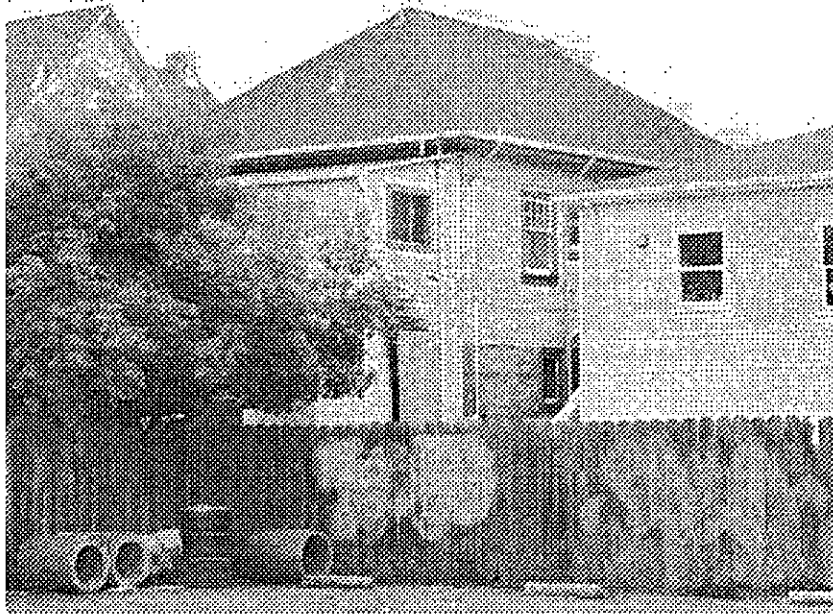
27th Street and Valdez (same building as previous photo): apparent long-term neglect evidenced by vandalism and illegal garbage dumping.



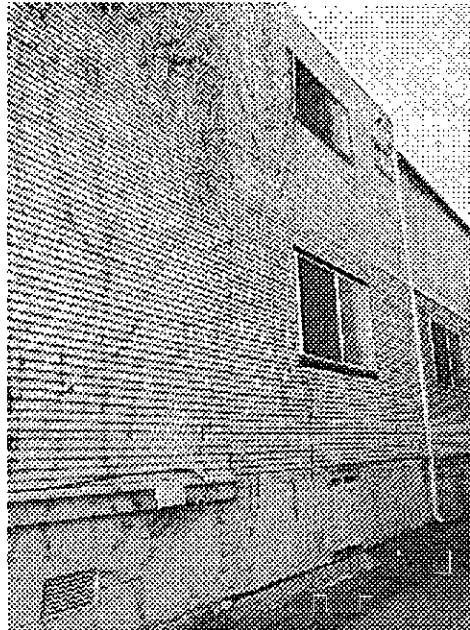
27th Street and Broadway: apparent long-term neglect evidenced by deterioration of building floor.



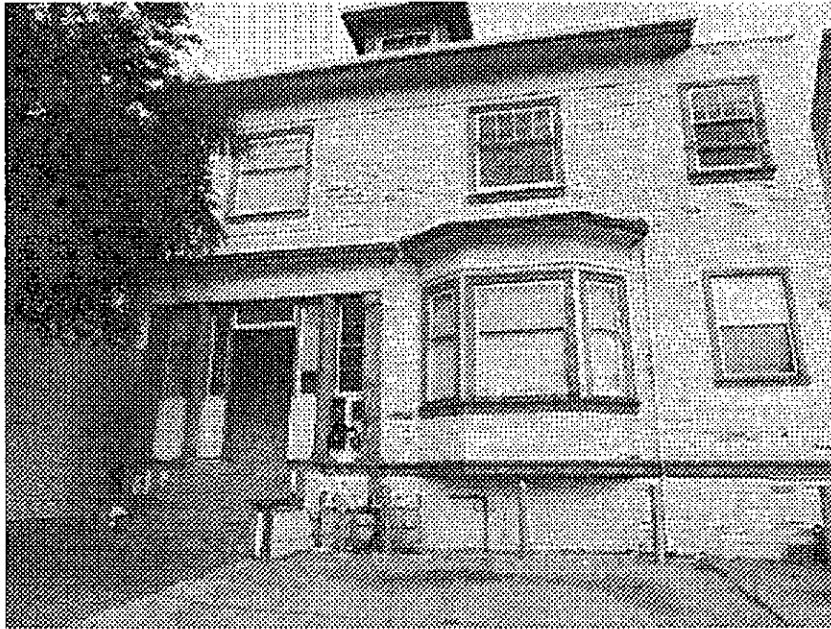
27th Street and Broadway (same building as previous photo): severely deteriorated walls likely allowing moisture intrusion, mold contamination and structural wood rot. Potentially unsafe pier foundation.



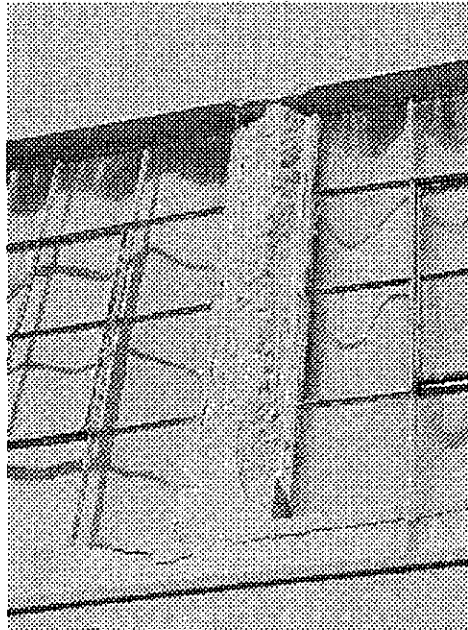
27th Street and Telegraph: apparent fire damage, boarded windows.



26th Street and Telegraph: deteriorated siding, cracked foundation and peeling paint apparently due to long-term neglect.



26th Street and Telegraph: serious deterioration apparently due to long-term neglect, boarded door, peeling paint, dry rot.



25th Street and Telegraph: deteriorated and cracked wall near windows likely causing water intrusion.



25th Street and Telegraph: structural alignment problem observed at ground floor.



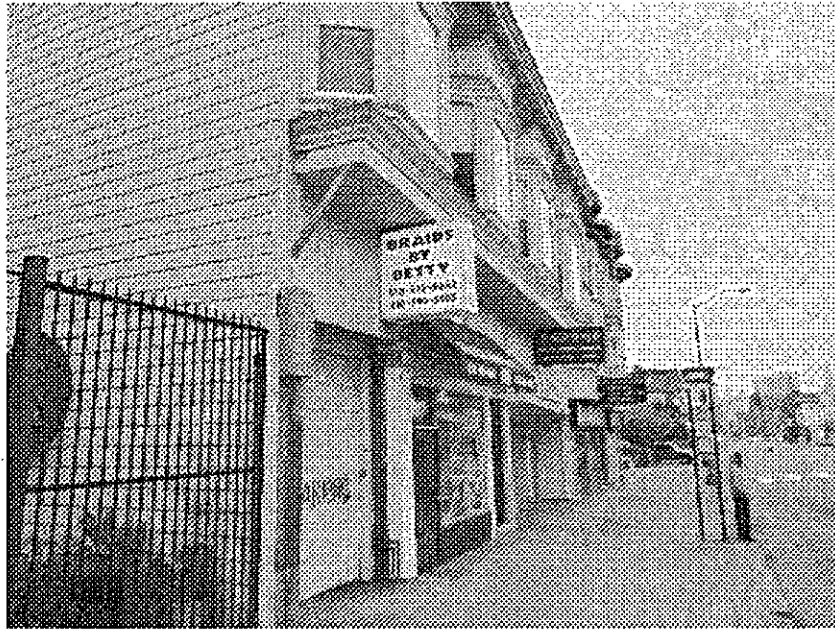
26th Street and Telegraph: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



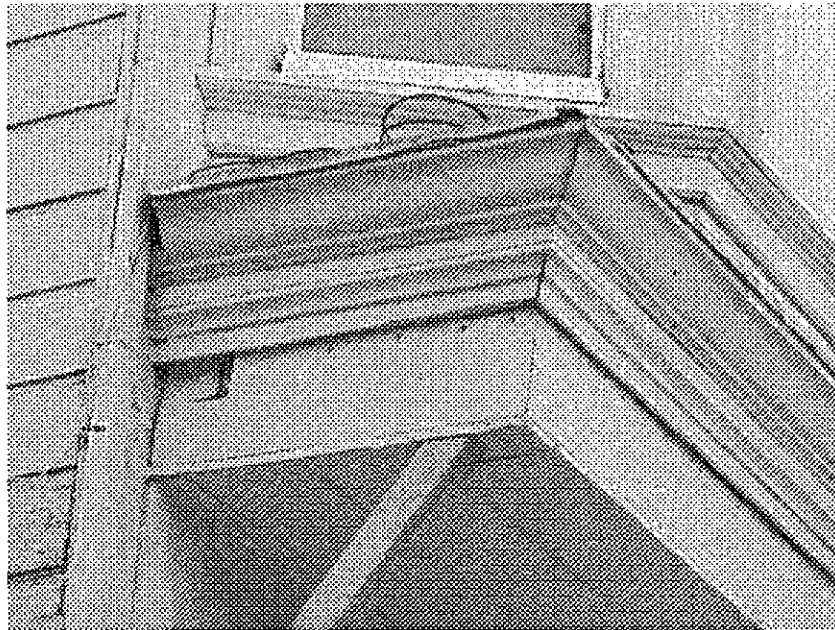
25th Street and Telegraph: dry rot peeling paint and cracked wall apparently due to long-term neglect ,



25th Street and Telegraph (close up of above): dry rot, peeling paint cracked wall.



25th Street and Telegraph: structural support problems observed at building awning, deteriorated facade.



25th Street and Telegraph (close up of above): apparent separation of building awning from primary structure.



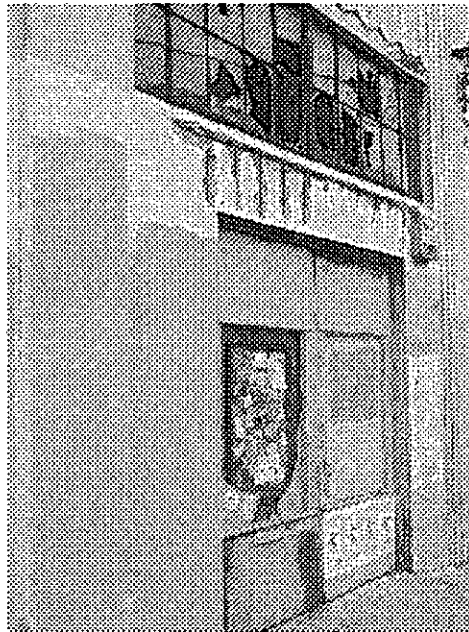
24th Street and Telegraph: storefront church, peeling paint



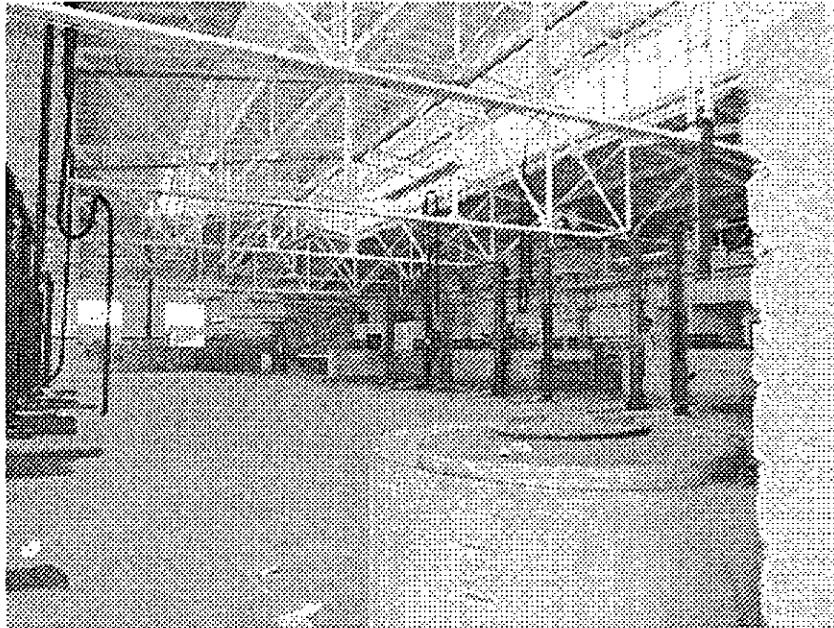
24th Street and Telegraph: sagging building overhang suggests structural alignment problems.



24th Street and Valley: abandoned, vacant commercial building, serious dilapidation apparently due to long-term neglect, broken and boarded windows and doors, cracked walls, graffiti.



24th Street and Valley (same building as previous photo): broken and boarded windows, cracked wall, deteriorated concrete facade with exposed rebar.



24th Street and Valley: vacant building, vandalism on building walls.



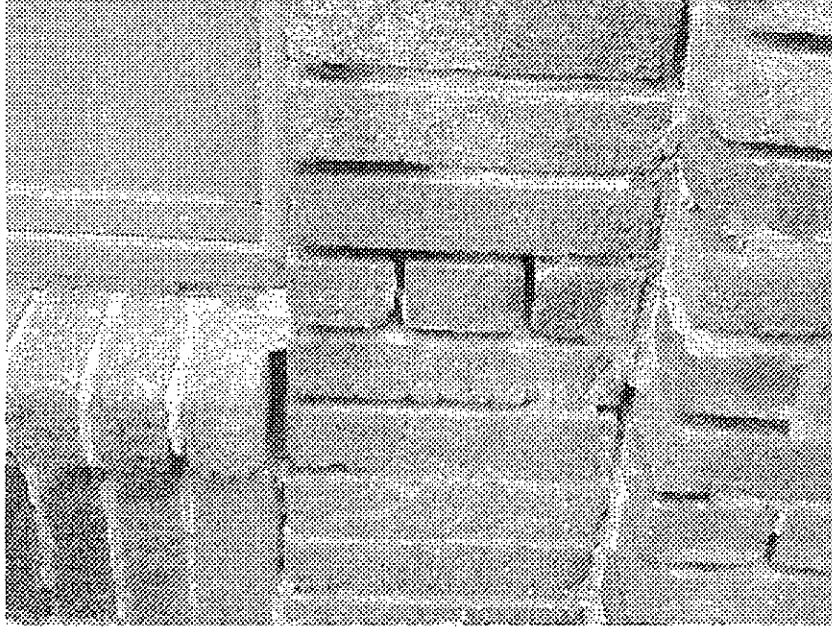
24th Street and Valley: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake, boarded windows.



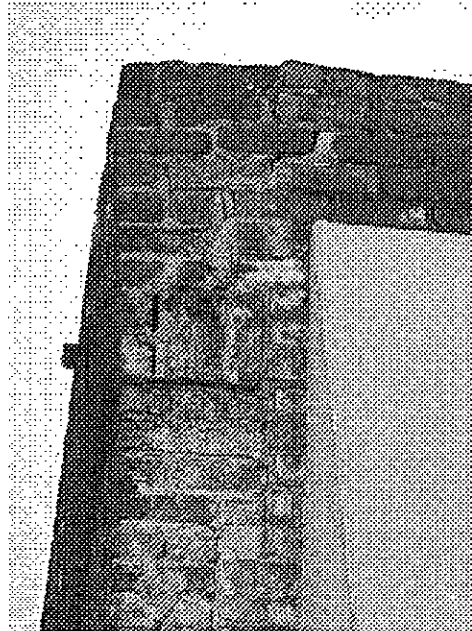
**24th Street and Telegraph: serious deterioration and dilapidation apparently due to long-term neglect
deteriorated siding, dry rot peeling paint.**



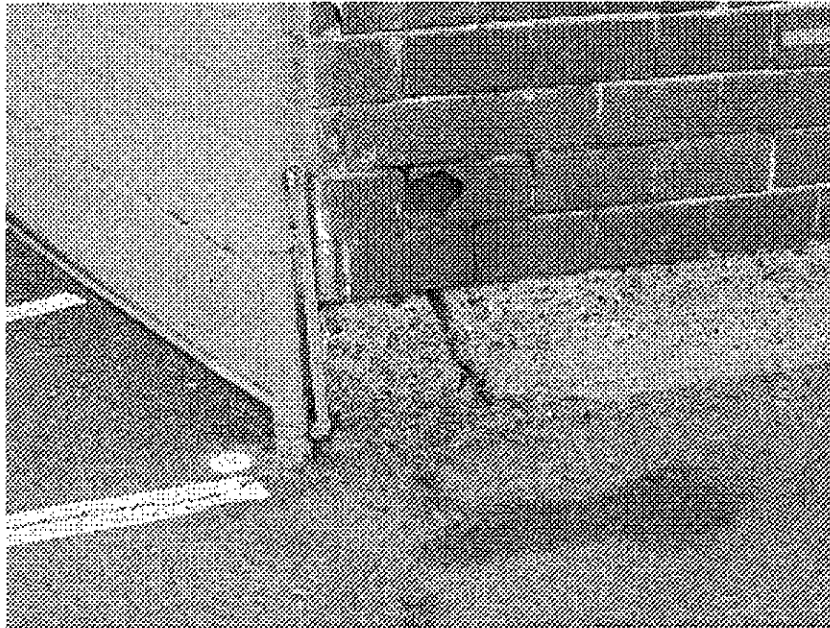
24th Street and Telegraph: deteriorated siding, substantial dry rot, peeling paint



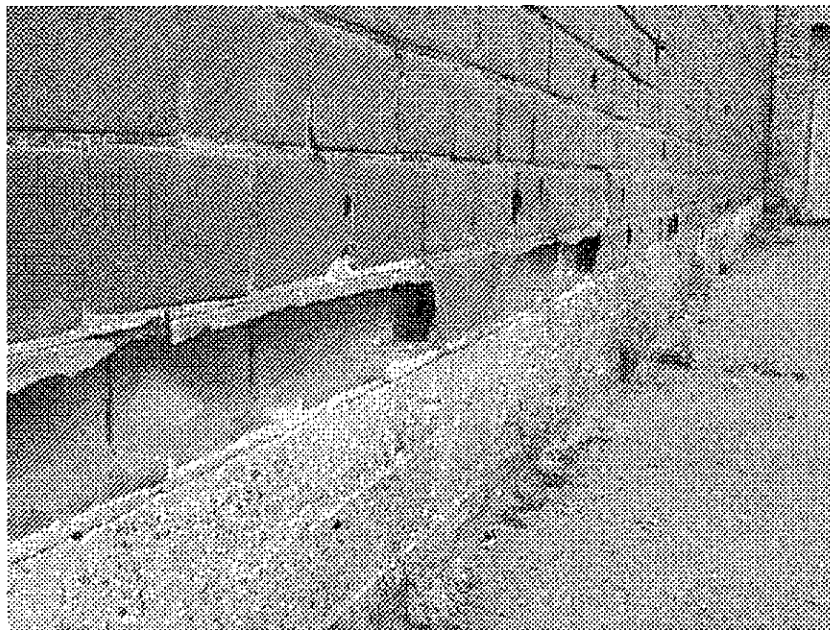
23rd Street and Valley: deteriorated masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



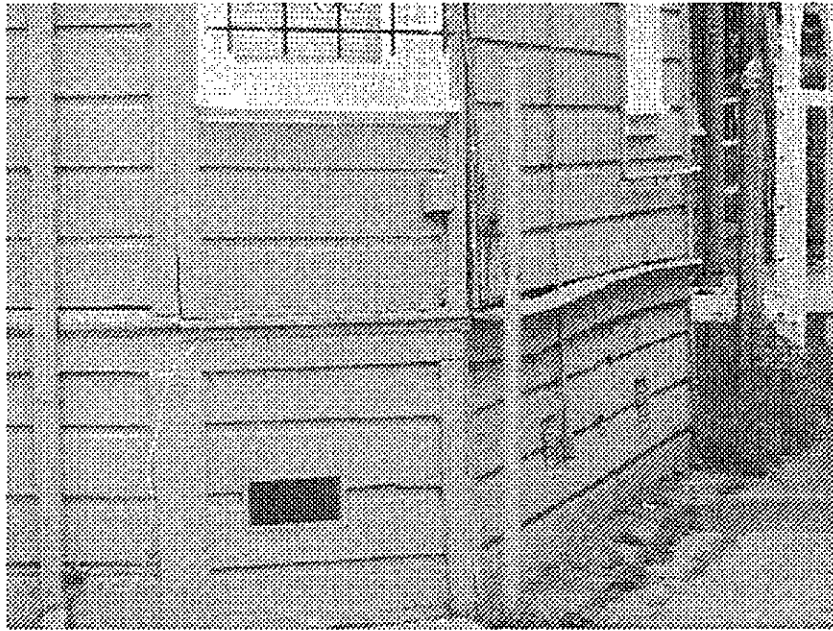
23rd Street and Valley (same building as previous photo): deteriorated and separated masonry walls at building corner potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



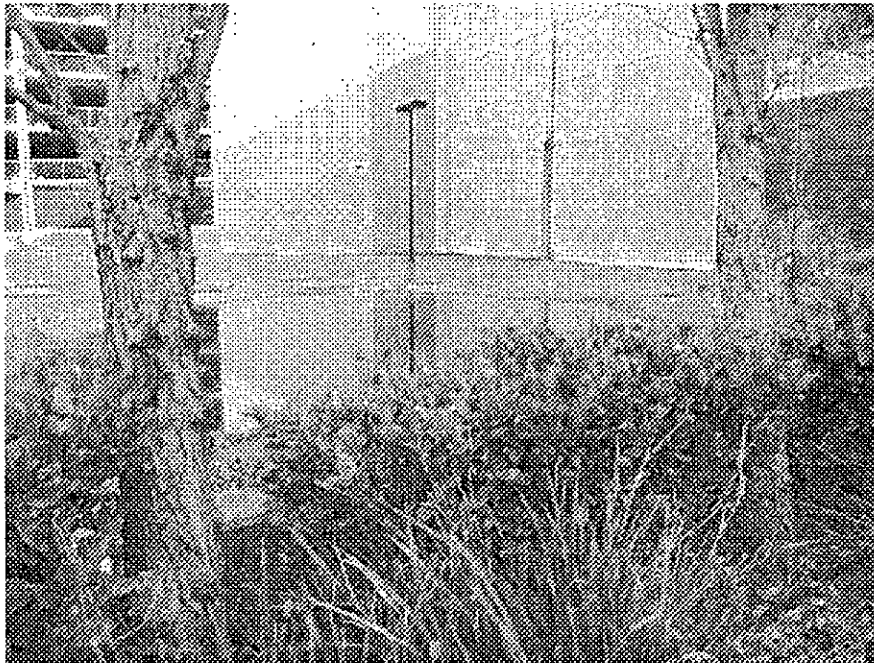
24th Street and Valley: cracked foundation.



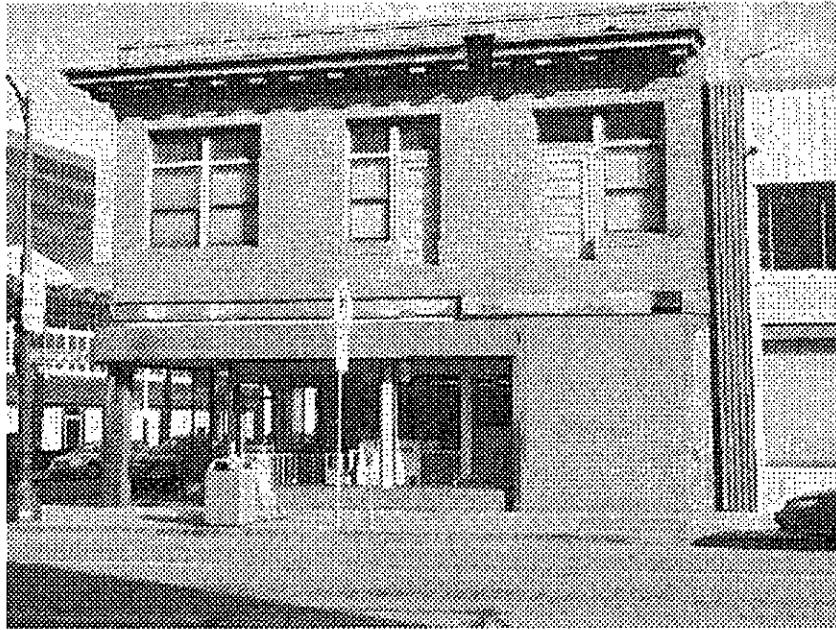
24th Street and Valley (same building as previous photo): deteriorated and missing masonry potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



23rd Street and Valley: structural alignment problems observed in building siding, deteriorated siding, dry rot.



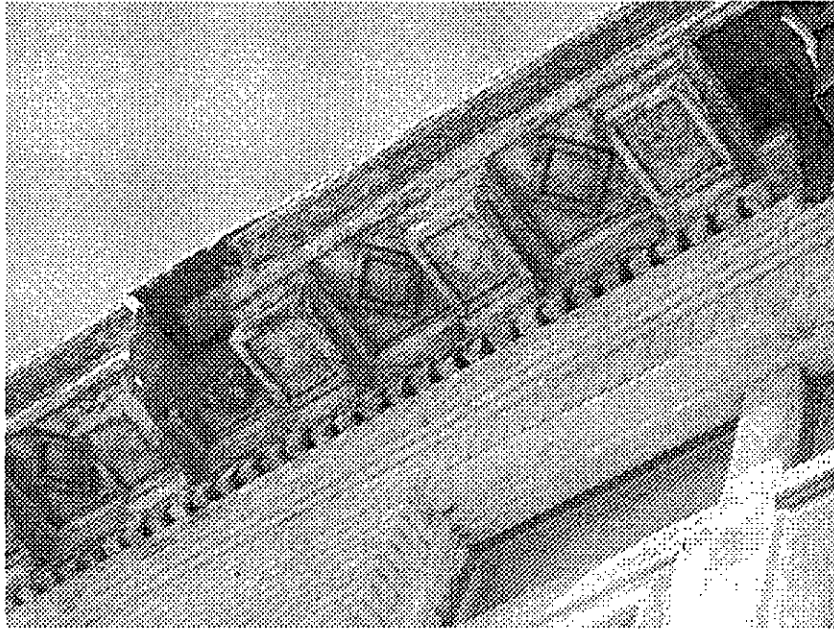
19th Street and Broadway: standing water apparently due to inadequate drainage.



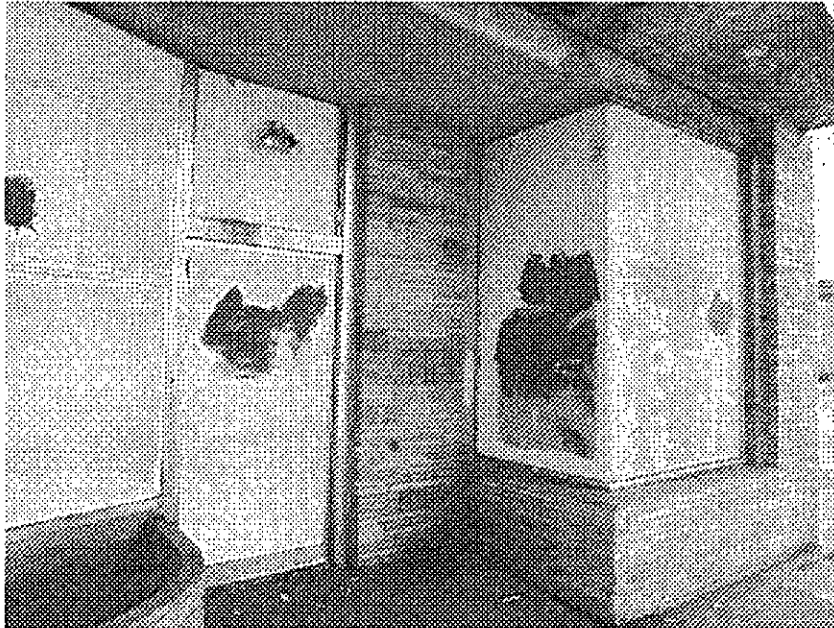
19th Street and Telegraph: deteriorated commercial facade.



18th Street and Telegraph: unoccupied commercial building, missing and boarded windows, worn facade.



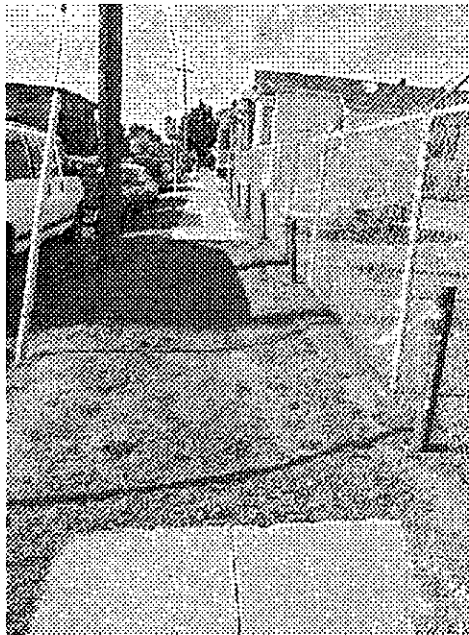
19th Street and Telegraph: apparent long-term neglect peeling paint, deteriorating roof and eaves likely allowing moisture intrusion and mold contamination.



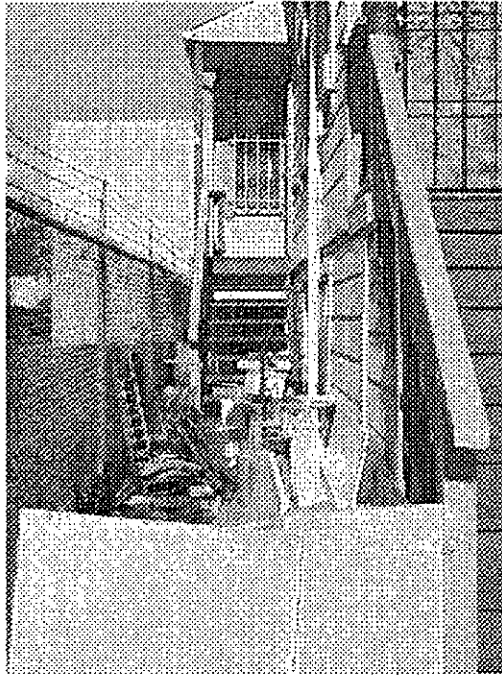
Castro and San Pablo: unoccupied commercial building, boarded windows and door.



20th Street and Castro: partially reinforced masonry building vulnerable to serious damage from seismic events, potentially hazardous in event of earthquake, vacant and boarded commercial building, graffiti.



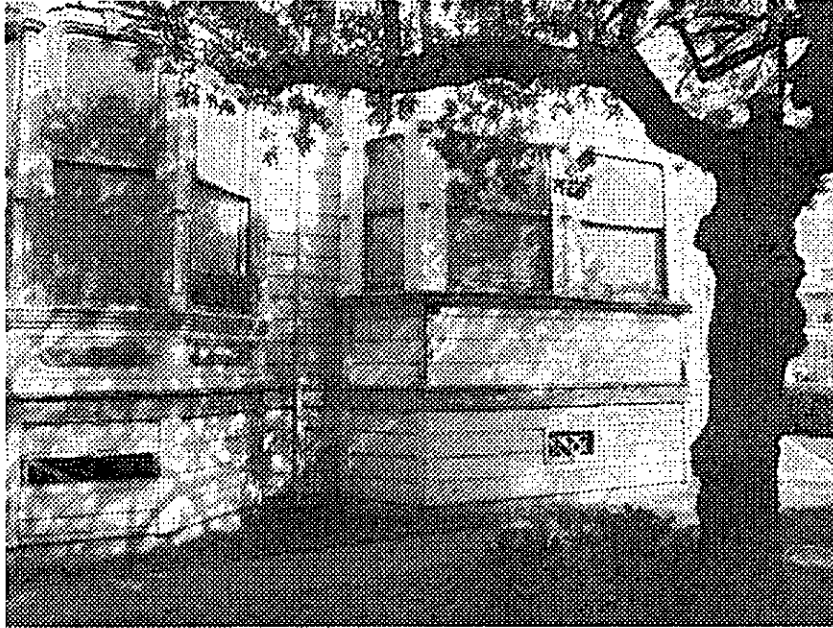
19th Street and Martin Luther King: inadequate sidewalk segment hinders pedestrian circulation.



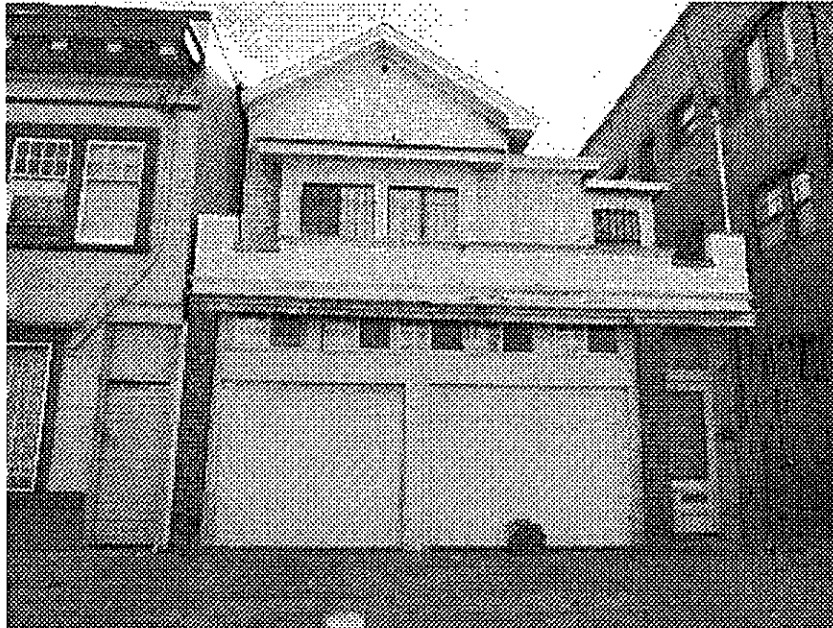
19th Street and Castro: informal outdoor storage blocking rear egress, informal gate.



18th Street and Castro: severe eave separation likely allowing moisture intrusion, mold contamination and structural wood rot, eave deterioration.



18th Street and Martin Luther King: deteriorated and missing siding, peeling paint and dry rot apparently due to long-term neglect.



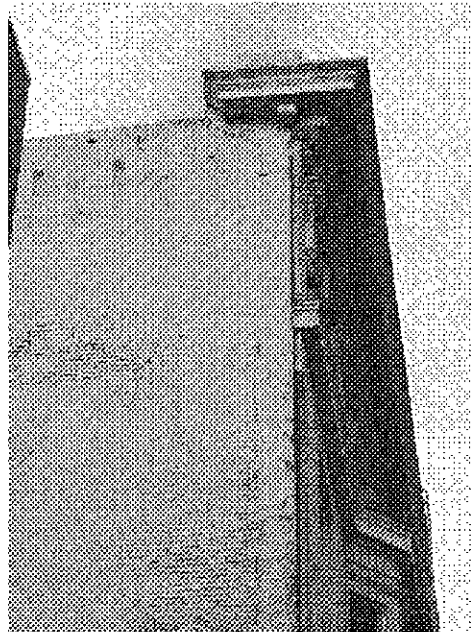
17th Street and Martin Luther King: deteriorated siding, peeling paint and dry rot apparently due to long-term neglect.



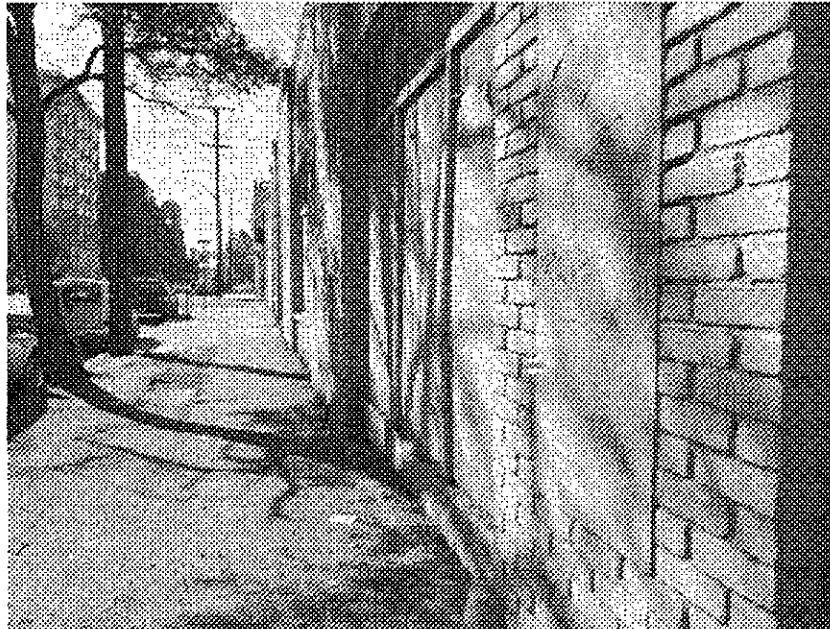
16th Street and Martin Luther King: partially reinforced masonry building vulnerable to serious damage from seismic events, building potentially hazardous in event of earthquake.



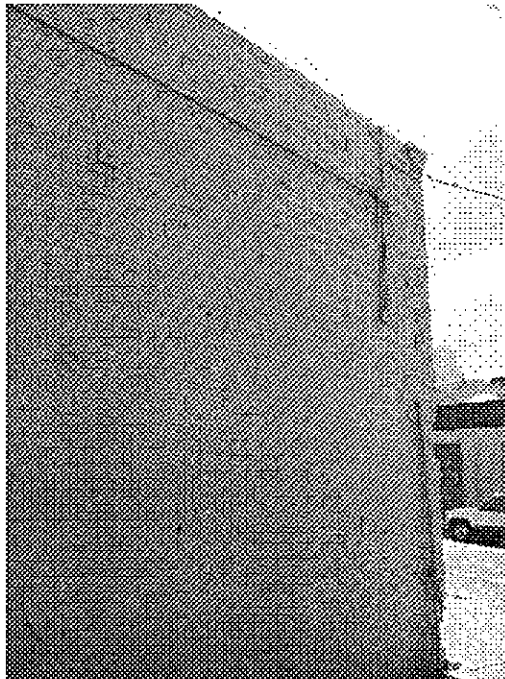
16th Street and Martin Luther King (close up of above): partially reinforced masonry building vulnerable to serious damage from seismic events, cracked and deteriorated masonry wall potentially hazardous in event of earthquake.



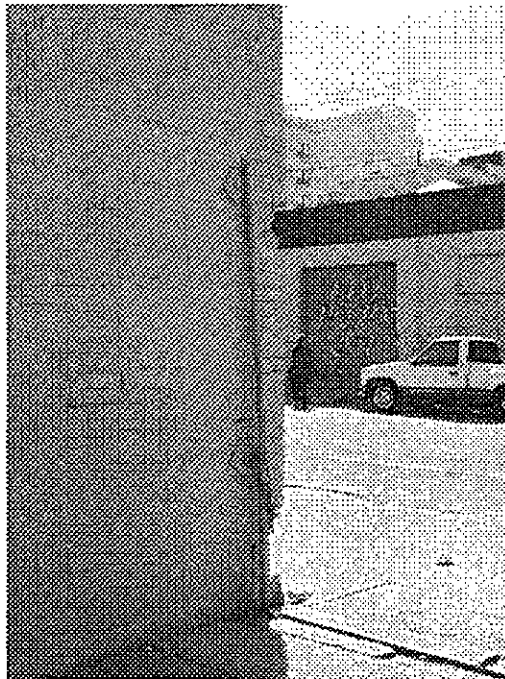
16th Street and Jefferson: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked wall, separated facade from masonry wall potentially hazardous in event of earthquake.



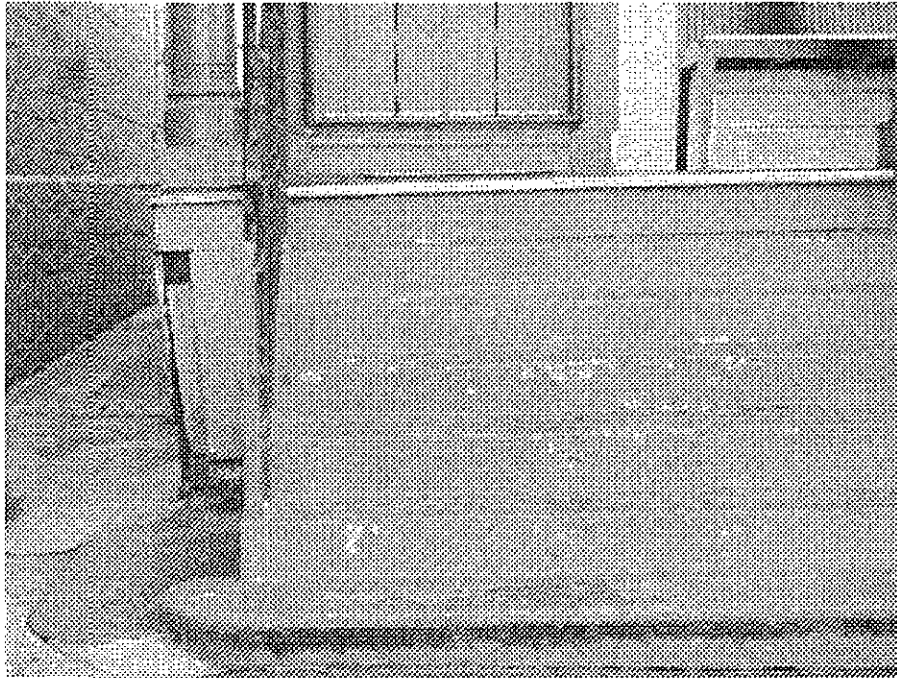
15th Street and Martin Luther King: abandoned, vacant and boarded commercial building, vandalism to building, deteriorated sidewalk.



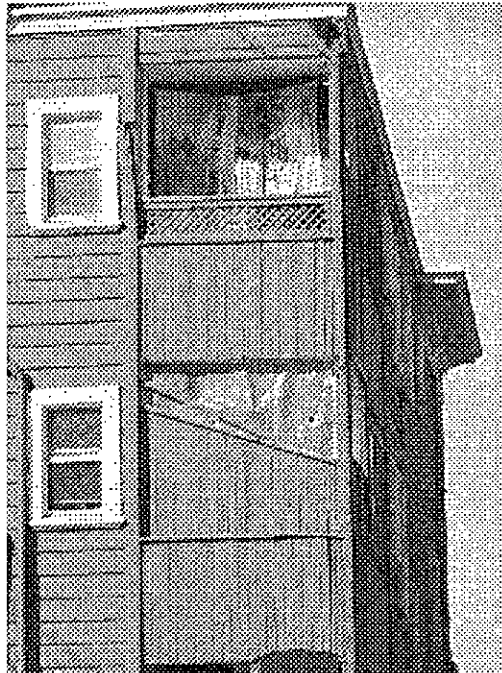
15th Street and Castro: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake.



15th Street and Castro (close up of above): missing masonry along building comers potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



15th Street and Castro: deteriorated structural support, structural alignment problems observed at porch.



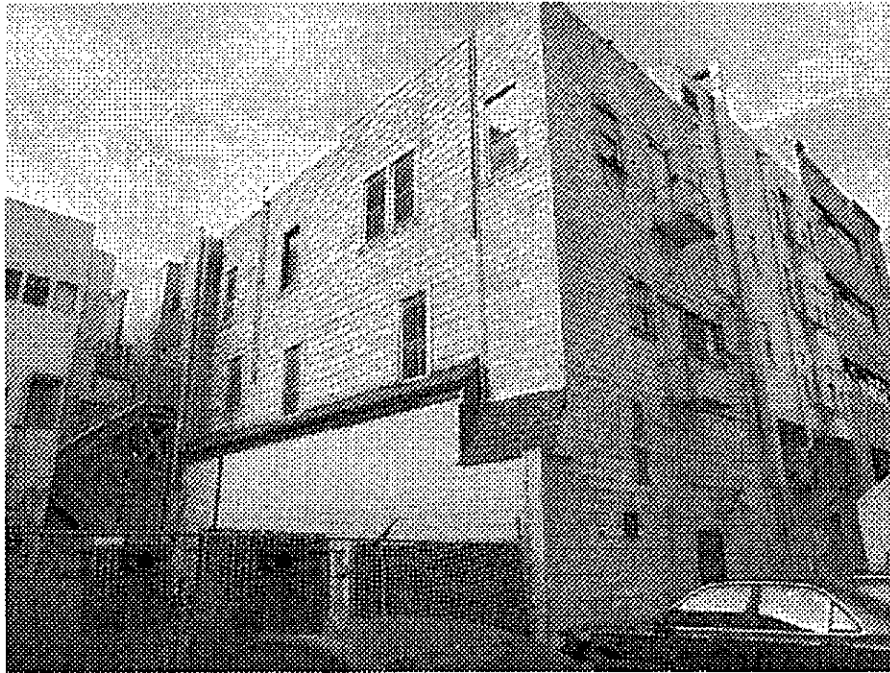
15th Street and Castro: structural alignment problems observed at balcony, missing windows, peeling paint



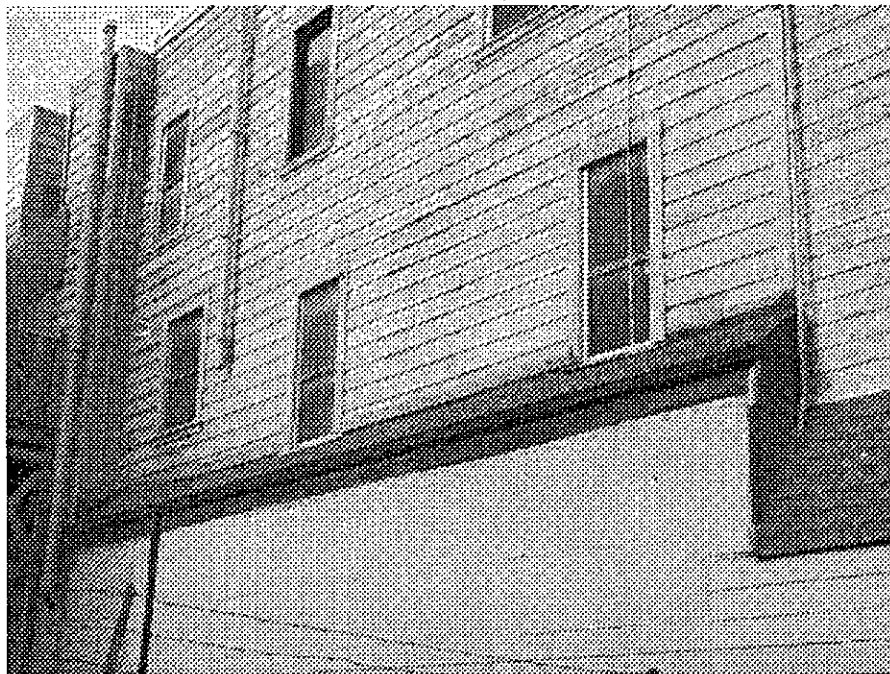
14th Street and Castro: serious deterioration apparently due to long-term neglect missing siding, peeling paint, dry rot.



15th Street and Jefferson: deteriorated siding, peeling paint boarded windows, and cracked wall apparently due to long-term neglect



15th Street and Jefferson: serious deterioration apparently due to long-term neglect, separated siding, peeling paint, dry rot, boarded windows.



15th Street and Jefferson (close up): separated and deteriorated siding, peeling paint, dry rot, boarded windows.



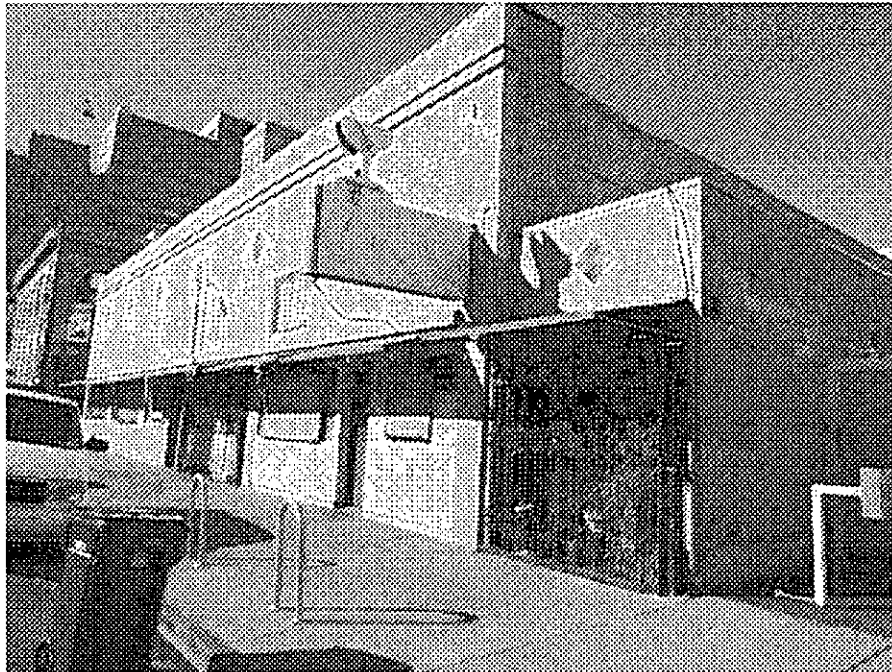
15th Street and Jefferson: peeling paint, deteriorated siding, dry rot,



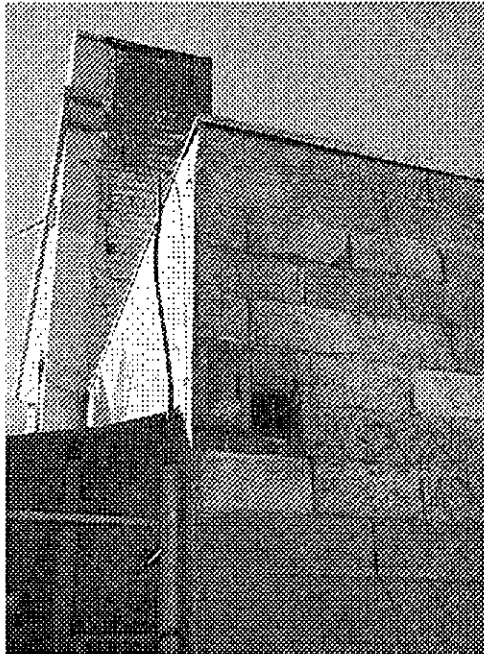
15th Street and Jefferson (close up of above): peeling paint, dry rot, deteriorated siding.



Broadway and Telegraph: unoccupied commercial buildings, deteriorated facades.



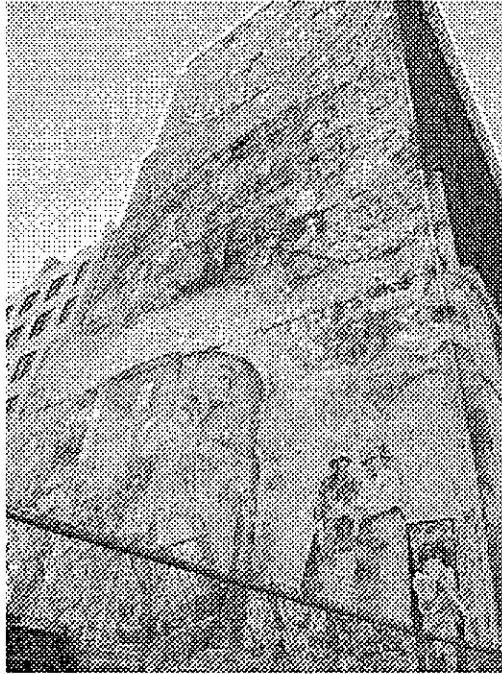
15th Street and Franklin: partially reinforced masonry building and unreinforced concrete block building vulnerable to serious damage from seismic events, deteriorated facade, deteriorated masonry potentially hazardous in event of earthquake.



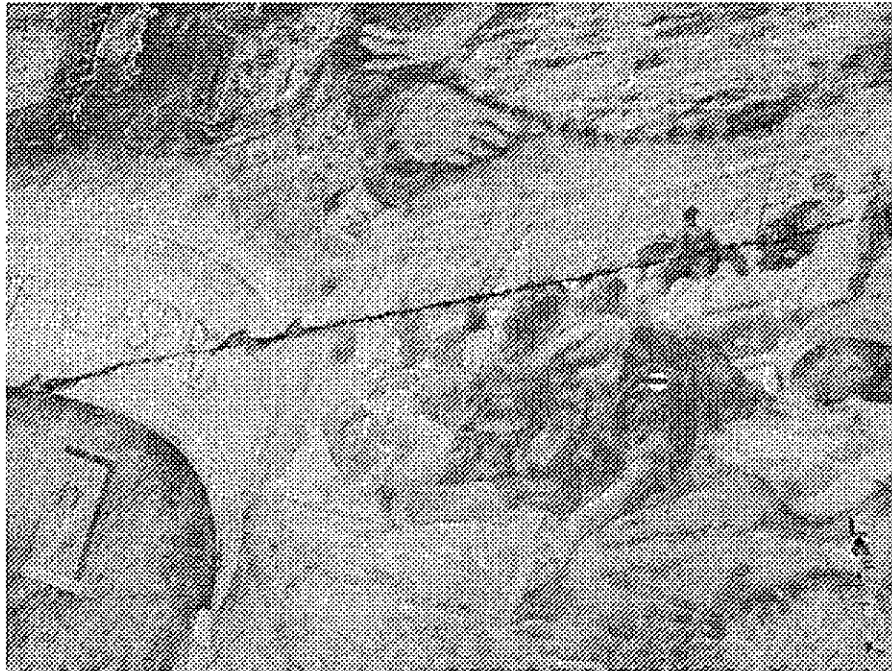
15th Street and Franklin (close up of above): deteriorated masonry wall and concrete block wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



15th Street and Franklin (same building as previous photo): cracked masonry wall and separated facade potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



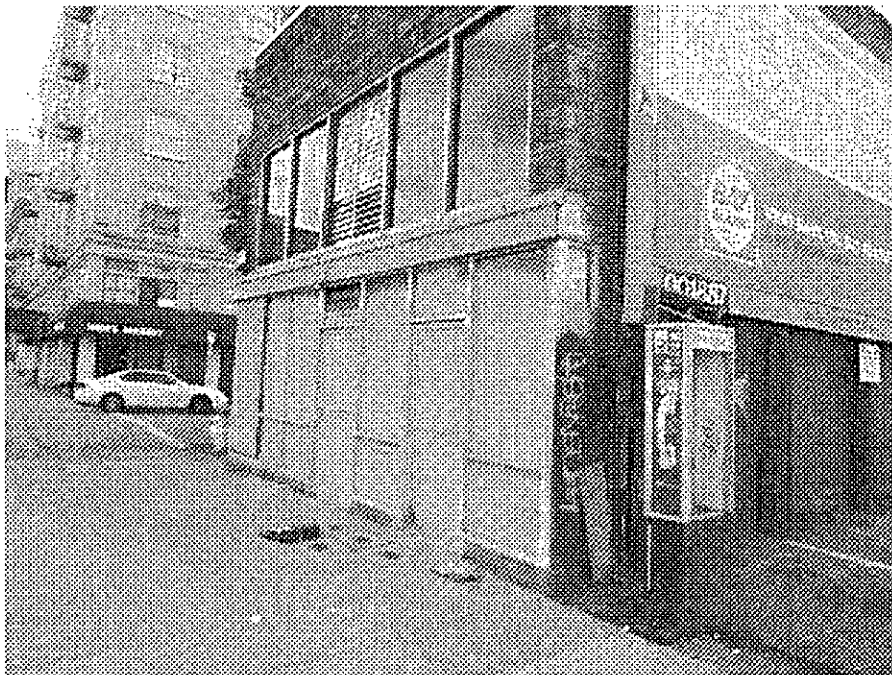
14th Street and Franklin: cracked wall.



14th Street and Franklin (close up of above): horizontal crack across building.



14th Street and Webster: apparent long-term neglect, informal construction repairs, graffiti.



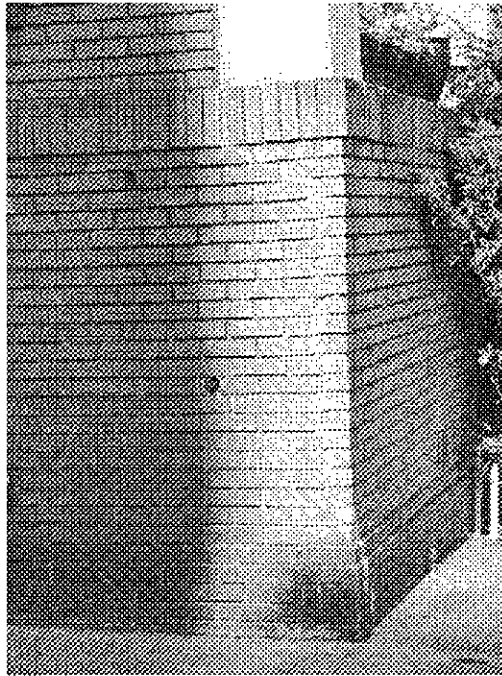
15th Street and Harrison: abandoned, vacant and boarded commercial building.



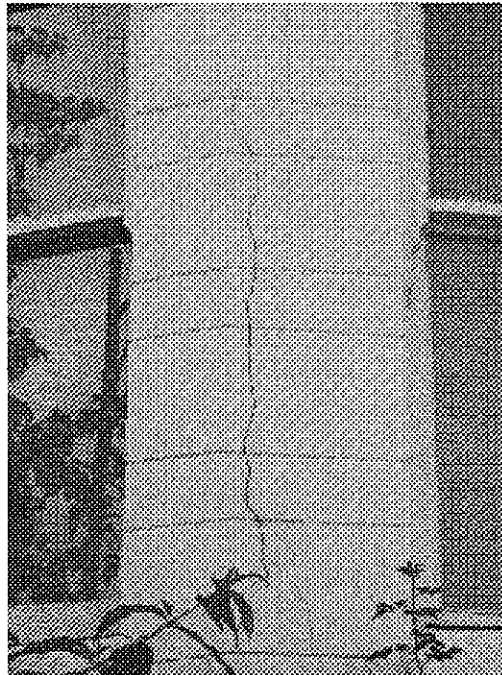
17th Street and Alice: masonry building vulnerable to serious damage from seismic events, building potentially hazardous in event of earthquake.



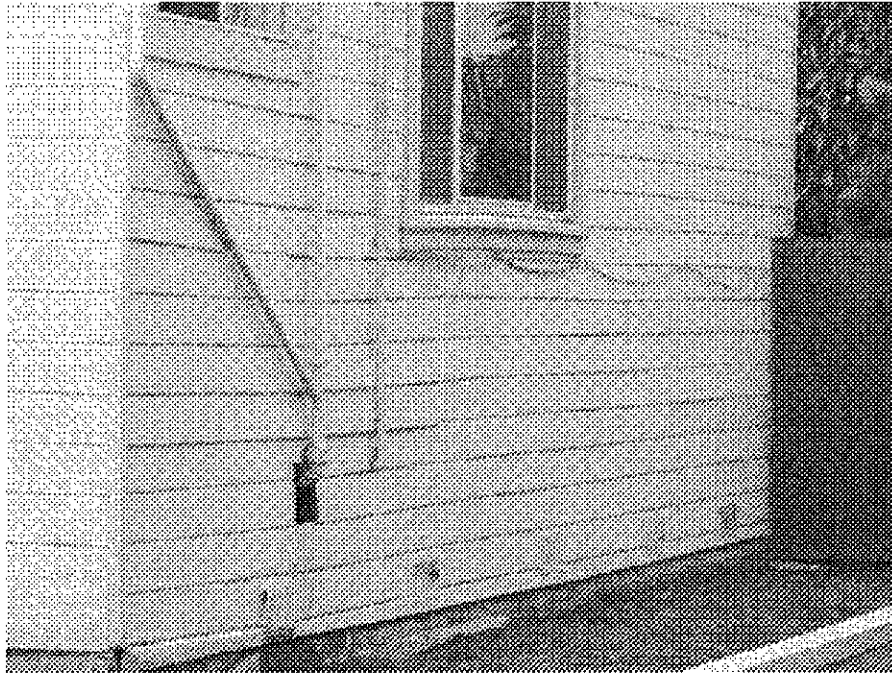
17th Street and Alice (close up of above): cracked masonry at building corner potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



17th Street and Alice (same building as previous photo): cracked masonry at building corner potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



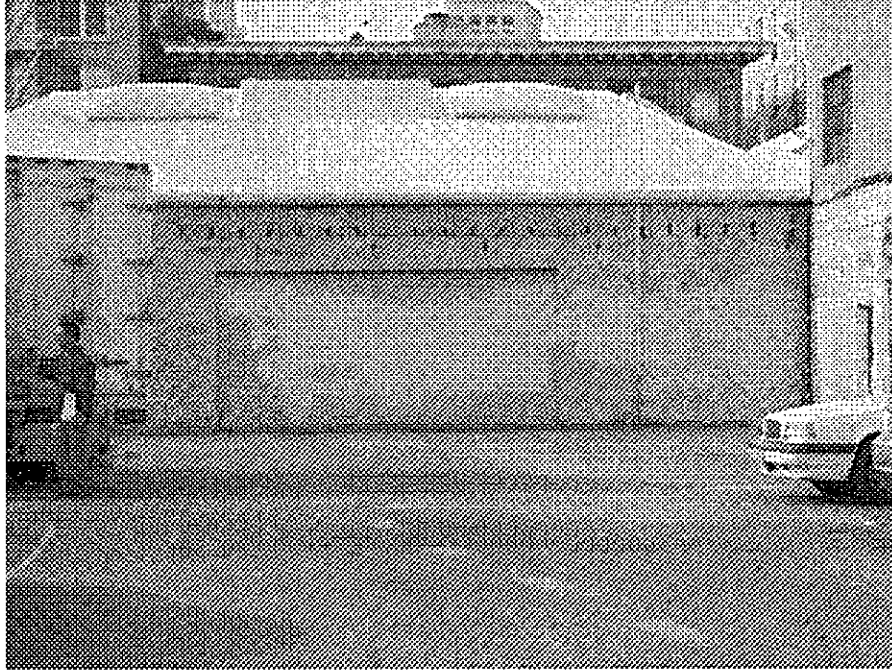
17th Street and Alice (same building as previous photo): cracked wall near windows.



017th Street and Alice: structural alignment problems as observed in siding.



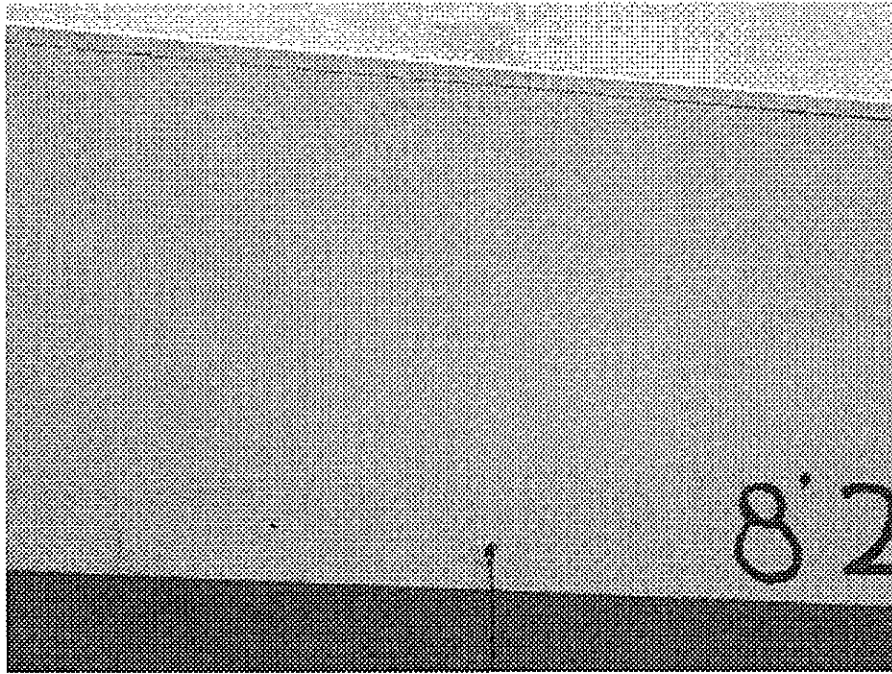
17th Street and Madison: brick foundation causing building to be vulnerable to serious damage in seismic events, deteriorated siding, peeling paint, dry rot.



14th Street and Alice: unreinforced masonry building vulnerable to serious damage from seismic events, cracked and deteriorated masonry wall potentially hazardous in event of earthquake.



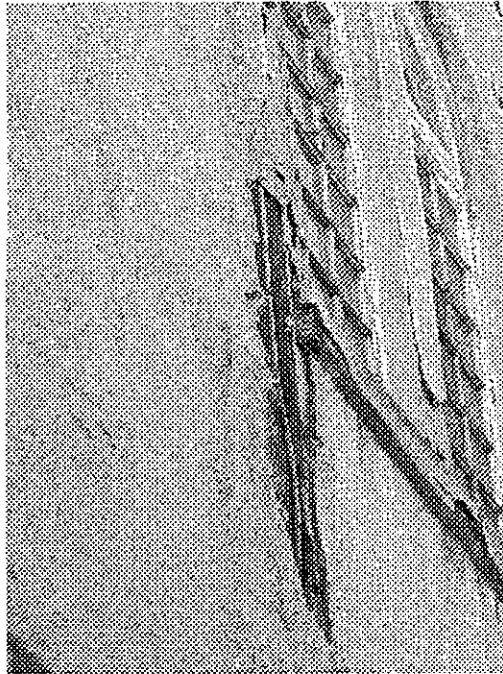
14th Street and Alice: cracked masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage in event of earthquake.



14th Street and Jackson: multiple wall cracks suggest structural issue.



14th Street and Madison: obsolete retail design, vacant unit, likely vandalism.



15th Street and Jackson: deteriorated and cracked siding likely allowing moisture intrusion, mold contamination and structural wood rot.



15th Street and Jackson (same building as previous photo): deteriorated siding likely allowing moisture intrusion, mold contamination and structural wood rot.



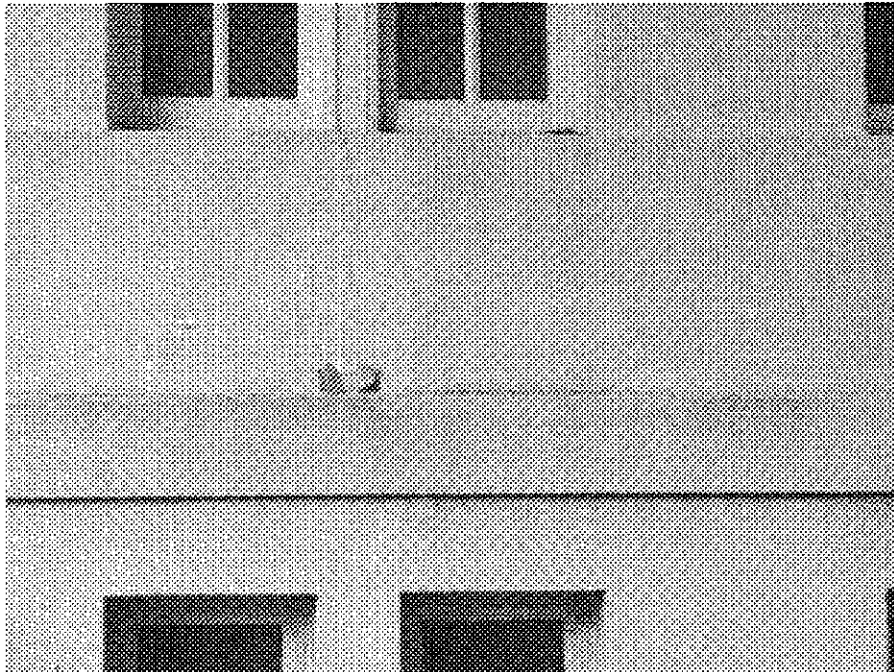
15th Street and Jackson (same building as previous photo): cracked wall.



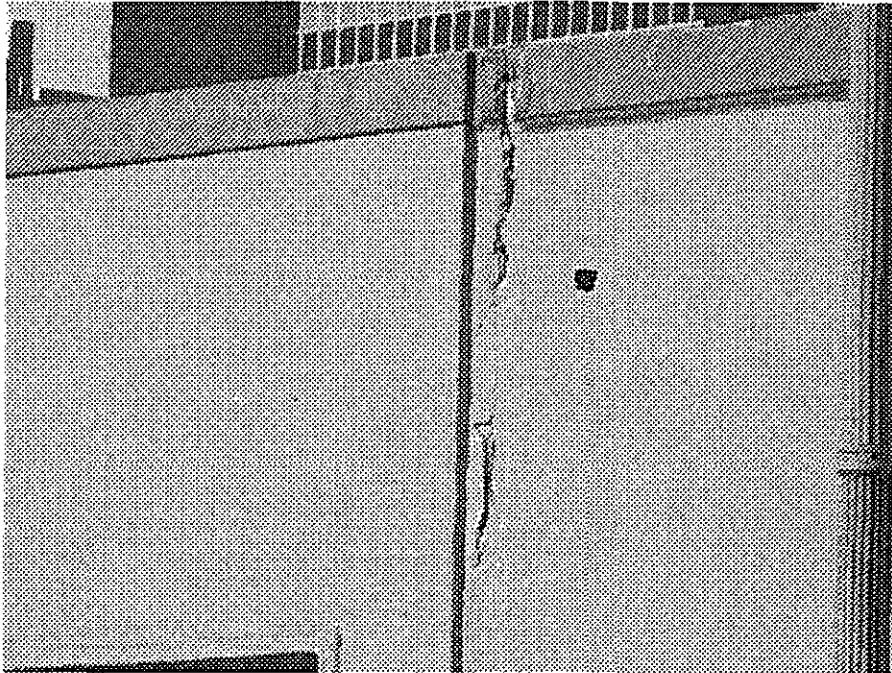
12th Street and Harrison: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake, graffiti.



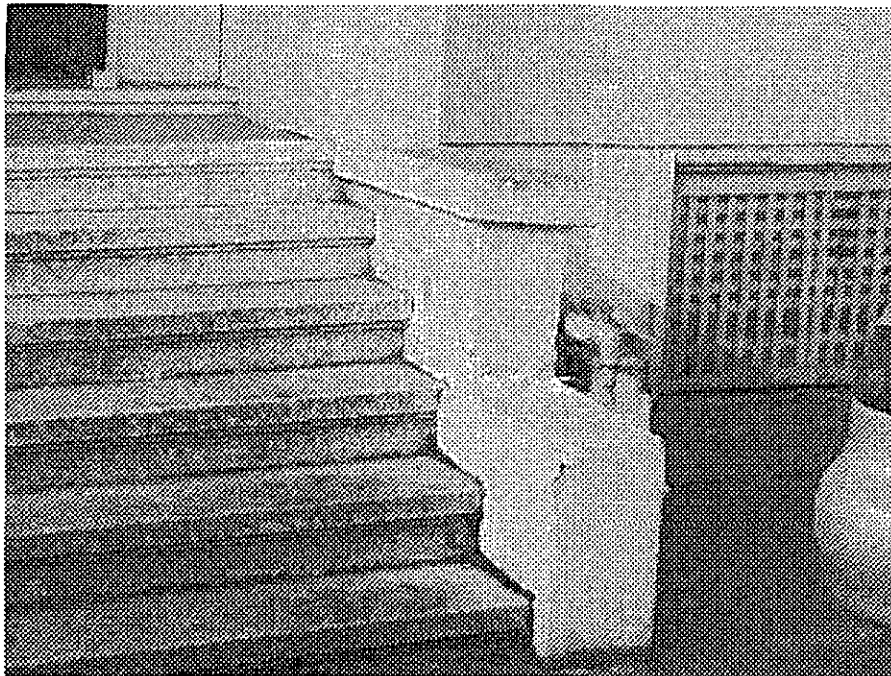
13th Street and Lakeside: cracked walls and peeling paint apparently due to long-term neglect.



13th Street and Lakeside (close up of above): cracked wall, peeling paint.



11th Street and Harrison Street: cracked wall.



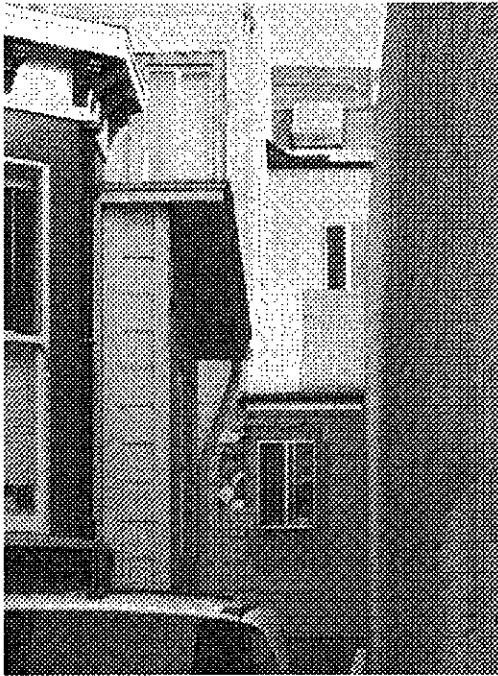
10th Street and Jefferson: structural alignment problems observed in stairs, peeling paint.



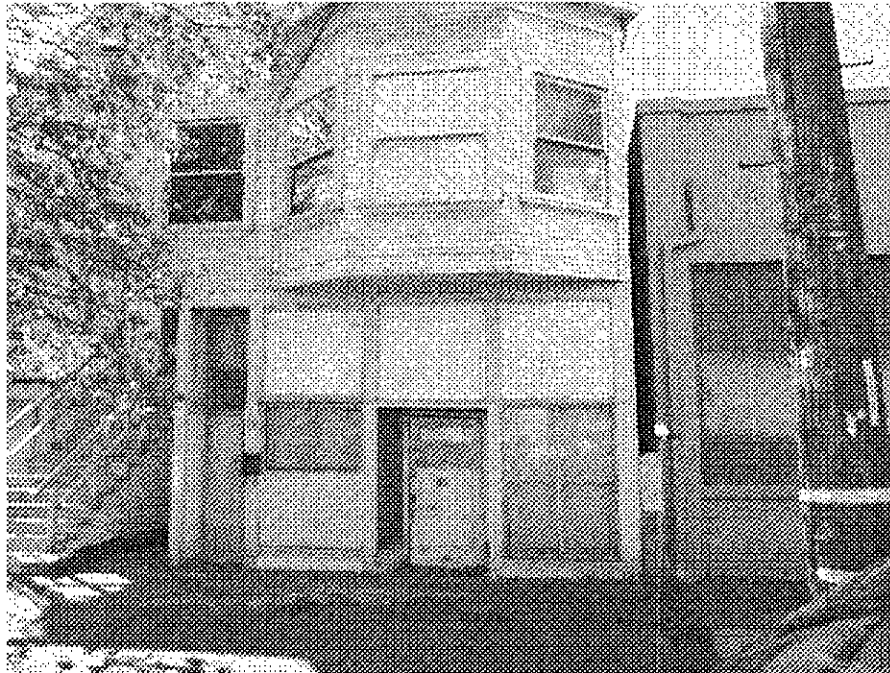
9th Street and Martin Luther King: severe roof dilapidation likely allowing moisture intrusion, mold contamination and structural wood rot.



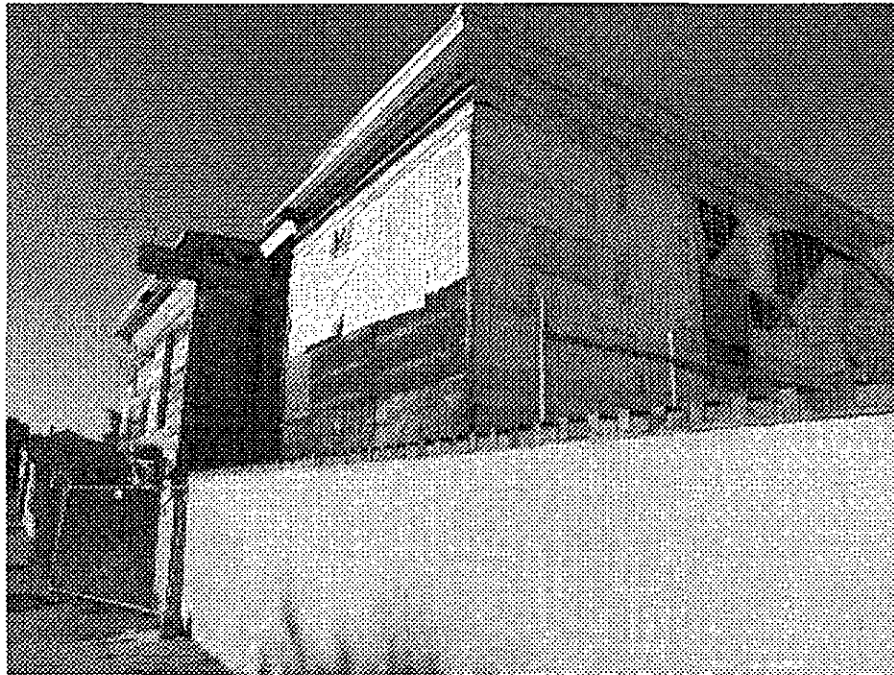
9th Street and Martin Luther King (same building as previous photo): structural alignment problems observed at porch.



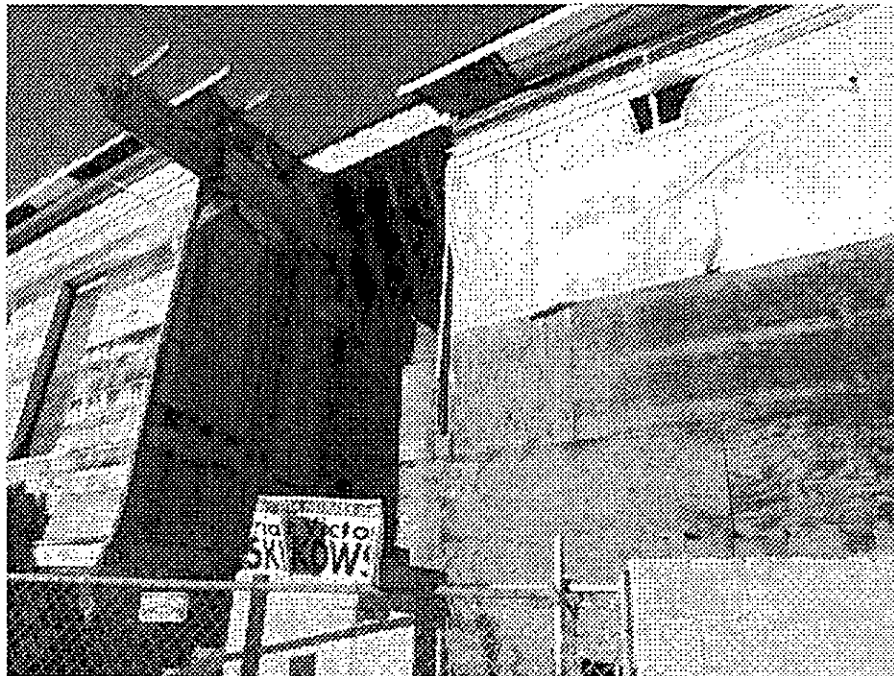
9th Street and Jefferson: deteriorated siding and roof likely allowing moisture intrusion, mold contamination and structural wood rot.



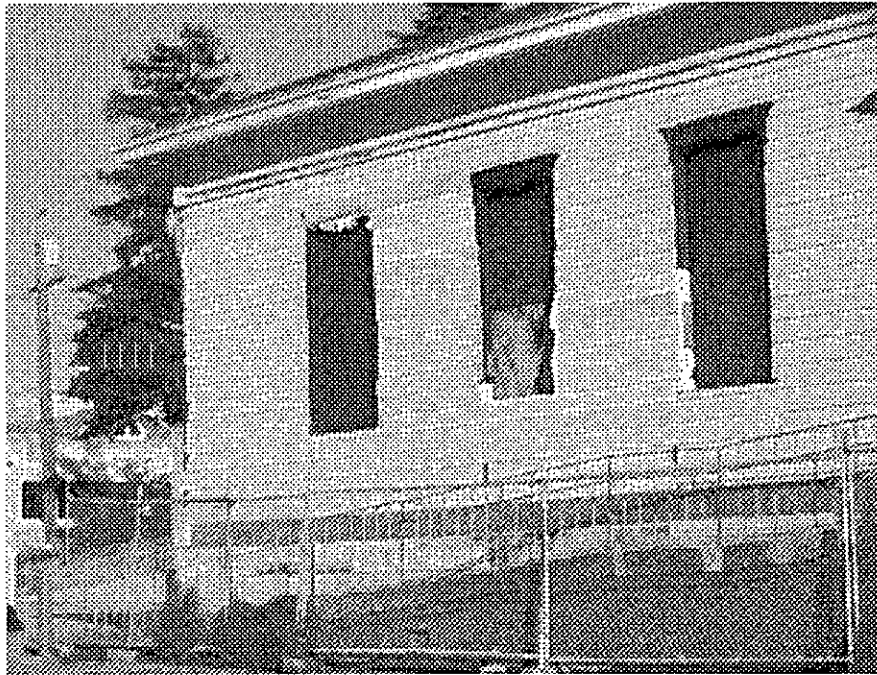
9th Street and Castro: deteriorated siding, peeling paint and boarded windows apparently due to long-term neglect.



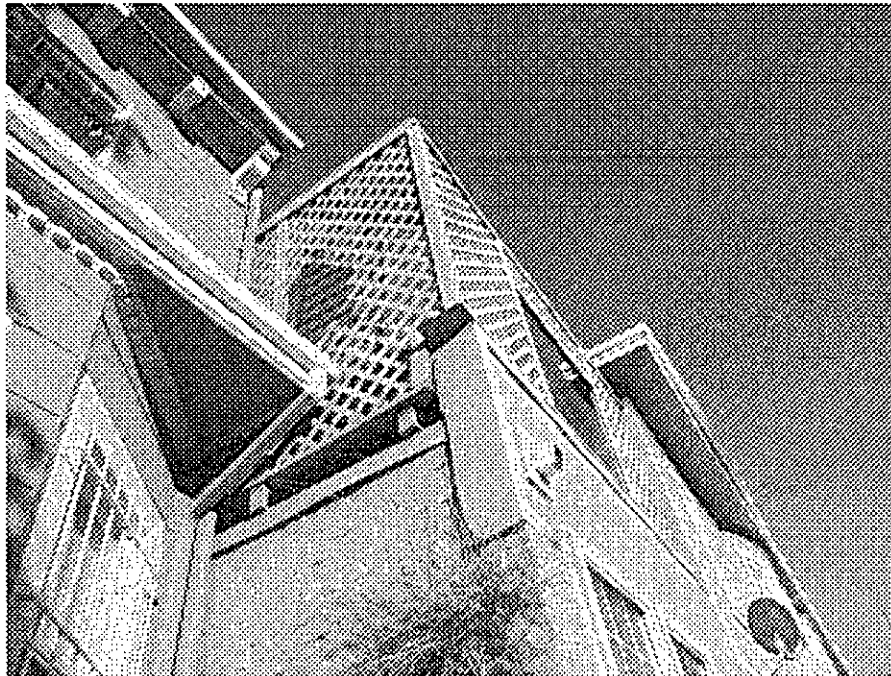
7th Street and Martin Luther King: abandoned building with substandard siding and wall materials, deteriorated siding, missing and boarded windows, peeling paint, dry rot.



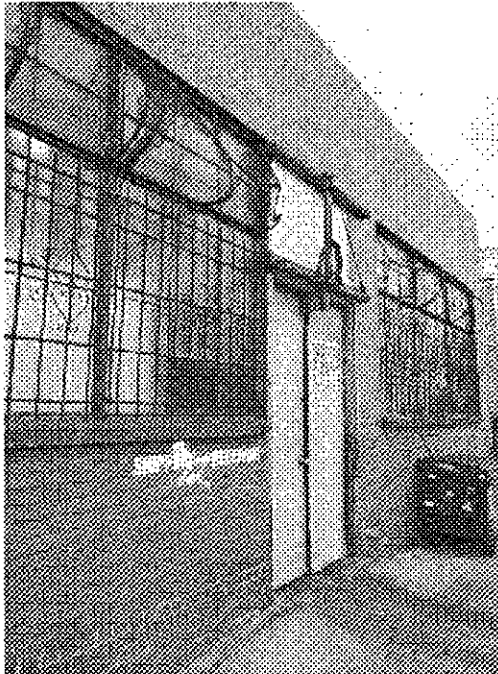
7th Street and Martin Luther King (close up of above): serious deterioration and dilapidation apparently due to long-term neglect, deteriorated siding, wood rot, peeling paint.



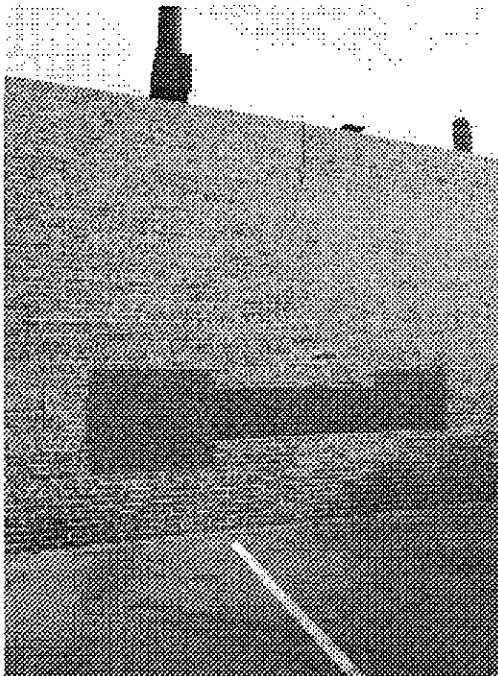
7th Street and Martin Luther King: serious deterioration apparently due to long-term neglect, missing and boarded windows, peeling paint, deteriorated siding.



7th Street and Castro: holes and informal construction in second story walls.



9th Street and Clay: unreinforced masonry building vulnerable to serious damage from seismic events, potentially hazardous in event of earthquake, deteriorated facade, graffiti.



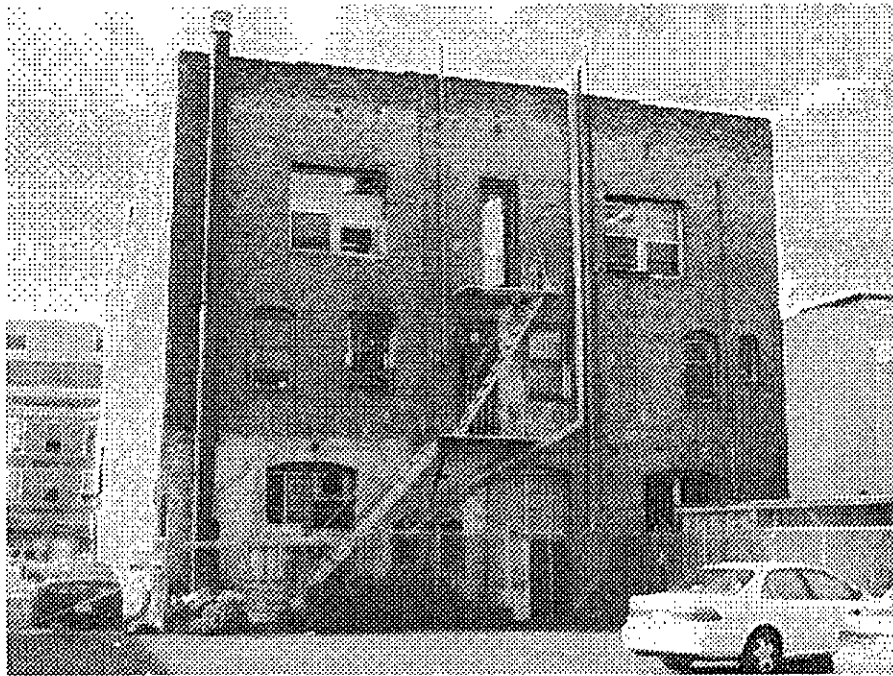
9th Street and Clay (same building as previous photo): unreinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake.



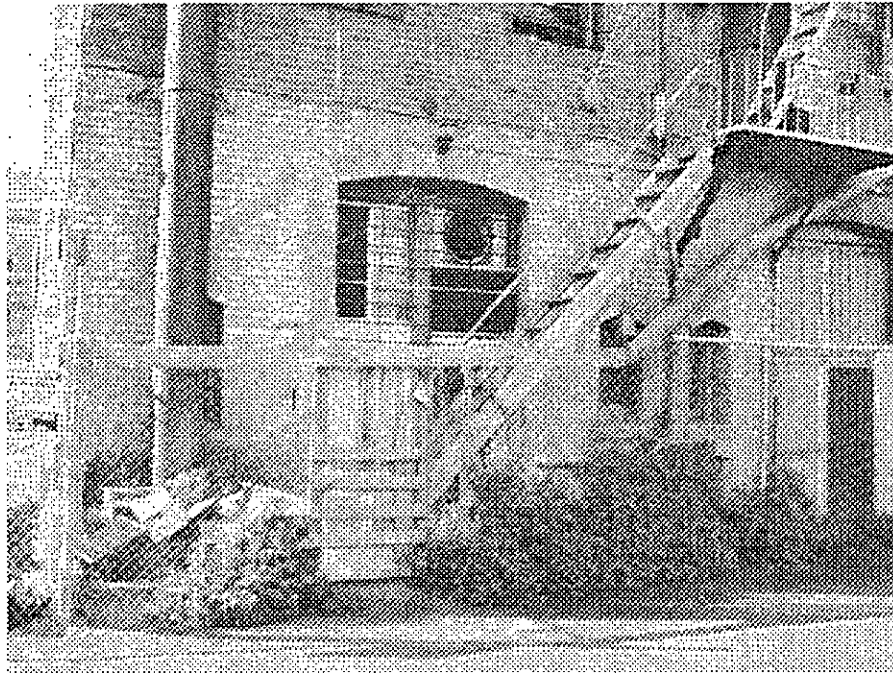
9th Street and Clay: unreinforced masonry building vulnerable to serious damage from seismic events, cracked and deteriorated wall potentially hazardous in event of earthquake, peeling paint.



8th Street and Washington: cracked wall and structural alignment problems observed on left side of building, peeling paint.



8th Street and Clay: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked wall potentially hazardous in event of earthquake, serious deterioration and dilapidation due to apparent long-term neglect.



8th Street and Clay (close up of above): extensive cracked masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



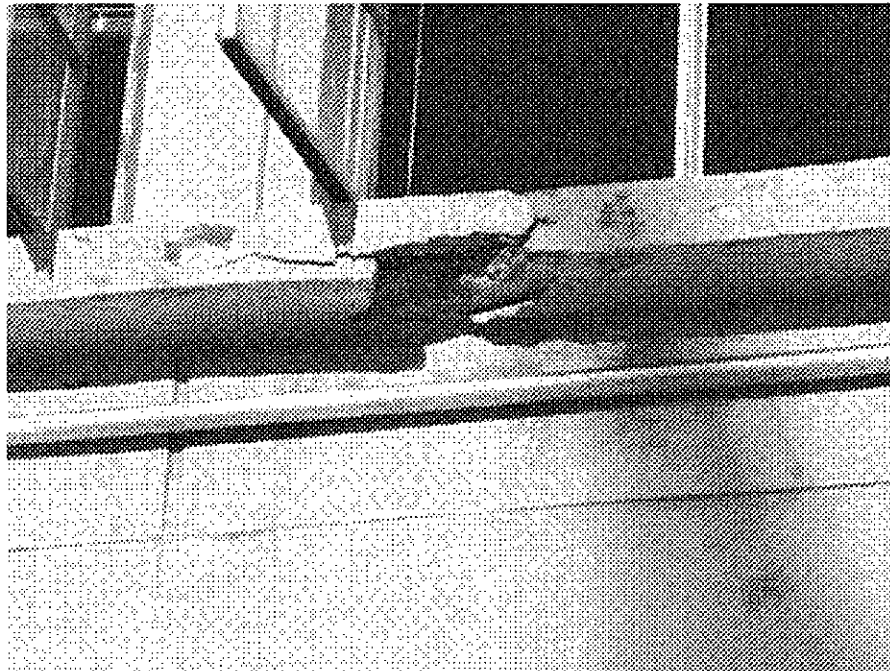
8th Street and Webster: obsolete building design, peeling paint, deteriorated facade.



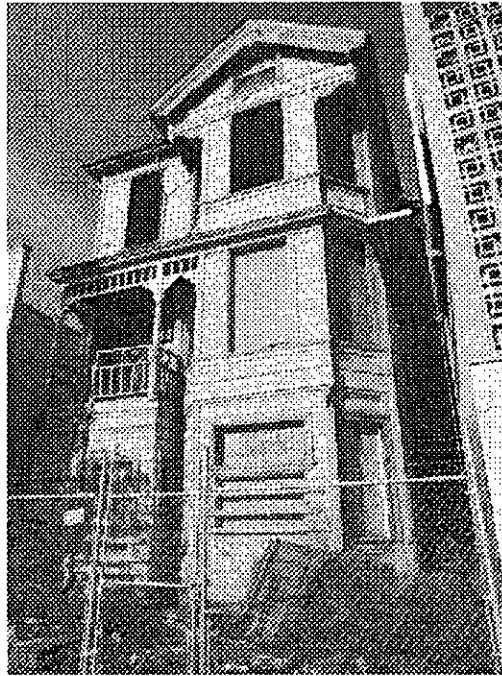
7th Street and Webster: cracked wall, peeling paint, evidence of vandalism on wall and awning.



7th Street and Webster: peeling paint, cracked walls.



7th Street and Webster (close up of above): crumbled and deteriorated facade, apparently due to long-term neglect.



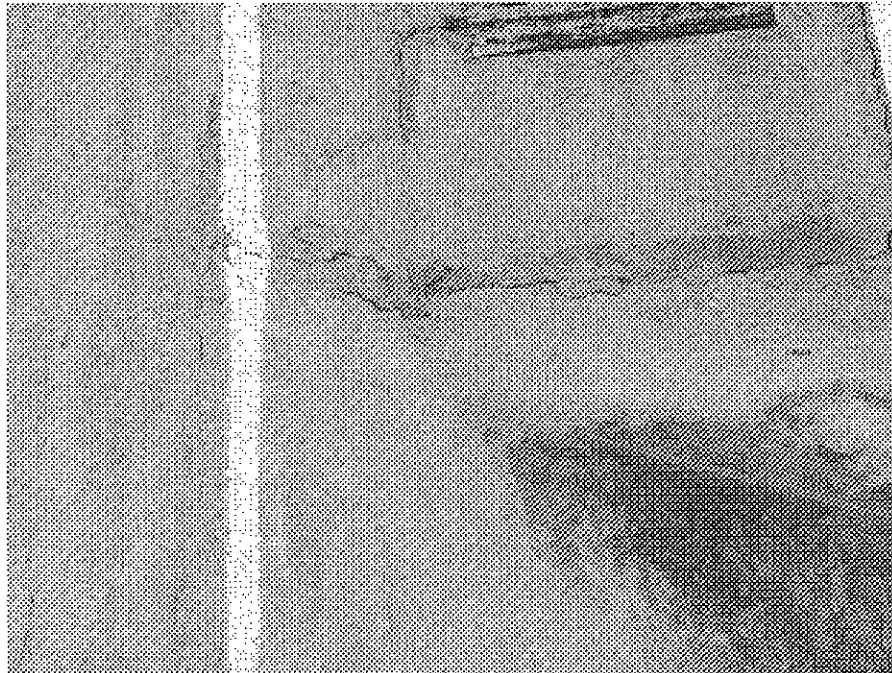
7th Street and Harrison: serious deterioration apparently due to long-term neglect, peeling paint, missing and boarded windows, dry rot.



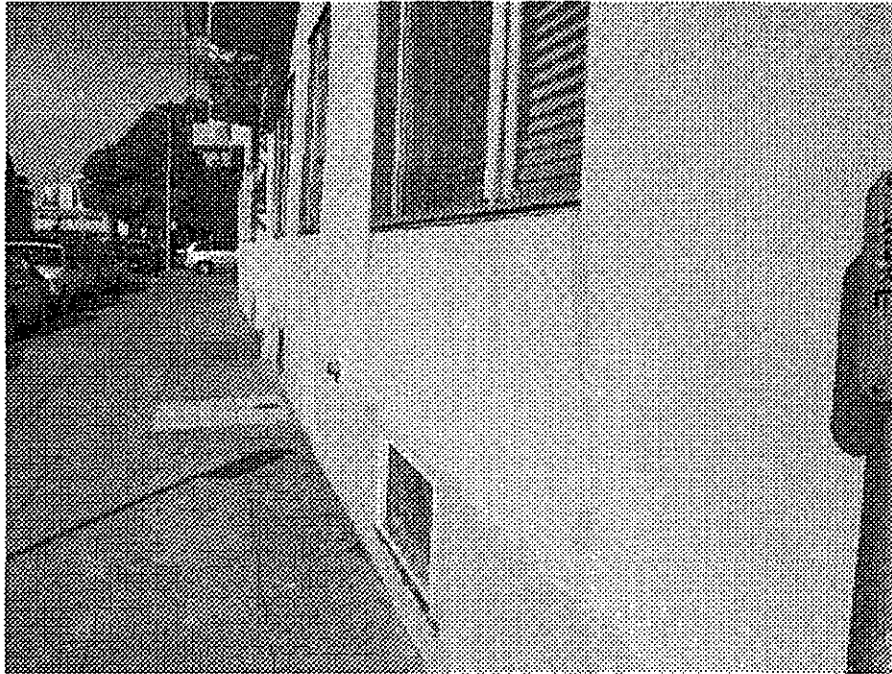
7th Street and Webster: abandoned, commercial building with vandalism, deteriorated signage and facade.



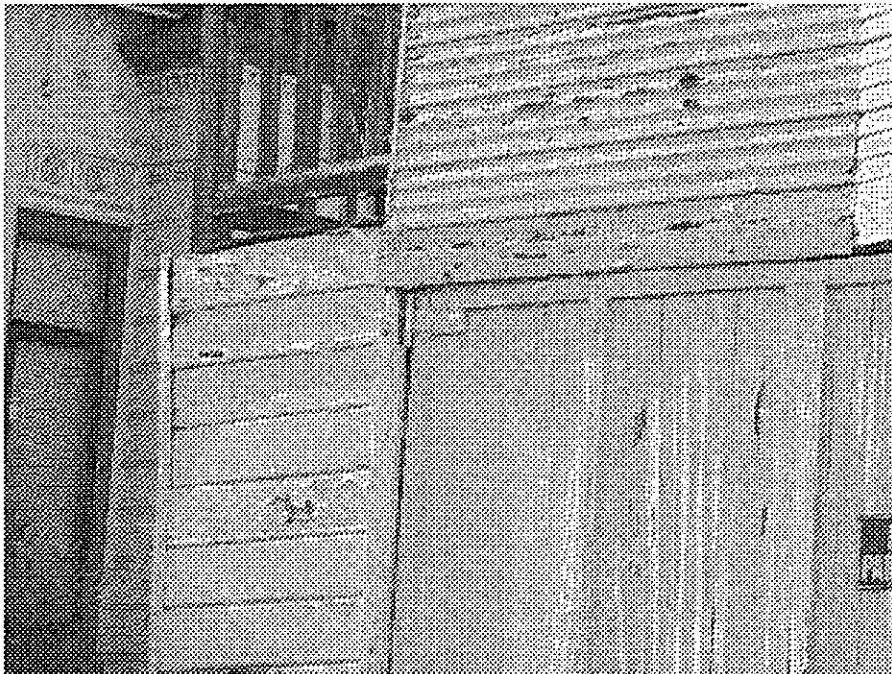
9th Street and Madison: serious deterioration apparently due to long-term neglect peeling paint cracked walls.



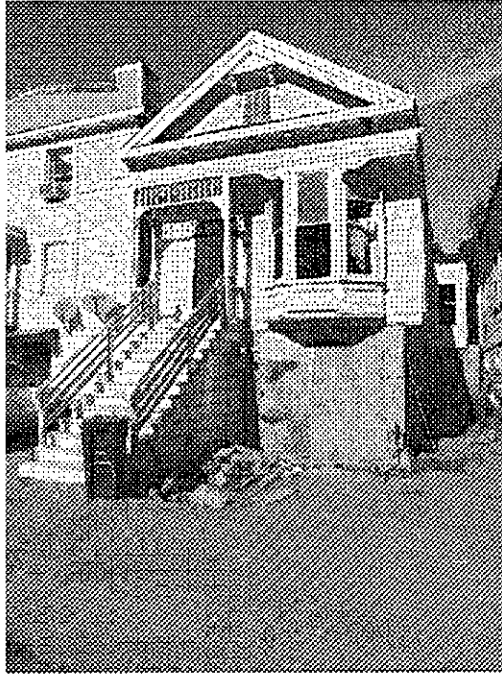
9th Street and Madison (close up of above): cracked walls, peeling paint.



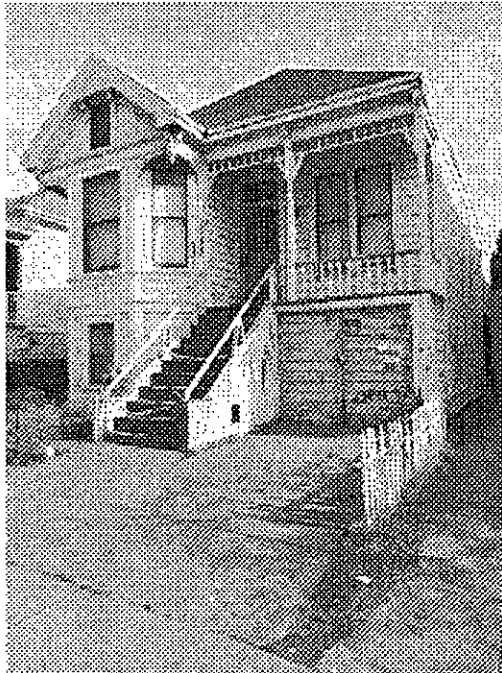
9th Street and Madison (same building as previous photo): buckling walls indicating structural alignment problems.



7th Street and Oak: structural alignment problems observed at porch, peeling paint, dry rot.



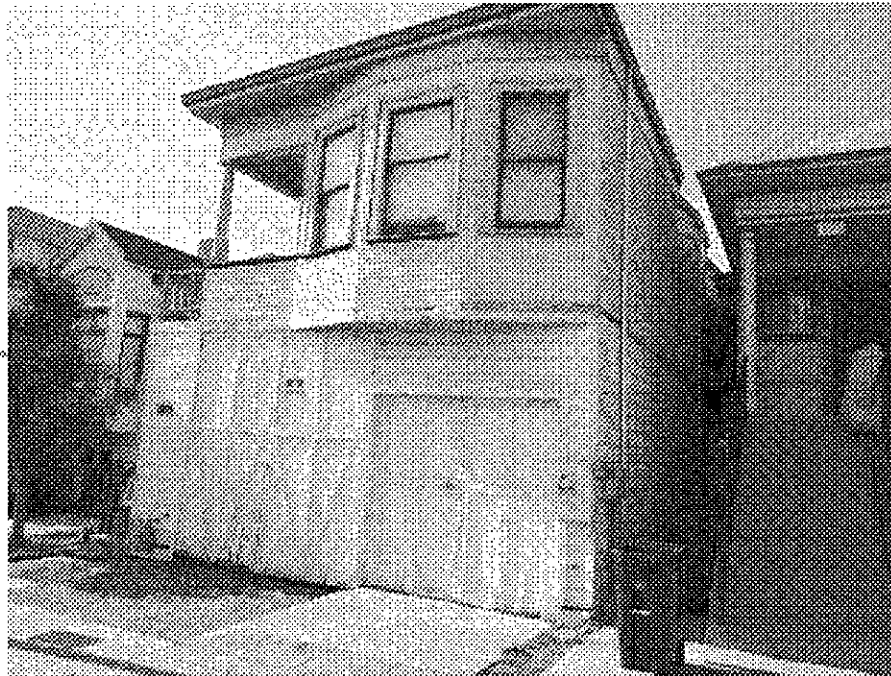
7th Street and Jackson: serious deterioration and dilapidation apparently due to long-term neglect damaged structure, peeling paint, dry rot.



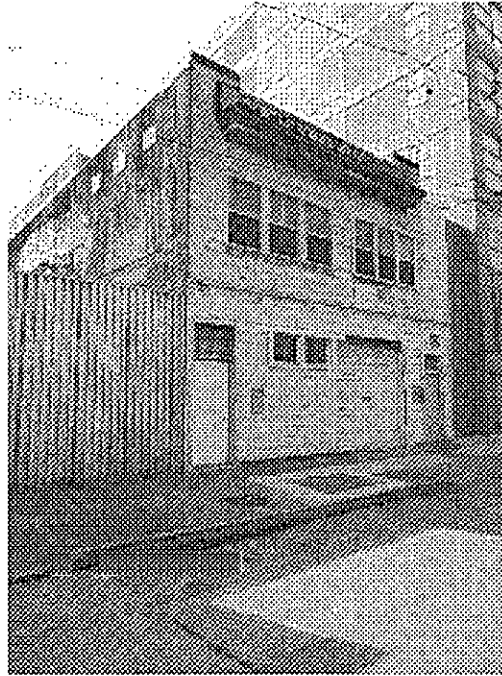
7th Street and Jackson: serious deterioration and dilapidation apparently due to long-term neglect peeling paint, dry rot, missing and boarded windows.



6th Street and Jackson: vacant commercial building with vandalism, partially reinforced masonry building vulnerable to serious damage from seismic events, potentially hazardous in event of earthquake.



7th Street and Oak: serious deterioration apparently due to long-term neglect, peeling paint, dry rot.



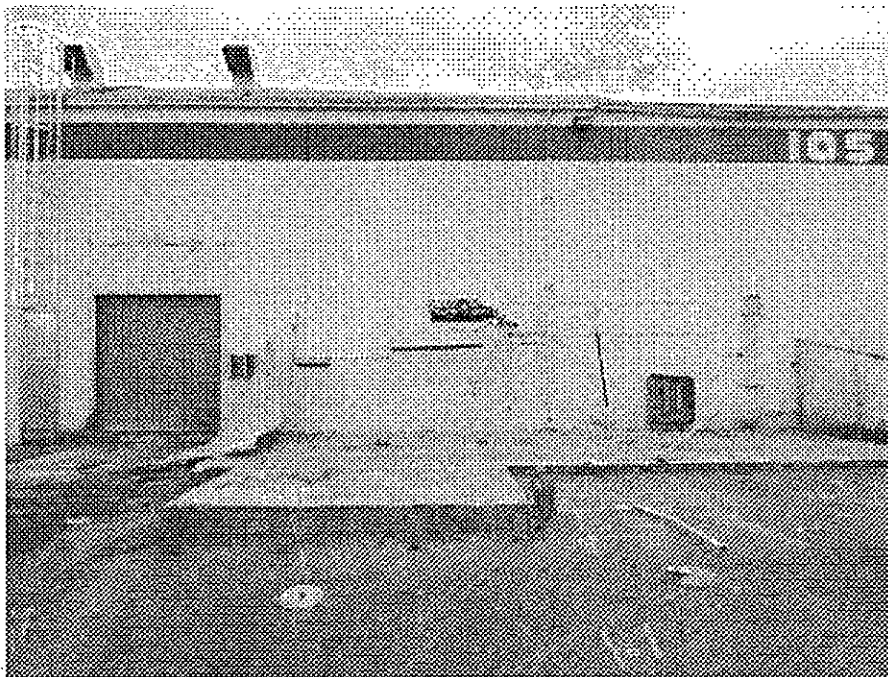
5th Street and Jackson: peeling paint and deteriorated and separated siding apparently due to long-term neglect.



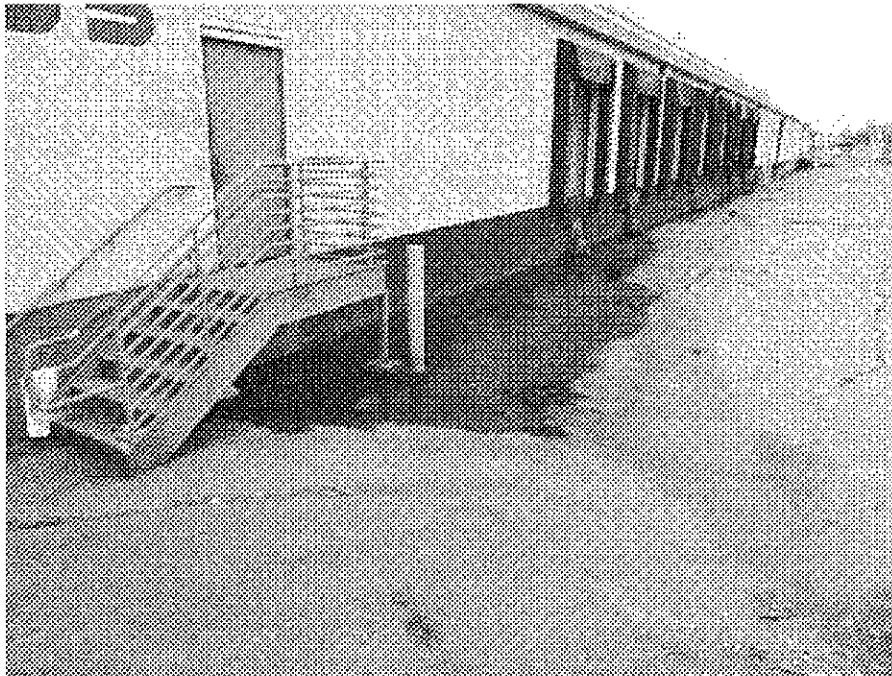
4th Street and Harrison: deteriorated and inadequate sidewalk, abandoned and defunct rail lines.



1st Street near Estuary Park: deteriorated roof and gutters likely allowing moisture intrusion, mold contamination and structural wood rot.



1st Street near Eshuary Park (same building as previous photo): abandoned building, deteriorated pavement.



1st Street near Estuary Park (same building as previous photo): standing water caused by poorly constructed paved lot cracked pavement.



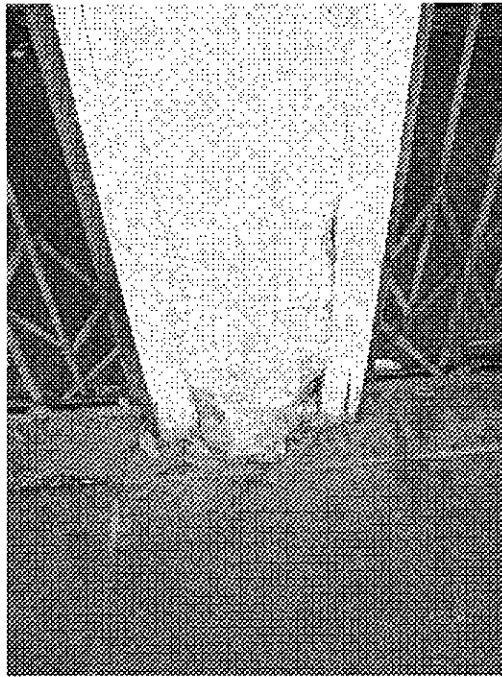
2nd Street and Franklin: broken windows, separated siding, peeling paint, and serious signage deterioration due to long-term neglect



2nd Street and Webster: crumbled and cracked structural support



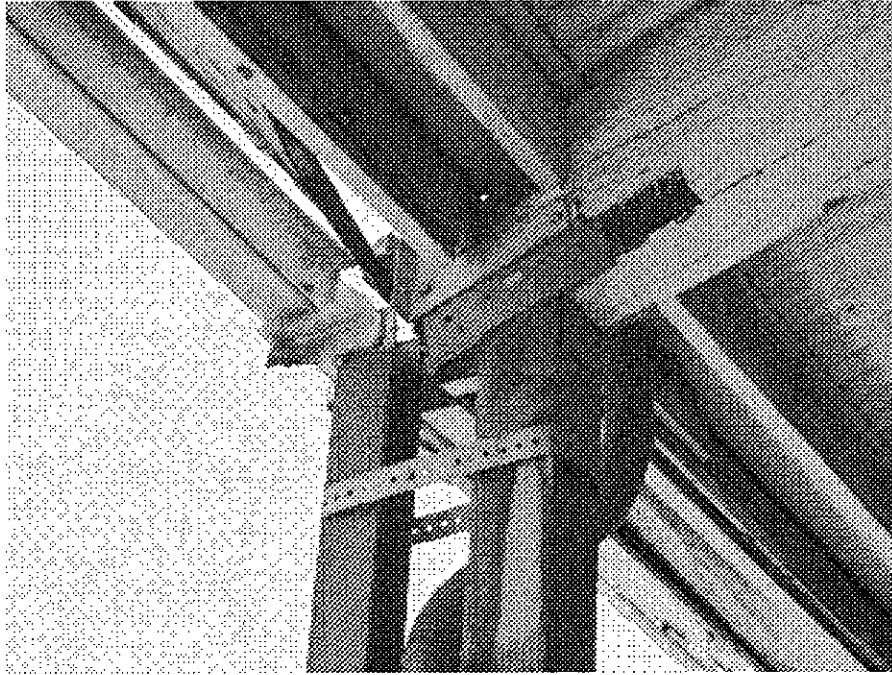
2nd Street and Broadway: deteriorated structural support.



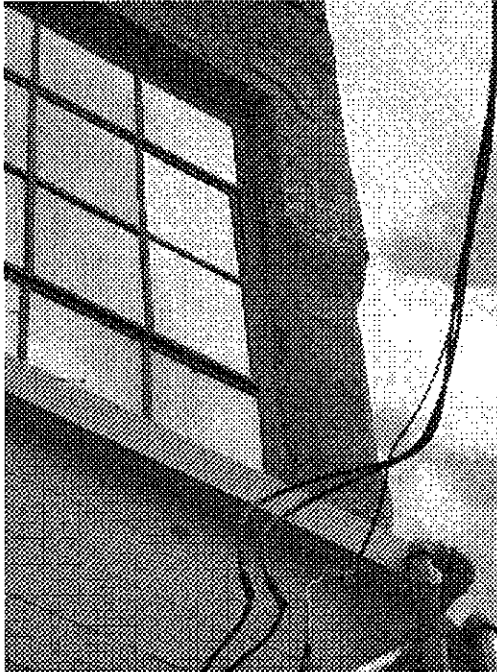
2nd Street and Franklin: deteriorated structural support.



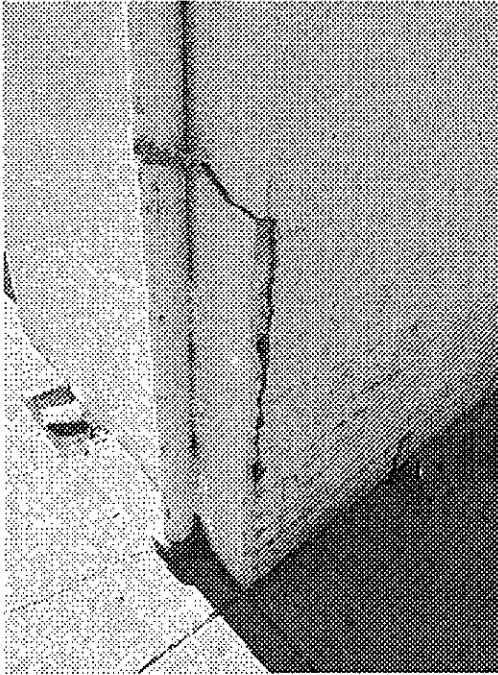
2nd Street and Franklin: deteriorated structural support, peeling paint, dry rot.



2nd Street and Franklin (same building as previous photo): deteriorated and separated structural support.



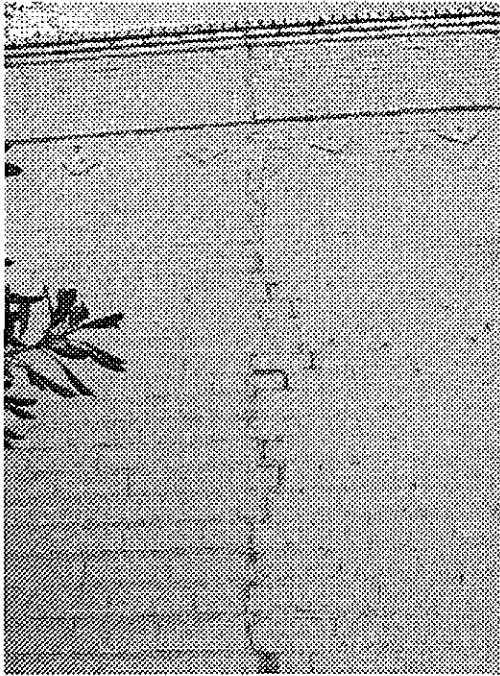
3rd Street and Broadway: dry rot, peeling paint, deteriorated wall.



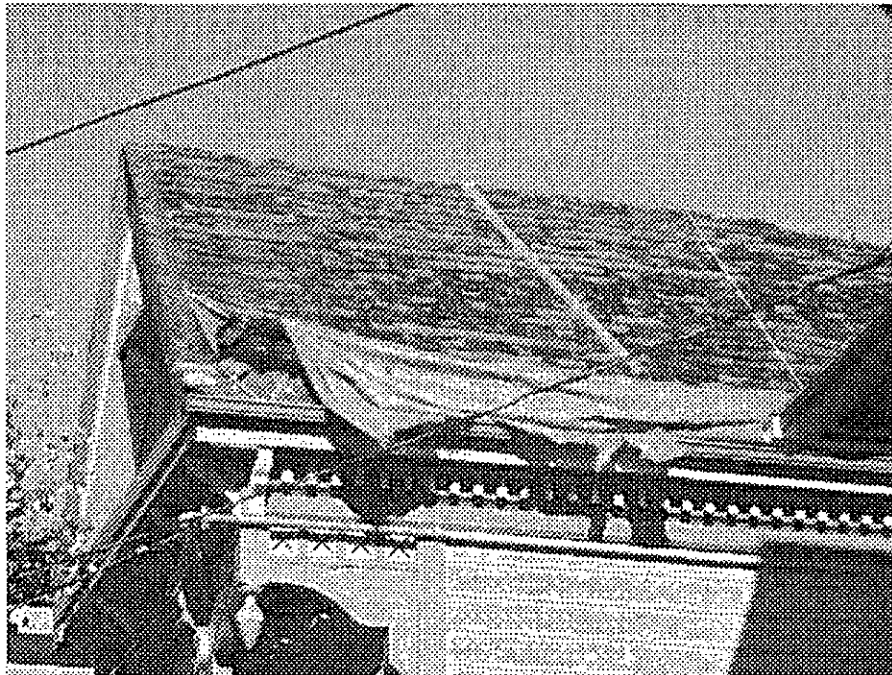
3rd Street and Washington: cracked wall and separated facade from masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



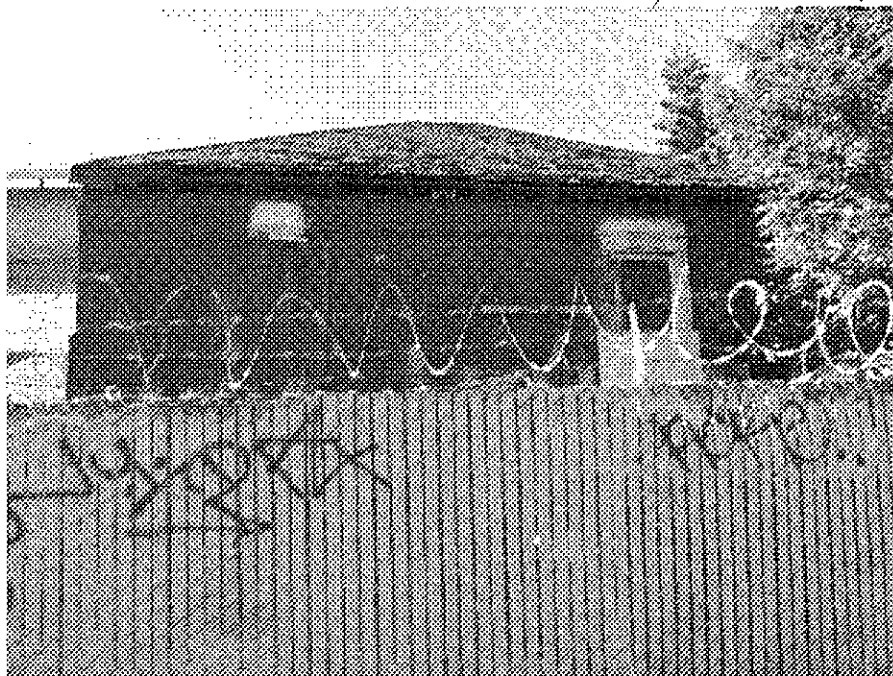
2nd Street and Clay: cracked and deteriorated masonry wall potentially hazardous in event of earthquake, building vulnerable to serious damage from seismic events.



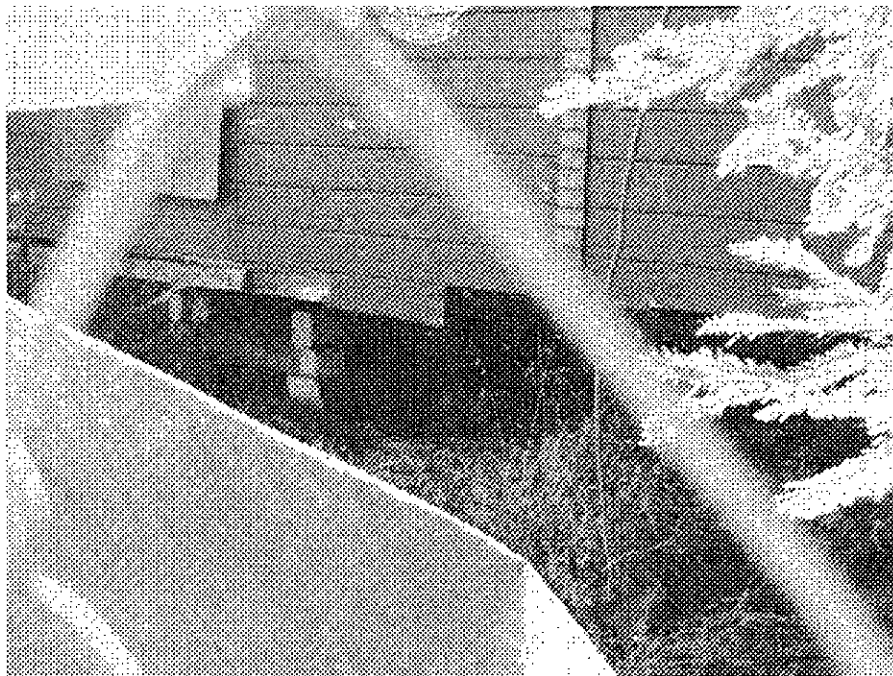
3rd Street and Jefferson: partially reinforced building vulnerable to serious damage from seismic events, severe cracked masonry potentially hazardous in event of earthquake.



4th Street and Jefferson: severe roof dilapidation likely allowing moisture intmsion, mold contamination and structural wood rot.



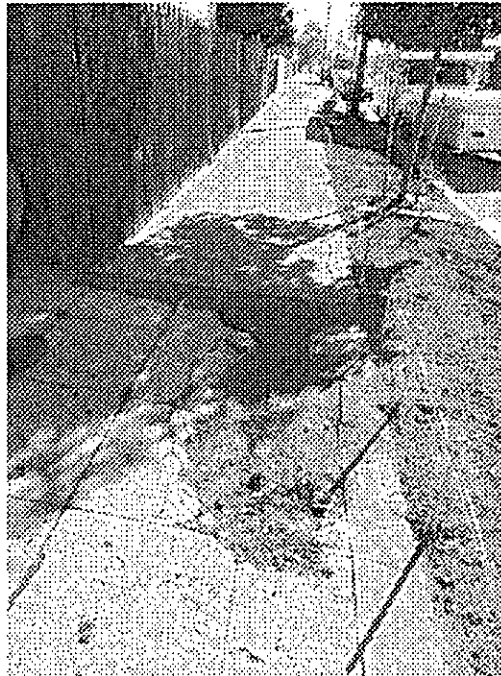
5th Street and Brush: serious dilapidation apparently caused by long-term neglect missing and boarded windows, deteriorated siding, severe roofing dilapidation likely allowing moisture intrusion, mold contamination and structural wood rot.



5th Street and Brush: vulnerable to serious damage from seismic hazards due to lack of foundation.



5th Street and Castro: vacant lot in use as informal storage, deteriorated sidewalks.



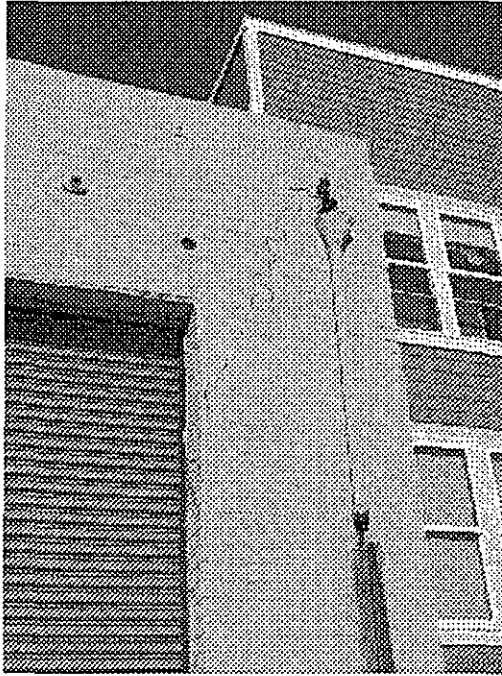
4th Street and Brush: deteriorated and uneven sidewalk.



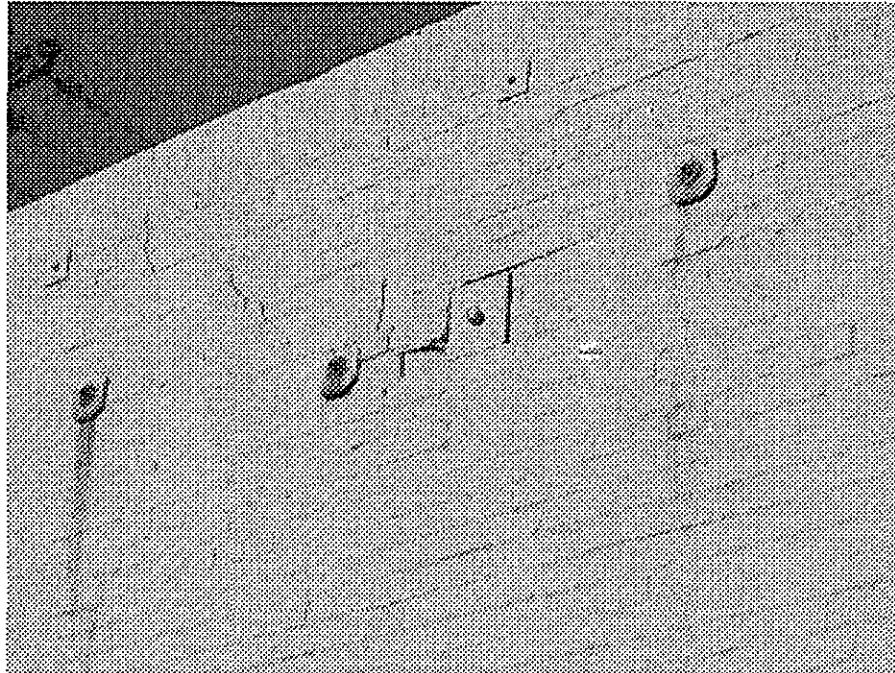
4th Street and Bmsh: serious deterioration and dilapidation apparently due to long-term neglect, deteriorated siding and eaves, peeling paint, dry rot.



4th Street and Brush (close up of above): missing and boarded window, peeling paint, deteriorated siding and eaves, severe dry rot.



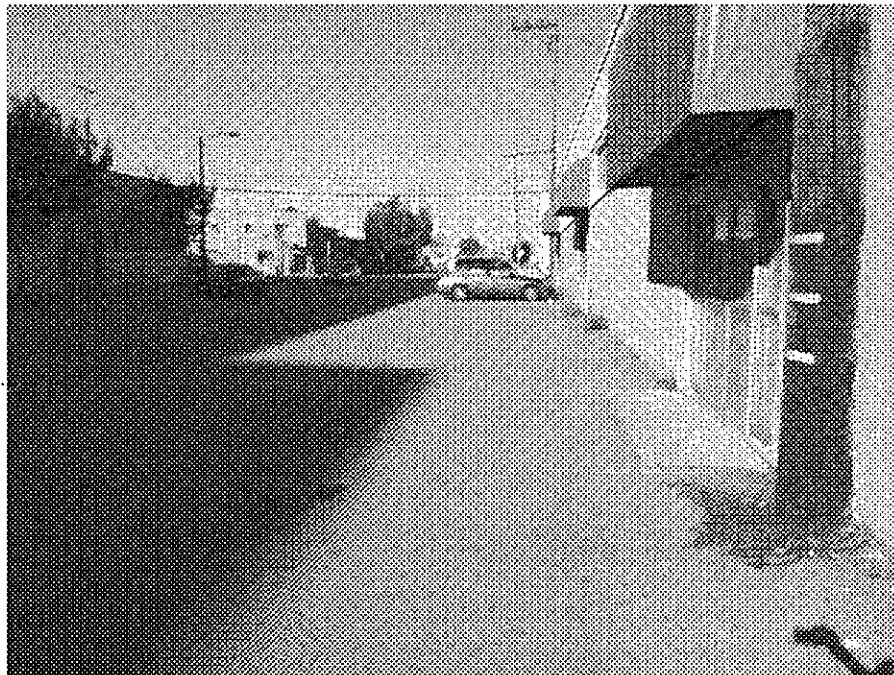
3rd Street and Castro: partially reinforced masonry building vulnerable to serious damage from seismic events, cracked masonry wall potentially hazardous in event of earthquake.



3rd Street and Castro (same building as previous photo): partially reinforced masonry building vulnerable to serious damage from seismic events, extensive cracked masonry wall potentially hazardous in event of earthquake.



3rd Street and Brush: deteriorated and uneven sidewalk.



3rd Street and Brush: lack of sidewalk, curbs and gutter infrastructure.

**Appendix D:
Funding Sources**

**Table D-1
Primary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Primary		
Program	Tax Increment Financing (TIF)	Tax increment revenue is generated by the increase in property values within a designated Redevelopment Project Area. Generally, tax increment is the primary source of financing for the Redevelopment Agency's programs. The Agency is obligated to dedicate 20 percent of tax increment revenue to affordable housing production. Eligible activities include those that contribute to the elimination of blighting conditions within the designated Project Area and to the creation of affordable housing.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Other	
Program	Land Sales	The Redevelopment Agency may acquire property in implementing the Redevelopment Program. The sale of such property will create a resource that can be used to fund redevelopment activities. In most instances, land sale proceeds only offset a portion of the costs for a specific development project and do not create a resource that is available for a general revitalization effort. Funds may also be generated through leasing revenue or loan repayments.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Other	

**Table D-2
Secondary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Secondary		
<p>Program CalHome Program</p> <p>Agency California Department of Housing and Community Development (HCD)</p> <p>Region State</p> <p>Funding Type Grant, Loan</p>	<p>The CalHome Program, administered by the California Department of Housing and Community Development (HCD), provides grants to local public agencies or nonprofit corporations for first-time homebuyer downpayment assistance, home rehabilitation, including manufactured homes not on permanent foundations, acquisition and rehabilitation, homebuyer counseling, self-help mortgage assistance programs, or technical assistance for self-help homeownership. All funds to individual homeowners are in the form of loans. Eligible activities include predevelopment, site development and site acquisition for development projects; rehabilitation, and acquisition and rehabilitation, of site-built housing; and rehabilitation, repair and replacement of manufactured homes. Downpayment assistance, mortgage financing, homebuyer counseling, and technical assistance are offered for self-help developments, or projects built using "sweat-equity."</p>	
<p>Program Infill Infrastructure Grant (IIG) Program</p> <p>Agency California Department of Housing and Community Development (HCD)</p> <p>Region State</p> <p>Funding Type Grant</p>	<p>The Infill Infrastructure Grant (IIG) program, administered by HCD, provides competitive grants to assist in the construction and rehabilitation of infrastructure that supports higher-density affordable and mixed income housing in locations designated as infill. Eligible applicants include nonprofit and for-profit developers, as well as public agencies partnering with a private developer. The IIG program was approved in 2006 as part of Proposition 1C.</p>	
<p>Program Transit-Oriented Development (TOD) Housing Program</p> <p>Agency California Department of Housing and Community Development (HCD)</p> <p>Region State</p> <p>Funding Type Grant, Loan</p>	<p>The Transit-Oriented Development (TOD) Housing Program, administered by HCD, offers competitive low-interest loans for construction of rental housing developments that include affordable housing and are within one-quarter mile of a transit station. Additionally, the program provides grants for infrastructure that supports housing or facilitates connectivity to transit from one or more specific housing developments. Eligible applicants include public and private entities, such as redevelopment agencies. This program was approved in 2006 as part of Proposition 1C. New funding is dependent on future statewide bond issuances.</p>	

**Table D-2
Secondary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Secondary		
<p>Program Brownfields Cleanup Revolving Loan Fund (BCRLF) and Cleanup Grants</p> <p>Agency Environmental Protection Agency (EPA)</p> <p>Region Federal</p> <p>Funding Type Grant, Loan</p>	<p>The Brownfields Cleanup Revolving Loan Fund (BCRLF) provides financial assistance for the remediation of brownfields. Funding provided by the EPA enables state and local governments to make low-interest loans to carry out cleanup activities on properties that have a release or substantial threat of release of a hazardous substance that threatens public health or welfare. The BCRLF program can also provide some funding for site preparation and development activities. In California the BCRLF program is administered by the California Department of Toxic Substance Control (DTSC).</p> <p>Additionally, the EPA also funds Brownfields Assessment Grants and Brownfields Cleanup Grants. Brownfields Assessment Grants provide funding for a grant recipient to inventory, characterize, assess, and conduct planning and community involvement related to a brownfield site. Brownfields Cleanup Grants provide funding for cleanup activities at brownfield sites. An eligible entity may apply for up to \$200,000 per site. These funds may be used to address sites contaminated by petroleum and hazardous substances, pollutants or contaminants (including hazardous substances co-mingled with petroleum). Cleanup grants require a 20 percent cost share, which may be in the form of a contribution of money, labor, material, or services, and must be for eligible and allowable costs (the match must equal 20 percent of the amount of funding provided by EPA and cannot include administrative costs). The performance period for these grants is two years.</p>	
<p>Program Transportation Development Act (TDA)</p> <p>Agency Metropolitan Transportation Commission (MTC)</p> <p>Region State</p> <p>Funding Type Grant</p>	<p>Transportation Development Act (TDA) funds are generated statewide through a one-quarter cent tax on retail sales in each county. Cities receive an annual TDA apportionment, and the MTC determines the ways in which the funds are spent. TDA funds may be used for regional and municipal transit projects, special transit projects for disabled persons, bicycle and pedestrian purposes, and other improvements or programs designed to reduce automobile usage.</p>	

**Table D-2
Secondary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Secondary		
Program	Developer and Property Owner Financial Participation	Developer or property owner participation has been used as a means for funding redevelopment activities in many communities. For example, funds may be advanced to City or Agency in the form of a negotiated fee or grant, or a loan for public improvements that is repaid during the course of project implementation from tax increment revenues. Property owners or developers may repay loans made by the Agency, match Agency funding assistance amounts, or, more commonly, provide their own debt and equity financing to complete project funding. Some agencies include provisions in development agreements that call for the developer to pay for certain project components, such as project infrastructure or open space.
Agency	Private Sector	
Region	Local - Client Specific	
Funding Type	Other	
Program	Community Development Block Grants (CDBGs) and Section 108 Loans	Community Development Block Grants (CDBGs) are allocated by HUD to fund activities such as public works; rehabilitation loans and grants; land acquisition, demolition, and relocation for redevelopment; public services; and affordable housing, social services and projects for the elderly or disabled. CDBG-funded projects and activities must principally benefit low and moderate-income persons, aid in the prevention or elimination of blight or address an urgent need. CDBG funds have provided a limited source of revenue for many redevelopment activities in California.
Agency	US Department of Housing and Urban Development (HUD)	Section 108 is the loan guarantee provision of the CDBG program. The objective of the loan funding is to provide communities with a source of financing for economic development, housing rehabilitation, public facilities, and large scale physical development projects. All projects and activities must either principally benefit low and moderate-income persons, aid in the elimination or prevention of slums and blight, or meet urgent needs of the community. The maximum repayment period for Section 108 loan is 20 years. Primarily this program can be relied upon for economic development and rehabilitation efforts. It does not generate new funds; rather it is a loan fund secured by CDBG or other dedicated revenues, such as tax increment revenues.
Region	Federal	
Funding Type	Grant, Loan	

**Table D-2
Secondary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Secondary		
Program	Home Investment Partnerships Program (HOME)	<p>The Home Investment Partnerships Program (HOME), administered by HUD, provides formula grants to states and localities that communities often use in conjunction with local nonprofit organizations to fund affordable housing activities. HOME funds are awarded annually to participating jurisdictions. States are automatically eligible and receive their funding each year. Local jurisdictions eligible for at least \$500,000 under the formula (\$335,000 in years when Congress appropriates less than \$1.5 billion for HOME) may receive an allocation. HOME assisted rental housing must comply with certain rent limitations. In addition, HOME regulations include a maximum per unit subsidy limit and maximum purchase price limit. Eligible activities include home purchase or rehabilitation financing assistance; construction or rehabilitation of housing for rent or ownership; or "other reasonable and necessary expenses related to the development of non-luxury housing," including site acquisition or improvement, demolition of dilapidated units and payment of relocation expenses. Ten percent of the annual allocation may be used for program planning and administration.</p> <p>If a project does not receive HOME funding directly from HUD, it may apply for HOME funds through California's HCD.</p>
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Credit Pooling Program	The ABAG Credit Pooling Program consolidates the capital funding needs of participating municipal borrowers. These financings are backed by general fund credits of participating jurisdictions, for projects such as construction and renovation of public buildings; acquisition and construction of parking facilities; purchase and installation of computer systems; improvements to recreational trails, parks and municipal golf courses; water, sewer and drain projects; purchase and installation of modular buildings; and renovations of school buildings. The program has been offered by ABAG since the early 1980's, providing low cost, highly efficient project funding for a wide range of municipal borrowers.
Agency	Association of Bay Area Governments (ABAG)	
Region	Regional	
Funding Type	Other	
Program	Redevelopment Agency Pool Financing Program (Cal-RAP)	Cal-RAP is a unique program allowing Community Development and Redevelopment Agencies to obtain financing at low interest rates through pooling. This is achieved with the help of bond insurance, available because the variety of agencies participating in the program strengthens the bonds' credit attributes. Participants can use their own Financial Advisor, Bond Counsel, and Trustee while taking advantage of the program. Participation in Cal-RAP is "as needed" allowing agencies to join the existing open-ended pool at any time.
Agency	Association of Bay Area Governments (ABAG)	
Region	Regional	
Funding Type	Other	
Program	Special Assessment Bond Roundup Program (SABR)	The SABR Program offers an efficient and inexpensive way for local government agencies and developers working with those agencies to issue special assessment and Mello-Roos bonds. SABR pools lower the cost of issuance for participants while allowing for customized terms and conditions. In special situations, ABAG also offers to conduct proceedings for special district formation in full compliance with Prop. 218 requirements.
Agency	Association of Bay Area Governments (ABAG)	
Region	Regional	
Funding Type	Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Multifamily Housing Programs (MHP)	Multifamily Housing Programs provide low interest loans to qualified affordable housing developments.
Agency	CA Department of Housing and Community Development (HCD)	Loan programs are generally made possible through the issuance of state-wide voter-approved housing bonds.
Region	State	
Funding Type	Loan	
<hr/>		
Program	State-Local Partnership Program (SLPP)	The State-Local Partnership Program fosters cultural development on the local level through a partnership between the California Arts Council and the designated local arts agency of each county.
Agency	California Arts Council (CAC)	This partnership includes funding, cooperative activities, information exchange, and leadership enabling individuals, organizations, and communities to create, present, and preserve the arts of all cultures to enrich the quality of life for all Californians.
Region	State	
Funding Type	Grant	
<hr/>		
Program	Community Services Block Grants (CSBG)	The Community Services Block Grant (CSBG) program is designed to provide a range of services to assist low-income people in attaining the skills, knowledge and motivation necessary to achieve self-sufficiency. The program also provides low-income people with immediate life necessities such as food, shelter and health care. In addition, services are provided for the revitalization of low-income communities, the reduction of poverty and to help provider agencies improve and increase their capacity to achieve results and to develop community resources with whom to link services and funding.
Agency	California Department of Community Services and Development	
Region	Federal	
Funding Type	Grant, Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	School Facility Program	The School Facility Program (SFP) provides funding assistance to school districts for the modernization of school facilities. The assistance is in the form of grants approved by the State Allocation Board (SAB) and requires a 40 percent local contribution. A district is eligible for grants when students are housed in permanent buildings 25 years old or older and relocatable classrooms 20 years old or older and the buildings have not been previously modernized with State funds.
Agency	California Department of General Services	
Region	State	
Funding Type	Grant	
Program	Proposition IC Programs	Proposition IC, a component of California's Strategic Growth Plan, invests \$2.85 billion in housing and infrastructure programs to produce affordable housing units, homeless shelters and infrastructure projects that help infill housing development such as water, sewer, parks, and transportation improvements. Specific programs funded under Proposition IC include: affordable homeownership programs such as Cal Home, Building Equity and Growth in Neighborhoods Program (BEGIN) and the Affordable Housing Innovation program; multifamily rental housing programs; the Infill Infrastructure Grant (IIG) program; the Transit-Oriented Development (TOD) program; and the Housing-Related Parks program. The majority of Proposition IC programs are implemented through HCD.
Agency	California Department of Housing and Community Development (HCD)	
Region	State	
Funding Type	Grant, Loan	
Program	Enterprise Zone Tax Benefits	The Enterprise Zone Program targets economically distressed areas throughout California. Special state and local incentives encourage business investment and promote the creation of new jobs. The purpose of the program is to stimulate development by providing tax incentives to businesses and allow private sector market forces to revive the local economy. Enterprise Zones are defined geographic areas in which businesses can claim certain state income tax savings and other advantages. California income tax and other benefits include: tax credits on up to half the wages paid to a qualified new employee; tax credits for sales taxes paid on equipment purchased for manufacturing or production purposes; all net operating losses may be carried forward as a deduction in future years; business equipment depreciation can be accelerated, up to a limited amount; and others.
Agency	California Franchise Tax Board	
Region	State	
Funding Type	Other	

Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11

Complementary		
Program	New Solar Homes Partnership (NSHP)	The California Energy Commission's (CEC) New Solar Homes Partnership (NSHP) is part of the comprehensive statewide solar program, known as the California Solar Initiative (CSI). The NSHP provides financial incentives and other support to home builders, encouraging the construction of new, energy efficient solar homes that save homeowners money on their electric bills and protect the environment.
Agency	California Solar Initiative (CSI)	
Region	State	
Funding Type	Other	
Program	Nonresidential Solar Rebates	The California Solar Initiative provides rebates for solar electricity systems installed on existing nonresidential buildings such as agriculture, commercial buildings, industrial buildings, local government, nonprofit buildings, and solar schools.
Agency	California Solar Initiative (CSI)	
Region	State	
Funding Type	Other	
Program	Solar for Affordable Housing	The California Solar Initiative (CSI) provides financial incentives for installing solar technologies on low-income housing. Because affordable housing projects often face unique challenges and costs with adding solar energy systems to their developments, the California Energy Commission's (CEC) New Solar Homes Partnership (NSHP) offers affordable housing projects higher incentives than standard market rate housing projects
Agency	California Solar Initiative (CSI)	
Region	State	
Funding Type	Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Orphan Site Cleanup Fund (OSCF)	The Orphan Site Cleanup Fund (OSCF) was established to provide financial assistance to eligible applicants for the cleanup of brownfields sites contaminated by leaking petroleum underground storage tanks where there is no financially responsible party.
Agency	California State Water Resources Control Board	
Region	State	
Funding Type	Grant	
<hr/>		
Program	Low Income Housing Tax Credits (LIHTC)	Low Income Housing Tax Credits allow investors to contribute equity to affordable housing projects in exchange for tax relief. The CTCAC administers two LIHTC programs – a federal 9% program and 4% LIFFFC and a complementary state tax credit program. Both programs were created to encourage private investment in affordable rental housing for households meeting certain income requirements.
Agency	California Tax Credit Allocation Committee (CTCAC)	
Region	State	
Funding Type	Other	
<hr/>		
Program	Federal Tax Credits for Energy Efficiency	Consumer tax credits are available for 30 percent of cost, up to \$1,500, for various energy efficient measures such as insulation, windows and doors, water heaters, roofing, geothermal heat pumps, solar energy systems, and energy efficient vehicles.
Agency	Department of Energy (DOE)	
Region	Federal	
Funding Type	Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
<p>Program Workforce Investment Act (WIA) Agency Department of Labor Region Federal Funding Type Grant, Other</p>	<p>The Workforce Investment Act (WIA) allocates funds by formula to states, who then distribute funds to local workforce areas, which operate One-Stop Career Centers that provide comprehensive services to workers and employers. The WIA includes programs to increase the employment, retention and earnings of unemployed, employed and dislocated adults by increasing their work readiness, educational attainment and occupational skills and by connecting them to jobs in demand. The WIA's Youth Program serves low-income in- and out-of-school youth, including youth with disabilities, basic skills deficient youth, youth offenders, homeless and runaway youth, and other youth who may require specialized assistance to complete an educational program or to secure and hold employment. Youth are prepared for employment and post-secondary education by stressing linkages between academic and occupational learning.</p>	
<p>Program Community Development Financial Institutions (CDFI) Fund Agency Department of the Treasury Region Federal Funding Type Grant, Loan</p>	<p>The Community Development Financial Institutions (CDFI) Fund was established by the Reigic Community Development and Regulatory Improvement Act of 1994 to use federal resources to invest in and build the capacity of CDFIs to serve low-income people and communities lacking adequate access to affordable financial products and services. The Fund provides monetary awards for financial assistance and technical assistance through the CDFI program. CDFIs use financial assistance awards to further goals such as economic development (job creation, business development and eommercial real estate development), affordable housing (housing development and homeownership), and community development financial services (provision of basic banking services to underserved communities, financial literacy training and predatory lending alternatives). Since its inception, the Fund has made more than \$500 million in awards to loan funds, banks, credit unions, and community development venture capital funds.</p>	
<p>Program Small Business Revolving Loan Fund Agency Economic Development Administration (EDA) Region Local - General Funding Type Loan</p>	<p>Sponsored by the Economic Development Administration (EDA) and administered locally by the California Association for Local Economic Development, the Small Business Revolving Loan Fund can be used in designated census tracts to provide low interest loans to businesses in disadvantaged neighborhoods. The loan fund can be used for a variety of assistance, such as working capital, machinery and equipment, leasehold improvements, and façade improvements benefiting disadvantaged neighborhoods. Interest accmed from the fund can be used for marketing, technical assistance and administrative costs.</p>	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	ENERGY STAR mortgages	ENERGY STAR mortgages encourage comprehensive energy efficiency improvements to new and existing homes by increasing the affordability and availability of energy efficiency mortgages for homeowners and homebuyers. This innovative mortgage pilot program offers borrowers an opportunity to lower their energy consumption while making significant, affordable improvements to their homes. These improvements will also lead to a reduction in the overall carbon emissions associated with the energy used in homes.
Agency	ENERGY STAR	
Region	Federal	
Funding Type	Other	
Program	Various programs	Enterprise Green Communities administers a number of programs, including acquisition loans used to fund land or building acquisition for affordable housing; charrette grants for green design charrettes for affordable housing developers; Low-Income Housing Tax Credit (LIHTC) equity for nonprofit and for-profit affordable housing developers; planning and construction grants of up to \$75,000 to cover costs of green components of affordable housing developments; sustainability training grants which support the transfer of design, operations and maintenance knowledge to residents of green affordable housing developments; and predevelopment loans to support affordable housing development costs prior to construction.
Agency	Enterprise Green Communities	
Region	Local - General	
Funding Type	Loan, Grant	
Program	Brownfields Cleanup Revolving Loan Fund (BCRLF) and Cleanup Grants	<p>The Brownfields Cleanup Revolving Loan Fund (BCRLF) provides financial assistance for the remediation of brownfields. Funding provided by the EPA enables state and local governments to make low-interest loans to carry out cleanup activities on properties that have a release or substantial threat of release of a hazardous substance that threatens public health or welfare. The BCRLF program can also provide some funding for site preparation and development activities. In California the BCRLF program is administered by the California Department of Toxic Substance Control (DTSC).</p> <p>• Additionally, the EPA also funds Brownfields Assessment Grants and Brownfields Cleanup Grants. Brownfields Assessment Grants provide funding for a grant recipient to inventory, characterize, assess, and conduct planning and community involvement related to a brownfield site. Brownfields Cleanup Grants provide funding for cleanup activities at brownfield sites. An eligible entity may apply for up to \$200,000 per site. These funds may be used to address sites contaminated by petroleum and hazardous substances, pollutants or contaminants (including hazardous substances co-mingled with petroleum). Cleanup grants require a 20 percent cost share, which may be in the form of a contribution of money, labor, material, or services, and must be for eligible and allowable costs (the match must equal 20 percent of the amount of funding provided by EPA and cannot include administrative costs). The performance period for these grants is two years.</p>
Agency	Environmental Protection Agency (EPA)	
Region	Federal	
Funding Type	Grant, Loan	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Affordable Housing Program	The Federal home Loan Banks Affordable Housing Program provides grants and subsidized loans to support affordable rental housing and homeownership opportunities for very low, low, and moderate-income households.
Agency	Federal Home Loan Banks (FHLBs)	
Region	Federal	
Funding Type	Grant, Loan	
Program	Property Assessed Clean Energy (PACE) Loans	The 2008 California Assembly Bill 811 authorizes local governments to develop Property Assessed Clean Energy (PACE) loan programs, which enable local jurisdictions to finance the up-front costs of residential and commercial renewable energy and energy efficiency projects. Qualified property owners are granted a loan for the projects, which they pay back over time (typically 15-20 years) through assessments that appear on their property tax bills. For many participants, the annual savings on their energy bills more than offset the total annual assessments. Several cities and counties have already instituted or are in the process of instituting these types of financing programs, including the City of Berkeley, the City of Palm Desert, the City of San Diego, and Sonoma County. PACE programs can be an important part of local climate action and sustainability efforts and can help transform the market for renewable and efficiency technologies.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Loan	
Program	Historic Rehabilitation Tax Credits	The Historic Rehabilitation Tax Credits program provides: 1) two tier tax credit equal to 20 percent of the cost of rehabilitating certified historic buildings, or 2) tax credit equal to 10 percent of the costs of substantial rehabilitation of depreciable property. Rehabilitation must meet a specific physical tests for retention of external walls and internal structural framework. Credit cannot be claimed on "tax exempt use" or on federal grant funds used for rehabilitation. Eligible activities include rehabilitation of certified historic buildings and rehabilitation of non-historic buildings built before 1936 used for non-residential purposes.
Agency	National Parks Service (NFS)	
Region	Federal	
Funding Type	Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Private Donations	Private donations by individuals, civic booster organizations or corporate sponsors could make a small, but recognizable contribution to the implementation of the Redevelopment Program. Donations could be used to fund all or part of minor streetscape improvements such as benches, entrance signage, directional signs, bicycle racks, historic signage, or landscaping. However, in terms of the total funding needs of the Redevelopment Program, donations may be expected to provide only a small part of the needed implementation funding.
Agency	Private Sector	
Region	Local - General	
Funding Type	Other	
Program	America's Recovery Capital (ARC) Stabilization Loan Program	The 2009 Recovery Act allows for a new, temporary loan program that is 100-percent guaranteed and targeted for business stabilization. The America's Recovery Capital (ARC) loan program will offer up to \$35,000 to help viable small businesses that need help paying their existing loans to get through a short-term downturn. ARC loans will free up capital for these small businesses, with the SBA fully subsidizing the interest payment.
Agency	Small Business Administration (SBA)	
Region	Federal	
Funding Type	Loan	
Program	Empowerment Zone (EZ) Program	The Empowerment Zone (EZ) program provides grants and tax incentives to locate businesses in, and hire residents of, economically disadvantaged areas. EZ incentives include employment credits, low-interest loans through EZ facility bonds, reduced taxation on capital gains, and other incentives.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant, Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Energy Efficient Mortgage (EEM) Program	The Federal Housing Administration's (FHA) Energy Efficient Mortgage (EEM) program helps homebuyers or homeowners save money on utility bills by enabling them to finance the cost of adding energy efficiency features to new or existing housing as part of their FHA insured home purchase or refinancing mortgage.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Other	
Program	Housing Opportunities for Persons with AIDS (HOPWA) Program	Under this program, HUD provides funds for a wide range of housing-related capital development and service activities for people with HIV/AIDS. The HOPWA program aims to increase the size of the permanently affordable housing stock, expand housing opportunities to meet the needs of HIV/AIDS residents, provide appropriate housing-linked supportive services, and assist nonprofit housing developers and service providers in increasing their skills and ability to create HIV/AIDS housing and related supportive services.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Local - General	
Funding Type	Other	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
<p>Program Lead Hazard Reduction/Healthy Homes</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Grant</p> <p>Type</p>	<p>The Lead Hazard Reduction program has four components:</p> <p>1) The Lead-Based Paint Hazard Control Grant program assists states, Native American tribes, cities, counties/parishes, or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing.</p> <p>2) The Lead Hazard Reduction Demonstration Grant program assists urban jurisdictions with the greatest lead-based paint hazard control needs in undertaking programs for the identification and control of lead-based paint hazards in eligible privately owned rental and owner-occupied housing units.</p> <p>3) The Healthy Homes Demonstration Grant program develops, demonstrates and promotes cost-effective, preventive measures to correct multiple residential safety and health hazards that produce serious diseases and injuries in children and other sensitive subgroups such as the elderly, with a particular focus on low income households. The Healthy Homes Demonstration program is committed to supporting HUD's strategic goal of strengthening communities by addressing housing conditions that threaten health.</p> <p>4) The Healthy Homes Technical Studies Grant program works to gain knowledge to improve the efficacy and cost-effectiveness of methods of evaluation and control of lead-based paint and other housing-related health and safety hazards. This supports HUD's strategic goal to strengthen communities and the associated policy priority to improve our nation's communities by improving the environmental health and safety of families living in public and privately owned housing.</p>	
<p>Program Project Based Vouchers</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Other</p> <p>Type</p>	<p>Project-based vouchers are a component of a public housing agencies (PHAs) housing choice voucher program. A PHA can attach up to 20 percent of its voucher assistance to specific housing units if the owner agrees to either rehabilitate or construct the units, or the owner agrees to set-aside a portion of the units in an existing development. Rehabilitated units must require at least \$1,000 of rehabilitation per unit to be subsidized, and all units must meet HUD housing quality standards.</p>	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
Program	Public Housing Capital Fund, Capital Fund Financing Program (CFFP)	HUD's Office of Public and Indian Housing (PIH) Office of Capital Improvements administers the Public Housing Capital Fund. The Fund provides annual funding to Public Housing Agencies (PHAs) for the development, financing and modernization of public housing developments and for management improvements. In addition, the Fund includes the Capital Fund Financing Program (CFFP), through which a Public Housing Authority (PHA) may borrow private capital to make improvements and pledge, subject to the availability of appropriations, a portion of its future year annual Capital Funds to make debt service payments for either a bond or conventional bank loan transaction.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant, Loan	
Program	Renewal Community (RC) Tax Incentives	The Renewal Community (RC) Tax Incentives encourage businesses to open, expand and hire local residents. The incentives include employment credits, a 0 percent tax on capital gains, accelerated depreciation through Commercial Revitalization Deductions, and other incentives.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Other	
Program	Section 202 Supportive Housing for the Elderly	HUD provides interest-free capital advances to private, nonprofit sponsors to finance the development of supportive housing for the elderly. The capital advance does not have to be repaid as long as the project serves very low-income elderly persons for 40 years. Project rental assistance funds are provided to cover the difference between the HUD-approved operating cost for the project and the tenants' contribution towards rent. Project rental assistance contracts are approved initially for 3 years and are renewable based on the availability of funds. The available program funds for a fiscal year are allocated to HUD's local offices according to factors established by the Department.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Loan	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
<p>Program Section 811 Supportive Housing for Persons with Disabilities</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Type Loan</p>	<p>HUD provides interest-free capital advances to nonprofit sponsors to help them finance the development of rental housing such as independent living projects, condominium units and small group homes with the availability of supportive services for persons with disabilities. The capital advance can finance the construction, rehabilitation, or acquisition with or without rehabilitation of supportive housing. The advance does not have to be repaid as long as the housing remains available for very low-income persons with disabilities for at least 40 years.</p> <p>HUD also provides project rental assistance; this covers the difference between the HUD-approved operating cost of the project and the amount the residents pay -- usually 30 percent of adjusted income. The initial term of the project rental assistance contract is 3 years and can be renewed if funds are available. The available program funds for a fiscal year are allocated to HUD's local offices according to factors established by the Department. Each project must have a supportive services plan. The appropriate state or local agency reviews a potential sponsor's application to determine if the plan is well designed to meet the needs of persons with disabilities and must certify to the same. Services may vary with the target population but could include case management, training in independent living skills and assistance in obtaining employment. However, residents cannot be required to accept any supportive service as a condition of occupancy.</p>	
<p>Program Tax Credit Assistance Program (TCAP)</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>The Tax Credit Assistance Program (TCAP) provides grant funding for capital investment in Low Income Housing Tax Credit (LIHTC) projects via a formula-based allocation to State housing credit allocation agencies. The housing credit agencies in each State shall distribute these funds competitively and according to their qualified allocation plan. Projects awarded low income housing tax credits in fiscal years 2007, 2008 or 2009 are eligible for funding, but housing credit agencies must give priority to projects that are expected to be completed by February 2012.</p>	

**Table D-3
Complementary Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Complementary		
<p>Program Transit Capital Investment Program / Fixed Guideway Infrastructure Investment</p> <p>Agency US Department of Transportation</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>The Transit Capital Investment program provides capital assistance for: 1) modernization of existing rail systems, including cable cars, automated guideway transit, ferryboats, that portion of motor bus service operated on exclusive or controlled rights-of-way, and high-occupancy-vehicle (HOV) lanes; 2) new and replacement buses and facilities; and 3) new fixed guideway systems. Eligible purposes are capital projects to modernize or improve existing fixed guideway systems, including purchase and rehabilitation of rolling stock, track, line equipment, structures, signals and communications, power equipment and substations, passenger stations and terminals, security equipment and systems, maintenance facilities and equipment, operational support equipment including computer hardware and software, system extensions, and preventive maintenance. Public bodies and agencies are eligible recipients.</p>	
<p>Program Transportation, Community and System Preservation Program (TCSP)</p> <p>Agency US Department of Transportation (DOT)</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>The Transportation and Community System Preservation (TCSP) program provides funding for planning, implementation and research to investigate and address the relationship between transportation and community and system preservation. The states, local governments and metropolitan planning organizations (MPOs) are eligible for discretionary grants to plan and implement strategies that improve the efficiency of the transportation system; reduce environmental impacts of transportation; reduce the need for costly future public infrastructure investments; ensure efficient access to jobs, services and centers of trade; examine development patterns; and identify strategies to encourage private sector development patterns that achieve these goals. TCSP is a potential source of funding for transit and general circulation improvements.</p>	
<p>Program SBA Loans and Grant Programs</p> <p>Agency US Small Business Administration (SBA)</p> <p>Region Federal</p> <p>Funding Type Grant, Loan, Other</p>	<p>A number of federal SBA funding programs are available, including small business loans, special loans and equity investment programs. All financing options are tailored to small business needs. Loans programs include Basic 7(1) Loan Guaranty, Certified Development Company (CDC), and Microloan and Loan Prequalification. Special loan programs include the Export Working Capital Program, which provides short-term working capital to exporters, and the International Trade Loan. SBA's investment program consists of privately owned and managed investment firms that provide venture capital and start-up financing to small businesses. Generally, technical assistance is provided, but grants and loans are also available. This funding source could help strengthen the economic base of the business community. Eligible activities include one on one counseling with small business owners, hosting workshops, classes, and website design.</p>	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Housing Related Parks Program	The Housing-Related Parks program is designed to increase the overall supply of housing affordable to lower income households by providing financial incentives to cities and counties with documented housing starts for newly constructed units affordable to very low or low-income households. The program awards funds, on a per-bedroom basis for each affordable residential unit constructed, for parks and recreation projects that benefit the community and add to the quality of life. Additional bonus grants are awarded for units affordable to extremely low-income households, units developed as infill projects, jurisdictions demonstrating progress in increasing their overall supply of housing, park projects that will serve disadvantaged or park-deficient communities, and park projects located within a jurisdiction included in an adopted regional blueprint plan. Program funds can be used to create new parks or to rehabilitate or make improvements to existing parks.
Agency	California Department of Housing and Community Development (HCD)	
Region	State	
Funding Type	Grant	
Program	California Organized Investment Network (COIN)	California Organized Investment Network (COIN) facilitates the offering of a comprehensive array of investment products responsive to capital needs of low income and/or rural communities. COIN envisions no limit on the type or nature of capital investment that insurance companies may provide to eligible proposals. Broadly categorized, COIN-facilitated investment products may be versions of debt, equity or credit enhancement. To be eligible, proposals must satisfy each of the three guiding investment principles: 1) provide safe, sound and solvent investments offering an acceptable financial return; 2) provide investments in or benefiting low income and rural people or communities either directly or through intermediaries; 3) add value to capital products and programs currently available. COIN administers the program by certifying Community Development Financial Institutions (CDFIs) that wish to receive qualified investments and by certifying the tax credits for investors. Eligible projects must have either affordable housing or economic development benefit. Affordable housing benefits include affordable rental housing, affordable ownership housing or mixed income and/or mixed use development.
Agency	California Department of Insurance	
Region	State	
Funding Type	Other	
Program	Safe Drinking Water State Revolving Fund (SDWSRF)	The California Department of Public Health (CDPH) administers the California Safe Drinking Water State Revolving Fund (SDWSRF). The fund provides low-interest loans to drinking water utilities to finance drinking water infrastructure projects, prioritizing loans for disadvantaged communities. The SDWSRF is funded with an annual federal capitalization grant and state funding sources, including Proposition 84, Proposition 50 and Proposition 13.
Agency	California Department of Public Health (CDPH)	
Region	Federal	
Funding Type	Loan	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Trade Corridor Improvement Fund (TCIF)	The Trade Corridor Improvement Fund (TCIF) is a program administered by Caltrans to fund infrastructure improvements along federally designated "Trade Corridors of National Significance" or along other trade routes with a high volume of freight movement. Funding for the program comes from the voter approved Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B).
Agency	California Department of Transportation (Caltrans)	
Region	State	
Funding Type	Grant	
Program	Bright Schools Program	The Bright Schools Program offers services to help public schools in California become more energy wise. Specific efforts include energy audits, review of existing proposals and designs, and develop equipment performance specifications. Savings are proven to typically reduce annual utility costs by an average of 20 percent, reduce annual maintenance costs and improve indoor air quality. All publicly funded California K-12 school districts and nonprofit K-12 schools are eligible for assistance.
Agency	California Energy Commission (CEC)	
Region	State	
Funding Type	Other	
Program	Emerging Renewables Program (ERP)	The CEC offers cash rebates on eligible grid-connected small wind and fuel cell renewable energy electric-generating systems through its Emerging Renewables Program (ERP).
Agency	California Energy Commission (CEC)	
Region	State	
Funding Type	Other	

Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11

Unlikely		
Program	Community Stabilization Home Loan Program (CSHLP)	The Community Stabilization Home Loan Program (CSHLP) offers a below market rate, conventional first mortgage loan to first-time homebuyers purchasing select real estate-owned (REO) properties in specific California communities.
Agency	California Housing Finance Agency (CalHFA)	
Region	State	
Funding Type	Loan	
Program	Mills Act Property Tax Abatement Program	The Mills Act Property Tax Abatement program provides eligible historic private property owners the opportunity to actively participate in the restoration of their properties while receiving property tax relief. Owner must enter into a ten year contract with a participating city to rehabilitate the building in exchange for a reduction in local property taxes. Owner-occupied single family residences and income-producing commercial properties may qualify. Eligible properties must be listed on the National Register of Historic Places, be located in a National Register or local historic district, or be listed on a state, county or city official register. Local jurisdictions adopt an ordinance to participate in program.
Agency	California Office of Historic Preservation	
Region	Local - General	
Funding Type	Other	
Program	Public Agency Programs	California Communities is a joint powers authority sponsored by the League of California Cities and the California State Association of Counties (CSAC) to enable local government and eligible private entities access to low-cost, tax-exempt financing for projects that provide a tangible public benefit, contribute to social and economic growth, and improve the overall quality of life in local communities throughout California. California Communities offers a variety of innovative public agency programs including CaLease, Pension Obligation Bonds, Statewide Community Infrastructure Program (SCIP), Total Road Improvement Programs (TRIP), Tax Revenue Anticipation Notes (TRANS), and bonds for water and wastewater improvements.
Agency	California Statewide Communities Development Authority	
Region	State	
Funding Type	Loan	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	AmeriCorps Volunteers in Service to America (VISTA)	Through the American Recovery and Reinvestment Act (ARRA) the Corporation for National and Community Service received \$65 million to award approximately 3,000 non-cost share AmeriCorps Volunteers in Service to America (VISTA) member positions to new and existing sponsors. The Corporation will provide increased one-time funding for projects that result in the maximum measurable impact on communities affected by the economic crisis. The mission of the AmeriCorps VISTA program, to create and expand programs that bring low-income individuals and communities out of poverty, is strongly aligned with priorities in the Recovery Act. Existing VISTA projects already support job creation, the abatement of home foreclosures, credit counseling, and financial asset development programs. Corporation state office staff will allocate VISTA resources based upon the critical needs of their states.
Agency	Corporation for National and Community Service	
Region	Federal	
Funding Type	Grant, Other	
Program	Weatherization and Intergovernmental Program, Technical Assistance Project	DOE's Technical Assistance Project (TAP) is designed to provide state and local officials with quick, short-term access to experts at DOE national laboratories for assistance with their renewable energy and energy efficiency policies and programs.
Agency	Department of Energy (DOE)	
Region	Federal	
Funding Type	Other	
Program	Senior Community Service Employment Program (SCSEP)	The purpose of the Senior Community Service Employment Program (SCSEP)—also known as the Community Service Employment for Older Americans Program—is to foster individual economic self-sufficiency and offer job opportunities in community service for unemployed low-income people age 55 and older. SCSEP awards formula grants to states and territories, and competitive grants to nonprofit national organizations to provide part-time, minimum wage employment, job training and related services, and placement in unsubsidized employment.
Agency	Department of Labor	
Region	Federal	
Funding Type	Grant, Other	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Hazard Elimination Safety Program (HES)	The Hazard Elimination Safety (HES) program is a federal safety program that provides funds for safety improvements on all public roads and highways. These funds serve to eliminate or reduce the number and/or severity of traffic accidents at locations selected for improvement. Caltrans prioritizes projects statewide; funds are administered through MTC.
Agency	Federal Highway Administration (FHA), California Department of Transportation (Caltrans), Metropolitan Transportation	
Region	Federal	
Funding Type	Grant	
Program	Affordable Housing Built Responsibly Grant Program	Through the Affordable Housing Built Responsibly grant program, the Home Depot Foundation administers millions of dollars in grants each year to nonprofit organizations whose missions align with the Foundation's interests in supporting the production and preservation of affordable, efficient and healthy housing. To better support its mission, the Foundation awards most of its grants by directly soliciting proposals from high-performing nonprofit organizations with the demonstrated ability to create strong partnerships, impact multiple communities and leverage grant resources. To identify potential future nonprofit partners or respond to unique community revitalization opportunities, a limited amount of unsolicited grant funding is set aside to be awarded through a competitive process. Preference is given to proposals that include community engagement that result in the production, preservation or financing of housing units for low to moderate-income families. The most promising proposals incorporate a number of "green" building design practices.
Agency	Home Depot Foundation	
Region	Federal	
Funding Type	Grant	
Program	General Fund	The general fiscal condition of the country makes ongoing direct financial support of redevelopment activities difficult. State and federal governments have continued to reduce funding and shifted costs and program responsibility to cities and counties.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Other	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Lease Revenues/Lease Revenue Bonds	Lease-revenue bonds are a variant of revenue bonds secured by sources other than tax increment, such as tenant leases on publicly owned land or in publicly owned facilities.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Other	
Program	Mello-Roos Community Facilities District (CFD)	The most common method for imposing special taxes in California is through a tax levied pursuant to the Mello-Roos Community Facilities Act of 1982 (the Mello-Roos Act), which authorizes certain public entities to form a Community Facilities District (CFD). The Mello-Roos Act authorized the formation of a special tax district to finance capital improvement projects and pay for ongoing operations and maintenance. A CFD can be formed in conjunction with the establishment of a redevelopment project to undertake new public projects to joint benefit. One of the key innovations of the Mello-Roos Act is that it allows for property owners to approve a parcel tax if there are less than 12 registered voters. Property owners can be taxed for improvements that provide a general, areawide benefit. Mello-Roos parcel taxes are levied on real property and collected on the county property tax bills. The taxes are calculated pursuant to a formula that is established during the formation proceedings and is effectively part of the voter approval. Mello-Roos taxes are commonly based on the size of property or the improvements on the property. The City or Agency can issue Mello-Roos bonds to finance public infrastructure that are secured by the special taxes on privately owned land and improvements. Typically, Mello-Roos districts are very difficult to form in urbanized areas, given that they require two-thirds resident voter approval.
Agency	Local Jurisdiction	
Region	Local - General	
Funding Type	Other	
Program	Historic Preservation Grants-in-Aid	The Historic Preservation Grants-in-Aid Program provides matching grants-in-aid to states to assist their efforts to protect and preserve properties listed in the National Register of Historic places. Funding is used to pay part of the costs of staff salaries, surveys, comprehensive preservation studies, National Register nominations, educational materials, as well as architectural plans, historic structure reports, and engineering studies necessary to preserve historic properties. All Historic Preservation Fund-assisted activities must meet standards set by the Secretary of the Interior, and at least 10 percent of the allocations to the States are subgranted to assist Certified Local Governments for locally based activities.
Agency	National Parks Service	
Region	Federal	
Funding Type	Grant	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Capacity Building for Community Development and Affordable Housing	The purpose of the Capacity Building for Community Development and Affordable Housing Grant program is to enhance the technical and administrative capabilities of community development corporations (CDCs) and community housing development organizations (CHDOs) to carry out community development and affordable housing activities. Only the following four entities are eligible: Enterprise Community Partners, Inc. (formerly The Enterprise Foundation), the Local Initiatives Support Corporation (LISC), Habitat for Humanity, and YouthBuild USA.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	
Program	Energy Conservation Measures Incentives	Public Housing Authorities (PHAs) are eligible for a variety of energy conservation incentives through HUD. Specific incentive programs include a three-year rolling base, frozen base, additional subsidy, and utility rate reduction.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Other	
Program	HOPE VI	The HOPE VI program provides funding for capital costs of major rehabilitation, new construction and other physical improvements; demolition of severely distressed public housing; acquisition of sites for off-site construction; and community and supportive service programs for residents, including those relocated as a result of revitalization efforts. Any Public Housing Authority that has severely distressed public housing units in its inventory is eligible to apply.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
Program	Neighborhood Stabilization Program (NSP)	The Neighborhood Stabilization Program (NSP), administered by HUD, provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell or redevelop these homes in order to stabilize neighborhoods and stem the decline of home values of neighboring properties. NSP funds may be used for activities that include, but are not limited to: establishment of financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties, purchase and rehabilitation of homes and residential properties abandoned or foreclosed, establishment of land banks for foreclosed homes, demolition of blighted structures, and redevelopment of demolished or vacant properties.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	
Program	Office of University Partnerships (OUP) Grants	The Office of University Partnerships (OUP) administers the following grant programs: Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC), Doctoral Dissertation Research Grants (DDRG), Hispanic-Serving Institutions Assisting Communities (HSIAC), Historically Black Colleges and Universities (HBCU), and Tribal Colleges and Universities Program (TCUP). The Office of University Partnerships (OUP) facilitates the formation of campus-community partnerships through sharing information about community partnership development, in general, and about OUP's various funded programs. OUP is committed to helping colleges and universities join with their neighbors to address urban problems—partnerships that enable students, faculty and neighborhood organizations to work together to revitalize the economy, generate jobs and rebuild healthy communities. OUP administers the following grant programs: Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC), Doctoral Dissertation Research Grants (DDRG), Hispanic-Serving Institutions Assisting Communities (HSIAC), Historically Black Colleges and Universities (HBCU), and Tribal Colleges and Universities Program (TCUP).
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	
Program	Public Housing Neighborhood Networks (NN) Program	The purpose of the Public Housing Neighborhood Networks (NN) program is to provide grants to public housing authorities (PHAs) to: 1) update and expand existing NN community technology centers; or 2) establish new NN centers. These centers offer comprehensive services designed to help public housing residents achieve long-term economic self-sufficiency.
Agency	US Department of Housing and Urban Development (HUD)	
Region	Federal	
Funding Type	Grant	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
<p>Program Self-help Homeownership Opportunity Program (SHOP)</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>Self-help Homeownership Opportunity Program (SHOP) provides funds for eligible national and regional nonprofit organizations and consortia to purchase home sites and develop or improve the infrastructure needed to set the stage for sweat equity and volunteer-based homeownership programs for low-income persons and families. SHOP funds are used for eligible expenses to develop decent, safe and sanitary non-luxury housing for low-income persons and families who otherwise would not become homeowners. Homebuyers must be willing to contribute significant amounts of their own sweat equity toward the construction of the housing unit.</p>	
<p>Program YouthBuild Program</p> <p>Agency US Department of Housing and Urban Development (HUD)</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>The YouthBuild program provides funds passed through the US Department of Housing and Urban Development to YouthBuild USA. YouthBuild provides funding to public and private nonprofit organizations, that include community-based organizations, community action agencies, state or local housing agencies, community development corporations, and any other entity including states, and units of general local government eligible to provide education and employment training. YouthBuild funds projects that assist high-risk youth in learning housing construction job skills and complete their high school education. Participants enhance their skills as they construct and/or rehabilitate affordable housing for low-income and homeless persons or families.</p>	
<p>Program Recovery Zone Economic Development (RZED) Bonds</p> <p>Agency US Department of the Treasury</p> <p>Region Federal</p> <p>Funding Type Other</p>	<p>The American Recovery and Reinvestment Act (ARRA) authorizes the issuance of \$10 billion in a new category of taxable bonds similar to Build America Bonds (BABs). Recovery Zone Economic Development (RZED) Bonds would pay interest at a taxable rate and the federal government would provide issuers with direct payments equal to 45 percent of the interest on the bonds (compared to 35 percent for BABs). RZED Bonds may be issued for purposes that promote development or economic activity in a Recovery Zone. The bonds also are subject to the present-law rules that apply to tax-exempt governmental bonds (e.g., private-use restrictions, arbitrage, etc.).</p>	

Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11

Unlikely		
Program	Recovery Zone Facility (RZF) Bonds	The 2009 Recovery Act authorizes the issuance of \$15 billion in a new category of tax-exempt private activity bonds, Recovery Zone Facility (RZF) Bonds, for use in areas designated as Recovery Zones. The Act generally defines Recovery Zones as areas designated by state and local governments as having significant poverty, unemployment or home-foreclosure rates. Generally, property eligible for depreciation that is actively used in a business may be financed with the proceeds of RZF Bonds, provided the property is acquired after the date on which a Recovery Zone designation took effect.
Agency	US Department of the Treasury	
Region	Federal	
Funding Type	Other	
Program	Capital Investment Grants/New Starts Program	The New Starts program is the federal government's primary financial resource for supporting locally planned, implemented and operated major transit capital investments. Funded through SAFETEA-LU, the New Starts program funds new and extensions to existing fixed guideway transit systems in every area of the country. Projects eligible for New Starts funding include any fixed guideway system that utilizes and occupies a separate right-of-way or rail line for the exclusive use of mass transportation and other high occupancy vehicles or uses a fixed cantenary system and a right-of-way usable by other forms of transportation. This includes, but is not limited to, rapid rail, light rail, commuter rail, automated guideway transit, ferries, people movers, and exclusive facilities for buses (such as bus rapid transit) and other high occupancy vehicles.
Agency	US Department of Transportation	
Region	Federal	
Funding Type	Grant	
Program	Highway Safety Improvement Program (HSIP)	SAFETEA-LU established the Highway Safety Improvement Program (HSIP) as a core federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements. Funds may be used for projects on any public road or publicly owned bicycle and pedestrian pathway or trail. States with Strategic Highway Safety Plans (SUSP) may obligate HSIP funds and can use up to 10 percent of HSIP funds for other safety projects including education, enforcement and emergency medical services.
Agency	US Department of Transportation	
Region	Federal	
Funding Type	Grant	

**Table D-4
Unlikely Funding Sources
Report to Council - Central District Plan Amendment 2010-11**

Unlikely		
<p>Program Railroad Highway At-Grade Crossing Protection Program (Section 130)</p> <p>Agency US Department of Transportation (DOT)</p> <p>Region Federal</p> <p>Funding Type Other</p>	<p>The Section 130 program is part of SAFETEA-LU and provides federal funds for the elimination of hazards at existing at-grade railroad crossings. The purpose of the program is to reduce the number, severity and potential hazards to motorists, bicyclists and pedestrians at crossings. The California Public Utilities Commission (CPUC) recommends the types of improvements that are needed to eliminate vehicular and pedestrian hazards. Projects must be on a public road, sponsored by a city, county or railroad company and the railroad/highway crossing must be included on the CPUC's "Recommended List of Public Crossings in California for Improved Crossing Protection with Federal Funding." Projects include but are not limited to installation and upgrade of railroad protection systems and grade crossing eliminations. Each year the California Public Utilities Commission (CPUC) identifies railroad at-grade crossings that need improvement and submits a prioritized list of projects eligible for Section 130 funding to the CalTrans Office of Local Programs.</p>	
<p>Program Recreational Trails Program (RTP)</p> <p>Agency US Department of Transportation (DOT), Federal Highway Administration (FHA)</p> <p>Region Federal</p> <p>Funding Type Grant</p>	<p>The Recreational Trails Program (RTP) is a SAFETEA-LU program that provides funds annually for recreational trails and trails-related projects. Eligible applicants include cities and counties, districts, state agencies, federal agencies, and nonprofit organizations with management responsibilities of public lands.</p>	

Appendix E:
Tax Increment Projections

Table E-A1
Summary of Tax Increment Projections
Oakland Central District

Project Area Information	Original & 1982	2001	Total
Base Year	FY 1968 - 1969	FY 2001 - 2002	
Time Limit on TI Collection	FY 2031 - 2032	FY 2046 - 2047	
Base Year Assessed Value (AV)	275,240,528	15,780,702	
FY 2010 - 2011 AV	4,385,974,564	98,988,966	
Tax Increment (TI) Projections^a			
<i>Nominal (Future) Dollars</i>			
Incremental Tax Revenues	1,968,179,000	64,907,000	2,033,086,000
Less: County Admin Fee	(13,777,000)	(454,000)	(14,231,000)
Subtotal: TI Remitted to Agency	1,954,402,000	64,453,000	2,018,855,000
Agency Obligations:			
Less: Low and Moderate Income Housing Fund ^b	(486,835,000)	(12,981,000)	(499,816,000)
Less: Additional TI for Housing ^b	(98,409,000)	(3,245,000)	(101,654,000)
Less: Pass-Through Payments ^c	(298,716,000)	(16,777,000)	(315,493,000)
Less: State ERAF Payments	(3,052,000)	0	(3,052,000)
Less: Existing Debt Obligation	(304,928,000)	0	(304,928,000)
Less: TI Rebates ^d	(14,325,000)	0	(14,325,000)
Subtotal: TI Available for Non-Housing Program and Agency Administration	748,137,000	31,450,000	779,587,000
Projected Use of Funds: ^e			
Agency Administration	177,526,000	3,489,000	181,015,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>111,477,000</i>	<i>737,000</i>	<i>112,214,000</i>
Housing Redevelopment Program	585,244,000	16,227,000	601,471,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>316,129,000</i>	<i>6,097,000</i>	<i>322,226,000</i>
Non-Housing Redevelopment Program	570,611,000	27,961,000	598,572,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>241,248,000</i>	<i>11,502,000</i>	<i>252,750,000</i>
Total Redevelopment Program	1,333,381,000	47,677,000	1,381,058,000
<i>In Constant FY 2010 - 2011 Dollars</i>	<i>668,854,000</i>	<i>18,336,000</i>	<i>687,190,000</i>

- a. Figures rounded to the nearest \$1,000. Calculations may not precisely match due to rounding.
b. Refer to Chapter IV, Section F.3.c for description of Low and Moderate Income Housing Fund amounts.
c. Refer to Chapter IV, Section F.3.b for description of pass-through payment calculation.
d. Refer to Chapter IV, Section F.3.f for description of Agency's tax increment rebate obligations.
e. Discounted to constant FY 2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

**Table E-A2
Tax Increment Projections
Oakland Central District
(In Nominal/Future Dollars)**

Plan Year	Fiscal Year	Beginning of the Year Assessed Value			New Development Value	Beginning of Year Incremental AV over Base	Basic Incremental Revenue	Supplemental Revenue	Unitary Revenues	Gross Incremental Tax Revenues	County Admin	Mandatory Housing Set Aside	Additional TI for Housing	AB 1300 Statutory Pass-Through Payments	State ERAF Payments	Existing Debt Obligation	TI Rebates	Projected Use of Funds		
		Scanned Assessed Value	Other Assessed Value	Total Beginning of Year Assessed Value														Agency Admin	Housing Redevelopment Program	Non-Housing Redevelopment Program
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	
Base	2008 - 2011	4,027,856,233	457,107,315	4,484,963,548	0	49,287,792	473,167	2,643,200	52,324,159	366,689	10,476,632	2,619,208	4,631,893	3,051,978	25,838,916	1,317,029	2,984,185	13,096,040	1,960,521	(1,960,521)
43	2011 - 2012	4,148,691,901	457,107,315	4,605,799,216	0	30,687,293	483,382	2,643,200	53,017,836	378,722	10,763,371	2,908,935	4,811,971	3,051,978	26,037,133	1,317,029	3,021,185	13,096,040	1,960,521	(1,960,521)
44	2012 - 2013	4,273,922,638	457,107,315	4,731,030,000	54,516,990	34,984,600	521,447	2,643,200	57,467,627	400,327	14,311,735	3,176,622	4,987,071	3,051,978	26,768,015	1,427,286	3,240,533	17,184,856	1,728,180	(1,728,180)
45	2013 - 2014	4,403,153,518	457,107,315	4,860,260,833	109,013,833	45,860,100	530,521	2,643,200	61,917,923	428,739	18,000,000	3,471,120	5,168,071	3,051,978	27,508,900	1,547,811	3,519,044	18,949,849	1,518,518	(1,518,518)
46	2014 - 2015	4,539,580,124	457,107,315	5,000,000,000	32,072,985	55,866,101	539,822	2,643,200	67,503,023	458,009	24,800,000	3,871,486	5,656,570	3,051,978	28,258,791	1,678,926	3,808,570	20,851,329	1,317,029	(1,317,029)
47	2015 - 2016	4,689,099,293	457,107,315	5,206,606,608	32,072,985	57,866,101	546,855	2,643,200	74,359,923	488,036	33,600,000	4,381,993	6,349,071	3,051,978	29,007,682	1,818,041	4,090,611	22,817,671	1,118,041	(1,118,041)
48	2016 - 2017	4,851,664,573	457,107,315	5,498,771,888	112,616,342	62,480,157	559,781	2,643,200	82,815,953	526,978	45,000,000	5,059,580	7,335,570	3,051,978	30,776,571	1,977,176	4,367,787	25,408,784	912,787	(912,787)
49	2017 - 2018	5,032,030,254	457,107,315	5,879,137,569	336,679,769	65,618,974	571,781	2,643,200	92,815,953	576,978	61,000,000	5,964,993	8,441,071	3,051,978	32,553,460	2,161,321	4,759,108	28,804,352	716,321	(716,321)
50	2018 - 2019	5,231,030,254	457,107,315	6,318,137,569	608,518,315	68,818,113	602,279	2,643,200	104,215,956	638,722	82,000,000	7,059,580	9,735,570	3,051,978	34,330,349	2,366,670	5,155,897	31,173,652	961,677	(961,677)
51	2019 - 2020	5,450,030,254	457,107,315	6,815,137,569	891,518,315	72,048,113	634,855	2,643,200	117,615,956	698,722	108,000,000	8,341,071	11,335,570	3,051,978	36,107,238	2,581,811	5,667,787	32,439,451	1,167,787	(1,167,787)
52	2020 - 2021	5,690,030,254	457,107,315	7,392,137,569	1,214,000,000	75,497,603	667,382	2,643,200	132,815,956	768,722	138,000,000	9,831,071	13,165,570	3,051,978	37,884,127	2,816,926	6,182,787	33,667,340	1,167,787	(1,167,787)
53	2021 - 2022	5,950,030,254	457,107,315	7,967,137,569	1,529,000,000	79,097,603	701,926	2,643,200	150,015,956	848,722	174,000,000	11,411,071	15,215,570	3,051,978	39,661,016	3,067,811	6,700,787	34,960,229	1,167,787	(1,167,787)
54	2022 - 2023	6,230,030,254	457,107,315	8,647,137,569	1,858,000,000	82,818,113	746,479	2,643,200	169,215,956	940,722	224,000,000	13,511,071	17,765,570	3,051,978	41,438,905	3,303,726	7,226,787	36,212,118	1,167,787	(1,167,787)
55	2023 - 2024	6,540,030,254	457,107,315	9,447,137,569	2,214,000,000	86,738,113	794,521	2,643,200	190,415,956	1,048,722	284,000,000	15,911,071	20,615,570	3,051,978	43,215,794	3,549,671	7,752,787	37,463,017	1,167,787	(1,167,787)
56	2024 - 2025	6,890,030,254	457,107,315	10,384,137,569	2,698,000,000	90,818,113	849,521	2,643,200	213,615,956	1,164,722	354,000,000	18,611,071	24,015,570	3,051,978	45,000,683	3,805,626	8,278,787	38,721,896	1,167,787	(1,167,787)
57	2025 - 2026	7,280,030,254	457,107,315	11,517,137,569	3,224,000,000	95,048,113	905,521	2,643,200	239,015,956	1,298,722	444,000,000	21,711,071	28,015,570	3,051,978	46,787,574	4,079,671	8,814,787	40,000,000	1,167,787	(1,167,787)
58	2026 - 2027	7,710,030,254	457,107,315	12,874,137,569	3,800,000,000	100,448,113	972,521	2,643,200	267,215,956	1,448,722	554,000,000	25,411,071	32,815,570	3,051,978	48,580,463	4,374,626	9,430,787	41,149,676	1,167,787	(1,167,787)
59	2027 - 2028	8,190,030,254	457,107,315	14,477,137,569	4,440,000,000	106,098,113	1,049,521	2,643,200	307,415,956	1,614,722	684,000,000	30,011,071	38,015,570	3,051,978	50,383,350	4,698,571	10,041,787	42,341,563	1,167,787	(1,167,787)
60	2028 - 2029	8,730,030,254	457,107,315	16,327,137,569	5,150,000,000	112,048,113	1,166,521	2,643,200	360,615,956	1,800,722	834,000,000	34,911,071	44,615,570	3,051,978	52,187,231	5,049,626	10,693,787	43,523,444	1,167,787	(1,167,787)
61	2029 - 2030	9,340,030,254	457,107,315	18,447,137,569	5,940,000,000	118,418,113	1,299,521	2,643,200	428,815,956	2,008,722	1,014,000,000	40,811,071	51,415,570	3,051,978	54,000,106	5,438,571	11,365,787	44,634,329	1,167,787	(1,167,787)
62	2030 - 2031	10,030,030,254	457,107,315	20,837,137,569	6,810,000,000	125,198,113	1,449,521	2,643,200	514,015,956	2,240,722	1,214,000,000	48,011,071	60,015,570	3,051,978	55,837,989	5,829,626	12,141,787	46,696,212	1,167,787	(1,167,787)
63	2031 - 2032	10,810,030,254	457,107,315	23,547,137,569	7,860,000,000	131,418,113	1,616,521	2,643,200	618,215,956	2,508,722	1,444,000,000	57,411,071	70,415,570	3,051,978	57,689,868	6,269,626	13,061,787	48,628,081	1,167,787	(1,167,787)
64	2032 - 2033	11,700,030,254	457,107,315	26,707,137,569	9,090,000,000	138,048,113	1,800,521	2,643,200	744,415,956	2,800,722	1,714,000,000	68,011,071	81,415,570	3,051,978	59,549,741	6,718,626	14,021,787	50,528,014	1,167,787	(1,167,787)
65	2033 - 2034	12,710,030,254	457,107,315	30,327,137,569	10,510,000,000	145,098,113	2,000,521	2,643,200	896,615,956	3,128,722	2,034,000,000	79,411,071	94,415,570	3,051,978	61,487,616	7,197,626	15,041,787	52,545,829	1,167,787	(1,167,787)
66	2034 - 2035	13,860,030,254	457,107,315	34,327,137,569	12,140,000,000	152,948,113	2,218,521	2,643,200	1,080,815,956	3,488,722	2,404,000,000	91,411,071	106,415,570	3,051,978	63,536,561	7,716,626	16,111,787	54,424,774	1,167,787	(1,167,787)
67	2035 - 2036	15,170,030,254	457,107,315	39,727,137,569	14,000,000,000	161,798,113	2,448,521	2,643,200	1,300,015,956	3,978,722	2,824,000,000	105,411,071	121,415,570	3,051,978	65,667,496	8,285,626	17,241,787	56,381,709	1,167,787	(1,167,787)
68	2036 - 2037	16,650,030,254	457,107,315	45,900,137,569	16,040,000,000	172,148,113	2,708,521	2,643,200	1,550,215,956	4,608,722	3,304,000,000	122,411,071	139,415,570	3,051,978	67,879,371	8,914,626	18,421,787	58,457,584	1,167,787	(1,167,787)
69	2037 - 2038	18,410,030,254	457,107,315	54,310,137,569	18,290,000,000	184,898,113	2,998,521	2,643,200	1,840,415,956	5,458,722	3,854,000,000	144,411,071	162,415,570	3,051,978	70,160,246	9,654,626	19,651,787	60,508,461	1,167,787	(1,167,787)
70	2038 - 2039	20,460,030,254	457,107,315	64,870,137,569	20,870,000,000	200,448,113	3,328,521	2,643,200	2,180,615,956	6,448,722	4,474,000,000	167,411,071	185,415,570	3,051,978	72,509,116	10,444,626	20,901,787	62,607,329	1,167,787	(1,167,787)
71	2039 - 2040	22,810,030,254	457,107,315	77,680,137,569	23,800,000,000	218,098,113	3,708,521	2,643,200	2,580,815,956	7,508,722	5,214,000,000	193,411,071	214,415,570	3,051,978	74,918,001	11,284,626	22,201,787	64,716,214	1,167,787	(1,167,787)
72	2040 - 2041	25,480,030,254	457,107,315	93,160,137,569	27,140,000,000	238,048,113	4,148,521	2,643,200	3,070,015,956	8,758,722	6,084,000,000	223,411,071	245,415,570	3,051,978	77,396,876	12,184,626	23,541,787	66,855,089	1,167,787	(1,167,787)
73	2041 - 2042	28,500,030,254	457,107,315	112,000,137,569	30,940,000,000	259,598,113	4,618,521	2,643,200	3,660,215,956	10,168,722	7,044,000,000	244,411,071	280,415,570	3,051,978	80,935,751	13,144,626	24,921,787	69,033,964	1,167,787	(1,167,787)
74	2042 - 2043	31,900,030,254	457,107,315	134,300,137,569	35,240,000,000	283,648,113	5,148,521	2,643,200	4,340,415,956	11,398,722	8,084,000,000	265,411,071	311,415,570	3,051,978	84,076,626	14,184,626	26,351,787	71,224,849	1,167,787	(1,167,787)
75	2043 - 2044	35,700,030,254	457,107,315	160,000,137,569	40,040,000,000	310,498,113	5,748,521	2,643,200	5,120,615,956	12,908,722	9,244,000,000	288,411,071	343,415,570	3,051,978	87,281,501	15,324,626	27,821,787	73,403,714	1,167,787	(1,167,787)
76	2044 - 2045	40,000,030,254	457,107,315	189,100,137,569	45,240,000,000	340,448,113	6,368,521	2,643,200	6,000,815,956	14,808,722	10,544,000,000	314,411,071								

Table E-A3
Statutory Pass-Through Payments to Affected Taxing Entities
Oakland Central District
(In Nominal/Future Dollars)

Plan Year	City General Fund ¹ Levy: 20.22%	Alameda County General Fund Levy: 22.50%	Oakland School District Levy: 18.07%	Co. Supr. Pools Levy: 0.15%	Co. Supr. Juv. Hall Ed. Levy: 0.03%	Co. Supr. Service Levy: 0.09%	Co. Supr. Capital Levy: 0.07%	Flood Control Levy: 0.14%	Flood Control Zone 12 Levy: 2.01%	Bay Area Air Quality Mgmt Levy: 0.10%	Mosquito Abatement Levy: 0.10%	AC Transit District 1 Levy: 0.37%	DART Levy: 0.34%	E.B. Regional Parks Levy: 2.42%	EBMUD Levy: 1.44%	EBMUD Spec Ops Levy: 2.34%	Peach CC Levy: 5.6%	Oakland Knowland Levy: 0.16%	ERAF Levy: 13.06%	Total Statutory Pass Through
42 2010 - 2011	1,398,059	1,037,345	864,638	6,792	1,406	4,222	3,253	6,428	91,009	8,574	4,593	214,436	25,180	112,185	67,146	23,957	122,357	8,218	630,184	4,631,093
43 2011 - 2012	1,483,814	1,071,498	917,644	7,209	1,492	4,481	3,453	6,823	98,719	9,100	4,780	227,582	26,243	119,082	71,262	25,435	120,858	8,722	668,603	4,915,451
44 2012 - 2013	1,383,132	1,007,139	856,528	7,209	1,393	4,181	3,223	6,366	92,115	8,904	4,460	210,991	25,243	111,133	66,516	23,732	121,209	8,141	624,914	4,586,973
45 2013 - 2014	1,497,029	1,122,725	927,760	7,298	1,509	4,530	3,491	6,896	109,979	9,200	4,831	230,091	27,018	120,375	72,048	25,706	131,289	8,818	676,662	4,987,014
46 2014 - 2015	1,580,274	1,226,631	1,022,413	8,032	1,663	4,993	3,847	7,601	109,979	10,319	5,325	253,570	29,775	130,658	79,400	28,329	144,487	9,718	745,234	5,404,106
47 2015 - 2016	1,686,186	1,375,454	1,142,875	8,978	1,819	5,381	4,300	8,497	132,886	11,334	5,953	331,441	31,382	148,235	87,553	31,666	161,731	10,863	832,778	5,960,370
48 2016 - 2017	1,930,422	1,609,555	1,420,579	11,160	2,310	6,937	5,345	10,566	152,886	14,088	7,404	393,183	41,370	184,317	110,319	39,360	201,029	13,003	1,033,235	7,243,093
49 2017 - 2018	2,096,642	1,933,425	1,699,584	12,644	2,617	7,860	6,056	11,973	173,249	15,962	8,390	399,183	46,873	208,836	124,995	44,596	237,772	15,300	1,169,529	8,115,858
50 2018 - 2019	2,407,007	2,358,481	1,962,412	15,410	3,191	9,583	7,384	14,601	237,316	19,461	10,354	446,696	57,149	254,818	152,398	54,373	277,705	18,655	1,404,900	9,745,449
51 2019 - 2020	2,619,442	2,649,332	2,203,948	17,131	3,584	10,762	8,293	16,400	282,240	21,356	11,495	546,600	64,183	285,937	171,155	61,065	311,866	20,932	1,599,418	10,860,946
52 2020 - 2021	3,018,618	3,196,093	2,657,784	20,879	4,322	12,979	10,000	19,780	326,240	26,357	13,866	659,156	77,400	348,940	206,400	78,640	376,109	23,932	1,927,124	12,978,372
53 2021 - 2022	3,124,409	3,414,830	3,005,425	23,610	4,887	14,616	11,308	22,170	325,712	29,805	15,682	743,375	87,524	389,966	233,597	82,772	423,584	25,267	2,197,514	14,178,332
54 2022 - 2023	3,331,985	3,988,987	3,241,484	25,404	5,271	16,859	12,196	24,127	330,272	32,805	17,364	822,115	97,544	424,284	253,971	89,114	454,964	28,114	2,448,648	15,632,476
55 2023 - 2024	3,438,196	4,279,391	3,489,421	28,054	5,753	18,430	13,453	26,109	338,028	35,771	18,748	893,315	104,900	461,361	272,734	98,304	509,340	30,176	2,699,517	17,317,076
56 2024 - 2025	4,051,173	4,729,398	3,888,424	30,554	6,325	19,890	14,633	28,953	418,988	38,571	20,298	964,620	113,288	512,161	302,749	107,366	559,340	34,445	2,891,510	18,645,031
57 2025 - 2026	4,363,311	4,900,228	4,072,938	31,996	6,923	19,889	15,324	30,319	438,760	40,391	21,256	1,010,135	118,613	528,455	316,301	112,851	576,374	38,722	2,950,117	19,492,626
58 2026 - 2027	4,557,052	5,302,427	4,408,930	34,619	7,167	21,520	16,581	32,406	474,755	43,703	22,000	1,092,964	128,339	571,787	342,237	122,044	623,635	41,893	3,191,490	21,035,016
59 2027 - 2028	4,912,984	5,541,954	4,603,978	36,183	7,490	22,492	17,330	34,288	496,200	45,677	23,000	1,142,330	134,136	597,612	357,095	127,619	651,802	43,790	3,335,596	21,954,310
60 2028 - 2029	4,912,984	5,788,667	4,810,997	37,793	7,824	23,493	18,102	35,815	518,288	47,711	23,109	1,193,177	140,166	624,213	373,616	133,300	680,815	45,739	3,484,026	22,901,184
61 2029 - 2030	5,098,099	6,042,781	5,042,166	39,452	8,167	24,525	18,896	37,387	541,039	49,805	24,212	1,245,549	146,256	651,612	390,015	139,151	710,698	47,447	3,636,008	23,776,464
62 2030 - 2031	5,289,375	6,304,518	5,239,671	41,161	8,521	25,587	19,715	39,006	564,472	51,962	27,347	1,299,493	152,990	679,832	406,906	145,177	741,478	49,815	3,794,377	24,881,002
63 2031 - 2032	5,486,300	6,374,108	5,463,701	42,921	8,885	26,681	20,558	40,674	588,608	54,183	28,516	1,355,054	159,114	708,900	424,304	153,384	773,181	51,845	3,956,570	25,915,677
64 2032 - 2033	5,696,966	6,678,066	5,678,066	44,770	9,270	27,868	21,439	42,562	618,400	57,074	29,400	1,418,135	166,600	738,100	444,400	159,100	804,100	53,700	4,111,100	27,136,777
65 2033 - 2034	5,914,992	7,000,000	5,914,992	46,666	9,666	29,166	22,333	44,444	666,666	60,000	30,000	1,488,888	173,333	766,666	466,666	166,666	833,333	55,555	4,266,666	28,333,333
66 2034 - 2035	6,143,333	7,266,666	6,143,333	48,611	10,000	30,555	23,333	46,666	711,111	63,333	31,111	1,566,666	183,333	800,000	496,666	173,333	866,666	57,777	4,433,333	29,666,666
67 2035 - 2036	6,382,222	7,577,777	6,382,222	50,611	10,444	32,111	24,444	49,000	755,555	66,666	32,222	1,655,555	193,333	833,333	516,666	183,333	916,666	60,000	4,616,666	30,999,999
68 2036 - 2037	6,631,111	7,900,000	6,631,111	52,666	10,888	33,777	25,555	51,666	811,111	70,000	33,333	1,755,555	203,333	866,666	546,666	193,333	976,666	62,222	4,800,000	32,333,333
69 2037 - 2038	6,890,000	8,244,444	6,890,000	54,777	11,333	35,555	26,666	54,000	877,777	73,333	34,444	1,866,666	213,333	900,000	586,666	203,333	1,036,666	64,444	5,000,000	33,777,777
70 2038 - 2039	7,158,888	8,600,000	7,158,888	56,944	11,777	37,555	27,777	56,666	933,333	77,777	35,555	2,000,000	223,333	933,333	626,666	213,333	1,116,666	66,666	5,200,000	35,111,111
71 2039 - 2040	7,438,888	8,977,777	7,438,888	59,222	12,222	39,666	28,888	59,666	1,000,000	81,111	36,666	2,144,444	233,333	966,666	666,666	223,333	1,206,666	69,000	5,400,000	36,555,555
72 2040 - 2041	7,730,000	9,377,777	7,730,000	61,666	12,777	41,888	30,000	62,666	1,077,777	84,444	37,777	2,300,000	243,333	1,000,000	716,666	233,333	1,306,666	71,666	5,600,000	38,000,000
73 2041 - 2042	8,033,333	9,800,000	8,033,333	64,222	13,333	44,333	31,333	65,666	1,155,555	88,888	38,888	2,466,666	253,333	1,044,444	776,666	243,333	1,416,666	74,444	5,800,000	39,500,000
74 2042 - 2043	8,348,888	10,244,444	8,348,888	66,944	13,888	46,888	32,666	69,000	1,244,444	92,222	40,000	2,644,444	263,333	1,093,333	836,666	253,333	1,536,666	76,666	6,000,000	41,000,000
75 2043 - 2044	8,676,666	10,700,000	8,676,666	69,777	14,444	49,555	33,888	72,666	1,344,444	96,666	41,666	2,844,444	273,333	1,153,333	896,666	263,333	1,666,666	79,000	6,200,000	42,500,000
76 2044 - 2045	9,017,777	11,177,777	9,017,777	72,777	15,000	52,555	35,222	76,666	1,455,555	101,666	43,333	3,066,666	283,333	1,223,333	966,666	273,333	1,806,666	81,666	6,400,000	44,000,000
77 2045 - 2046	9,372,222	11,666,666	9,372,222	75,888	15,666	55,888	36,666	81,111	1,577,777	107,777	45,555	3,311,111	293,333	1,303,333	1,056,666	283,333	1,956,666	84,444	6,600,000	45,500,000
78 2046 - 2047	9,741,111	12,166,666	9,741,111	79,111	16,333	59,666	38,000	86,000	1,711,111	114,444	47,777	3,588,888	303,333	1,393,333	1,136,666	293,333	2,116,666	87,777	6,800,000	47,000,000
Total	72,302,911	77,212,198	65,015,268	210,741	105,727	317,486	244,629	483,096	6,989,609	644,743	318,379	16,124,154	1,893,340	8,335,912	5,048,912	1,801,387	9,300,461	617,080	4,750,244	31,592,253
Present Value²	26,738,254	27,556,012	21,534,274	247,723	51,281	153,990	118,650	234,505	3,393,709	312,721	164,312	7,820,741	918,332	4,091,499	2,448,887	873,226	4,462,487	299,742	22,952,718	154,673,060

¹ Discouned to constant FY 2010-2011 dollars at 3.5%.

Source: Redevelopment Agency of the City of Oakland, Scirel Consulting Inc.

Table E-B1
Summary of Tax Increment Projections
Central District 1969 and 1982 Areas

Project Area Information	
Type	Amended pre-1994 Plan
Base Year	FY 1968 - 1969
Time Limit on TI Collection	FY 2031 - 2032
Base Year Assessed Value (AV)	275,240,528
FY 2010 - 2011 AV	4,385,974,564
Tax Increment (TI) Projections^a	
<i>Nominal (Future) Dollars</i>	
Incremental Tax Revenues	1,968,179,000
Less: County Admin Fee	(13,777,000)
Subtotal: TI Remitted to Agency	1,954,402,000
Agency Obligations:	
Less: Low and Moderate Income Housing Fund ^b	(486,835,000)
Less: Additional TI for Housing ^b	(98,409,000)
Less: Pass-Through Payments ^c	(298,716,000)
Less: State ERAF Payments	(3,052,000)
Less: Existing Debt Obligation	(304,928,000)
Less: TI Rebates ^d	(14,325,000)
Subtotal: TI Available for Non-Housing Program and Agency Administration	748,137,000
Projected Use of Funds:^e	
Agency Administration	177,526,000
<i>In Constant FY 2010 - 2011 Dollars</i>	111,477,000
Housing Redevelopment Program	585,244,000
<i>In Constant FY 2010 - 2011 Dollars</i>	316,129,000
Non-Housing Redevelopment Program	570,611,000
<i>In Constant FY 2010 - 2011 Dollars</i>	241,248,000
Total Redevelopment Program	1,333,381,000
<i>In Constant FY 2010 - 2011 Dollars</i>	668,854,000

- a. Figures rounded to the nearest \$1,000. Calculations may not precisely match due to rounding.
- b. Refer to Chapter IV, Section F.3.c for description of required Housing Set-Aside amounts.
- c. Refer to Chapter IV, Section F.3.b for description of pass-through payment calculation.
- d. Refer to Chapter IV, Section F.3.f for description of Agency's tax increment rebate obligations.
- e. Constant FY 2010-2011 dollars discounted at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-82
Tax Increment Projections
Central District 1968 and 1982 Areas
(in Nominal/Future Dollars)

Plan Year	Fiscal Year	Prorata of the Year Assessed Value						Incremental Tax Revenues										Projected Use of funds				
		Secured Assessed Value (\$)	Other Assessed Value (\$)	Total Beginning of Year Assessed Value (\$)	New Development Value (\$)	Beginning of Year Incremental AV of Base (\$)	Basic Incremental Revenue (\$)	Supplemental Revenue (\$)	Unitary Revenues (\$)	Gross Incremental Tax Revenues (\$)	County Admin (\$)	Mandatory Housing Set Aside (\$)	Additional TI for Housing (\$)	AD 1990 Statutory Pass-Through Payments (\$)	Total Pass Through Payments (\$)	State SERRAF Payments (\$)	Existing Debt Obligation (\$)	TI Rebutals (\$)	Agency Admin (\$)	Housing Redevelopment Program (\$)	Non-Housing Redevelopment Program (\$)	
Base	1968 - 1969	3,945,856,461	440,118,103	4,385,774,564	0	4,110,734,016	48,290,314	461,514	2,643,200	51,397,048	10,279,410	2,569,832	4,434,471	4,434,471	4,434,471	3,051,978	23,838,916	1,317,029	7,984,185	12,849,262	0	4,438,572
41	2011 - 2012	4,064,232,155	440,118,103	4,504,350,258	0	4,259,109,620	49,800,917	477,440	2,643,200	52,901,557	10,560,311	2,640,078	4,715,592	4,715,592	4,715,592	3,051,978	25,854,980	1,346,496	8,223,711	12,200,389	0	4,606,121
44	2013 - 2014	4,186,159,119	440,118,103	4,626,277,222	54,516,960	4,351,036,624	51,238,238	1,132,195	2,643,200	54,388,032	13,725,158	2,744,432	4,374,174	4,374,174	4,374,174	3,051,978	26,033,238	1,376,622	8,470,422	16,200,389	0	4,822,314
45	2015 - 2016	4,366,290,653	440,118,103	4,806,378,956	0	4,531,138,628	53,286,960	912,921	2,643,200	56,385,080	14,096,276	2,918,254	4,744,425	4,744,425	4,744,425	3,051,978	26,768,015	1,423,286	8,724,535	16,915,524	0	5,030,628
46	2017 - 2018	4,597,248,679	440,118,103	5,037,366,782	32,472,965	4,662,126,624	58,767,722	909,780	2,643,200	58,320,702	14,586,176	2,918,254	5,171,560	5,171,560	5,171,560	3,051,978	27,038,971	1,477,258	9,086,271	17,896,211	0	5,242,187
47	2019 - 2020	4,864,639,104	440,118,103	5,304,757,207	256,074,302	4,829,516,679	58,734,119	3,485,688	2,643,200	62,663,007	15,715,722	3,143,150	5,717,400	5,717,400	5,717,400	3,051,978	27,603,535	1,443,173	9,255,859	18,838,902	0	5,413,332
48	2021 - 2022	5,054,652,379	440,118,103	5,494,770,682	112,616,242	5,219,530,544	61,315,752	1,916,733	2,643,200	65,875,685	16,468,921	3,293,784	6,897,186	6,897,186	6,897,186	3,051,978	28,039,930	1,470,610	9,533,534	19,762,706	0	5,587,422
49	2023 - 2024	5,316,908,998	440,118,103	5,759,026,501	336,679,769	5,483,785,773	64,420,063	4,579,934	2,643,200	71,643,196	17,910,799	3,582,160	7,850,891	7,850,891	7,850,891	3,051,978	28,680,182	1,498,702	9,819,540	21,492,959	0	5,770,463
50	2025 - 2026	5,613,552,419	440,118,103	6,055,273,522	454,433,949	5,896,032,594	70,459,660	2,610,076	2,643,200	75,502,936	18,875,734	3,775,147	9,469,091	9,469,091	9,469,091	3,051,978	29,275,522	1,527,466	10,114,127	22,650,881	0	5,963,467
51	2027 - 2028	5,926,685,616	440,118,103	6,369,703,719	484,737,097	6,257,563,917	74,225,992	6,061,295	2,643,200	82,939,487	20,735,644	4,146,524	10,572,836	10,572,836	10,572,836	3,051,978	29,870,077	1,572,466	10,417,550	24,879,146	0	6,158,467
52	2029 - 2030	6,252,821,281	440,118,103	6,693,939,384	511,990,688	6,582,948,696	77,321,022	6,443,109	2,643,200	88,319,378	22,129,844	4,425,969	12,656,697	12,656,697	12,656,697	3,051,978	30,463,574	1,621,466	11,051,979	26,555,811	0	6,353,411
53	2031 - 2032	6,594,232,811	440,118,103	7,034,350,914	541,990,688	6,982,360,226	81,372,733	6,828,228	2,643,200	95,283,238	23,129,844	4,814,261	14,249,758	14,249,758	14,249,758	3,051,978	31,058,077	1,670,914	11,643,531	27,685,588	0	6,557,364
54	2033 - 2034	6,948,562,651	440,118,103	7,388,674,754	572,990,688	7,285,684,066	84,500,302	7,116,311	2,643,200	102,733,002	24,540,078	5,118,630	16,879,328	16,879,328	16,879,328	3,051,978	31,653,574	1,721,366	12,232,000	29,445,094	0	6,761,314
55	2035 - 2036	7,324,903,151	440,118,103	7,765,014,254	604,990,688	7,660,023,566	92,031,173	7,401,403	2,643,200	106,565,176	26,095,256	5,886,455	18,528,557	18,528,557	18,528,557	3,051,978	32,248,077	1,771,811	12,823,333	30,330,411	0	6,970,267
56	2037 - 2038	7,734,248,679	440,118,103	8,174,366,782	637,990,688	8,076,376,074	100,319,352	7,784,455	2,643,200	110,644,885	27,784,455	6,886,491	19,426,362	19,426,362	19,426,362	3,051,978	32,853,574	1,821,266	13,434,411	31,317,746	0	7,181,219
57	2039 - 2040	8,169,639,104	440,118,103	8,609,757,207	668,990,688	8,510,766,782	110,444,685	8,086,078	2,643,200	114,721,863	29,784,455	7,816,491	20,654,327	20,654,327	20,654,327	3,051,978	33,464,077	1,871,711	14,045,888	32,332,534	0	7,392,172
58	2041 - 2042	8,634,639,104	440,118,103	9,074,757,207	700,990,688	8,973,766,782	113,402,919	8,386,491	2,643,200	118,644,885	31,111,111	8,716,491	22,000,324	22,000,324	22,000,324	3,051,978	34,070,574	1,921,211	14,661,333	33,282,189	0	7,603,123
59	2043 - 2044	9,124,639,104	440,118,103	9,564,757,207	735,990,688	9,458,766,782	117,158,901	8,828,491	2,643,200	122,568,280	32,010,378	9,222,277	23,449,836	23,449,836	23,449,836	3,051,978	34,678,077	1,971,711	15,272,777	34,282,189	0	7,814,172
60	2045 - 2046	9,634,639,104	440,118,103	10,074,757,207	771,990,688	9,962,766,782	120,615,922	9,186,787	2,643,200	126,544,321	32,010,378	9,642,277	24,438,134	24,438,134	24,438,134	3,051,978	35,288,574	2,021,211	15,984,277	35,282,189	0	8,025,219
61	2047 - 2048	10,164,639,104	440,118,103	10,604,757,207	808,990,688	10,505,766,782	124,749,840	9,604,787	2,643,200	130,544,321	32,010,378	10,146,548	25,456,080	25,456,080	25,456,080	3,051,978	35,899,077	2,071,711	16,700,277	36,282,189	0	8,236,266
62	2049 - 2050	10,734,639,104	440,118,103	11,174,757,207	848,990,688	11,075,766,782	129,015,922	10,086,787	2,643,200	134,544,321	32,010,378	10,722,277	26,464,080	26,464,080	26,464,080	3,051,978	36,504,574	2,121,711	17,417,277	37,282,189	0	8,447,313
63	2051 - 2052	11,344,639,104	440,118,103	11,784,757,207	888,990,688	11,685,766,782	127,843,051	10,506,787	2,643,200	138,544,321	32,010,378	11,246,548	27,479,080	27,479,080	27,479,080	3,051,978	37,114,077	2,171,711	18,132,277	38,282,189	0	8,658,360
Total																						
Present Value*																						

* Discounted to constant FY 2010-2011 dollars at 5.5%.

Notes on Table E-82

- (1) For all years after FY 2010-11, includes year's new development value plus prior year's beginning of year assessed value escalated annually at 3%.
- (2) Includes unsecured and state assessed value. Escalated annually at 0% from prior year.
- (3) Sum of columns (1) and (2).
- (4) Based on new development roll value schedule - see Table E-B3a.
- (5) Total beginning of year assessed value (column 3) less base year assessed value.
- (6) Equals 1.74717% of beginning of year increments AV over base value (column 3), based on basic 1% tax rate and 0.174717 bond override.
- (7) Equals 1% annual reassessment plus 1.174717% of the new development supplemental roll value assessed during the year (column 4).
- (8) Unitary revenues from state-assessed property. Assumed constant over life of plan.
- (9) Sum of columns (6) and (7). Also equals gross tax increment to the Agency.
- (10) Assumed equal 0.7% of gross incremental tax revenues based on actual County administrative charge for FY 2009-10.
- (11) Equals 28% of gross incremental tax revenues under FY 2012-13 when additional 5% is included and total housing set aside equals 30% (sum of column (10) and (11)) per CRA requirement after 10-year extension on plan effectiveness and tax increment collection.
- (12) Equals 5% of gross tax increment, per City of Oakland policy.
- (13) AB 1250 statutory pass-through payments starting the year after amendment to retail debt incurrence limit. Assumes City takes Tier 1 pass through. Assumes City's Tier 2 and 3 pass throughs are retained by the Agency.
- (14) Refers to Chapter IV Section 7.5.5 for pass-through payment methodology.
- (15) Includes Supplemental Educational Augmentation Fund (SERAF) contribution for entire Central District.
- (16) Assumes all scheduled debt service for Central District.
- (17) Assumed to escalate at 3% per year from first year cost (sum) FY 2023-24 when Agency Administration is estimated to be 5% of gross tax increment.
- (18) Total tax increment available for housing-related redevelopment activities.
- (19) Total tax increment available for non-housing related redevelopment activities.

Source: Redevelopment Agency of the City of Oakland, Seifert Consulting Inc.

**Table E-B3a
New Development Roll Value Schedule
Central District 1969 and 1982 Areas**

Plan Year	Fiscal Year	Rental Residential Downtown		For Sale Residential Downtown		Rental Residential Broadway/Valdez		For Sale Residential Broadway/Valdez		Rental Residential Estuary		For Sale Residential Estuary		Commercial Downtown		Commercial Estuary Office	
		Units	Incremental Assessed Value	Units	Incremental Assessed Value	Units	Incremental Assessed Value	Units	Incremental Assessed Value	Units	Incremental Assessed Value	Units	Incremental Assessed Value	Square Feet	Incremental Assessed Value	Square Feet	Incremental Assessed Value
		912	(\$200,000/unit)	1,450	(\$400,000/unit)	250	(\$185,000/unit)	502	(\$385,000/unit)	200	(\$190,000/unit)	500	(\$390,000/unit)	1,627,500	(\$200/SF)	540,000	(\$190/SF)
Base	1968 - 1969																
42	2010 - 2011		0		0		0		0		0		0		0		0
43	2011 - 2012		0		0		0		0		0		0		0		0
44	2012 - 2013	262	52,400,000		0		0		0		0		0		0		0
45	2013 - 2014		0		0		0		0		0		0		0		0
46	2014 - 2015	50	10,000,000		0		0		0		0		0	100,000	20,000,000		0
47	2015 - 2016	50	10,000,000	100	40,000,000		0		0		0		0	320,000	64,000,000		0
48	2016 - 2017	100	20,000,000	200	80,000,000		0		0		0		0	0	0		0
49	2017 - 2018	50	10,000,000	100	40,000,000		0	100	19,000,000	150	58,500,000	600,000	120,000,000	180,000	34,200,000		0
50	2018 - 2019	100	20,000,000	300	120,000,000		0		0		0		0	0	0		0
51	2019 - 2020	150	30,000,000	100	40,000,000	250	96,250,000		0		0	607,500	121,500,000		0		0
52	2020 - 2021	50	10,000,000	250	100,000,000		0		0	200	78,000,000		0	180,000	34,200,000		0
53	2021 - 2022	50	10,000,000	200	80,000,000		0		0		0		0	0	0		0
54	2022 - 2023	50	10,000,000	200	80,000,000	250	46,250,000		0		0		0	0	0		0
55	2023 - 2024		0		0		0	100	19,000,000	150	58,500,000		0	180,000	34,200,000		0
56	2024 - 2025		0		0		0		0		0		0	0	0		0
57	2025 - 2026		0		0	252	97,020,000		0		0		0	0	0		0
	Total	912	182,400,000	1,450	580,000,000	250	46,250,000	502	193,270,000	200	38,000,000	500	195,000,000	1,627,500	325,500,000	540,000	102,600,000

a. Projected new development is within the maximum projected development analyzed in the DEIR. Tax exempt affordable housing is not included in the new development roll value schedule. Assessment is assumed to occur in the year construction is completed or the property is reassessed. If an assessment delay is expected, this schedule reflects the expected delay.

b. Future dollars calculated by escalating constant FY 2010-11 values at 2% annually.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

**Table E-B3b
New Development Roll Value Schedule^a
Central District 1969 and 1982 Areas**

Plan Year	Fiscal Year	Retail Broadway/Valdez		Retail Estuary		Hotel Broadway/Valdez		Ballpark Estuary		Total Incremental Assessed Value Constant Dollars		Grand Total Incremental Assessed Value Constant \$	Total Incremental Assessed Value Future \$ ^b
		Square Feet	Incremental Assessed Value	Square Feet	Incremental Assessed Value	Square Feet	Incremental Assessed Value		Incremental Assessed Value	Residential	Non-Res		
		1,100,000	(\$185/SF)	180,000	(\$190/SF)	150,000	(\$185/SF)		(\$112,500,000/unit)				
Base	1968 - 1969												
42	2010 - 2011		0		0		0		0	0	0	0	0
43	2011 - 2012		0		0		0		0	0	0	0	0
44	2012 - 2013		0		0		0		0	52,400,000	0	52,400,000	54,516,960
45	2013 - 2014		0		0		0		0	0	0	0	0
46	2014 - 2015		0		0		0		0	10,000,000	20,000,000	30,000,000	32,472,965
47	2015 - 2016		0		0		0	1	112,500,000	50,000,000	176,500,000	226,500,000	250,074,302
48	2016 - 2017		0		0		0		0	100,000,000	0	100,000,000	112,616,242
49	2017 - 2018		0	60,000	11,400,000		0		0	127,500,000	165,600,000	293,100,000	336,679,769
50	2018 - 2019		0		0		0		0	140,000,000	0	140,000,000	164,032,313
51	2019 - 2020	500,000	92,500,000		0		0		0	166,250,000	214,000,000	380,250,000	454,433,949
52	2020 - 2021		0	60,000	11,400,000		0		0	188,000,000	45,600,000	233,600,000	284,757,097
53	2021 - 2022		0		0		0		0	90,000,000	0	90,000,000	111,903,688
54	2022 - 2023	300,000	55,500,000		0	150,000	27,750,000		0	136,250,000	83,250,000	219,500,000	278,379,074
55	2023 - 2024		0	60,000	11,400,000		0		0	77,500,000	45,600,000	123,100,000	159,242,976
56	2024 - 2025		0		0		0		0	0	0	0	0
57	2025 - 2026	300,000	55,500,000		0		0		0	97,020,000	55,500,000	152,520,000	205,271,839
	Total	1,100,000	203,500,000	180,000	34,200,000	150,000	27,750,000	1	112,500,000	1,234,920,000	806,050,000	2,040,970,000	2,444,381,174

- a. Projected new development is within the maximum projected development analyzed in the DEIR. Tax exempt affordable housing is not included in the new development roll value schedule. Assessment is assumed to occur in the year construction is completed or the property is reassessed. If an assessment delay is expected, this schedule reflects the expected delay.
- b. Future dollars calculated by escalating constant FY 2010-11 values at 2% annually.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-B4a
Statutory Pass-Through Payments to Affected Taxing Entities -
Central District 1969 and 1982 Areas
(In Nominal/Future Dollars)

ERAF Adjusted Levies

Plan Year	Fiscal Year	City General Fund[a] Levy: 30.22%	Alameda County General Fund Levy: 22.50%	Oakland Unified School District Levy: 18.67%	Co. Supt. Inst. Pupils Levy: 0.15%	Co. Supt. Juv. Hall Ed. Levy: 0.03%	Co. Supt. Service Levy: 0.09%	Co. Supt. Capital Levy: 0.07%	Flood Control Levy: 0.14%	Flood Control Zone 12 Levy: 2.01%	Bay Area Air Quality Mgmt Levy: 0.19%
Base	1968 - 1969										
42	2010 - 2011	1,339,888	997,937	827,778	6,503	1,346	4,042	3,115	6,168	89,266	8,209
43	2011 - 2012	1,423,923	1,060,526	879,695	6,911	1,431	4,296	3,310	6,555	94,864	8,724
44	2012 - 2013	1,321,669	984,368	816,523	6,414	1,328	3,987	3,072	6,084	88,052	8,098
45	2013 - 2014	1,433,541	1,067,689	885,637	6,957	1,440	4,325	3,332	6,599	95,505	8,783
46	2014 - 2015	1,514,906	1,179,193	978,128	7,684	1,591	4,776	3,680	7,288	105,479	9,700
47	2015 - 2016	1,618,883	1,321,684	1,096,323	8,612	1,783	5,354	4,125	8,169	118,225	10,872
48	2016 - 2017	1,861,145	1,653,684	1,371,714	10,776	2,231	6,698	5,161	10,221	147,922	13,603
49	2017 - 2018	2,025,290	1,878,632	1,558,306	12,241	2,534	7,610	5,863	11,611	168,044	15,454
50	2018 - 2019	2,333,541	2,301,063	1,908,708	14,994	3,104	9,321	7,182	14,222	205,830	18,929
51	2019 - 2020	2,543,796	2,589,200	2,147,715	16,872	3,493	10,488	8,081	16,003	231,604	21,299
52	2020 - 2021	2,940,746	3,133,187	2,598,946	20,416	4,226	12,691	9,779	19,365	280,264	25,774
53	2021 - 2022	3,244,207	3,549,055	2,943,905	23,126	4,787	14,376	11,077	21,935	317,464	29,195
54	2022 - 2023	3,449,402	3,830,258	3,177,159	24,959	5,167	15,515	11,954	23,673	342,617	31,508
55	2023 - 2024	3,764,161	4,261,609	3,534,961	27,769	5,749	17,262	13,301	26,339	381,202	35,056
56	2024 - 2025	4,014,361	4,604,486	3,819,374	30,004	6,211	18,651	14,371	28,458	411,872	37,877
57	2025 - 2026	4,173,150	4,822,094	3,999,877	31,421	6,505	19,533	15,050	29,803	431,337	39,667
58	2026 - 2027	4,464,210	5,220,967	4,330,738	34,021	7,043	21,148	16,295	32,268	467,016	42,948
59	2027 - 2028	4,636,495	5,457,069	4,526,582	35,559	7,361	22,105	17,032	33,728	488,136	44,890
60	2028 - 2029	4,813,948	5,700,254	4,728,302	37,144	7,689	23,090	17,791	35,231	509,889	46,891
61	2029 - 2030	4,996,725	5,950,735	4,936,073	38,776	8,027	24,104	18,572	36,779	532,294	48,951
62	2030 - 2031	5,184,985	6,208,729	5,150,077	40,457	8,375	25,149	19,378	38,373	555,372	51,074
63	2031 - 2032	5,378,894	6,474,464	5,370,501	42,189	8,733	26,226	20,207	40,016	579,142	53,260
Total		68,477,865	74,246,883	61,587,022	483,804	100,152	300,748	231,727	458,885	6,641,397	610,763
Present Value ^b		35,301,136	36,598,408	30,358,001	238,481	49,368	148,247	114,225	226,198	3,273,734	301,062

a. The City General Fund receives Tier 1 pass through only. Its share of Tiers 2 and 3 are assumed to be retained by the Agency.

b. Discounted to constant FY:2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-B4b
Statutory Pass-Through Payments to Affected Taxing Entities
Central District 1969 and 1982 Areas
(In Nominal/Future Dollars)

ERAF Adjusted Levies

Plan Year	Fiscal Year	Mosquito Abatement. Levy: 0.10%	AC Transit Sp. District 1 Levy: 4.63%	BART Levy: 0.54%	E.B. Regional Parks Levy: 2.42%	EBMUD Levy: 1.45%	EBMUD Spec. Dist. 1 Levy: 0.52%	Peralta CC Levy: 2.64%	Oakland Knowland zoo Levy: 0.18%	ERAF Levy: 13.46%	Total Statutory Pass Throughs
Base	1968 - 1969										
42	2010 - 2011	4,326	205,300	24,107	107,402	64,285	22,936	117,141	7,871	596,853	4,434,471
43	2011 - 2012	4,598	218,176	25,619	114,138	68,317	24,374	124,488	8,365	634,286	4,712,592
44	2012 - 2013	4,268	202,508	23,779	105,941	63,411	22,624	115,548	7,764	588,737	4,374,174
45	2013 - 2014	4,629	219,649	25,792	114,909	68,778	24,539	125,329	8,421	638,571	4,744,425
46	2014 - 2015	5,112	242,588	28,485	126,909	75,961	27,101	138,417	9,301	705,259	5,171,560
47	2015 - 2016	5,730	271,902	31,928	142,244	85,140	30,376	155,143	10,425	790,481	5,717,400
48	2016 - 2017	7,169	340,202	39,948	177,975	106,527	38,007	194,114	13,044	989,046	6,989,186
49	2017 - 2018	8,145	386,480	45,382	202,185	121,017	43,177	220,519	14,818	1,123,584	7,850,891
50	2018 - 2019	9,976	473,384	55,586	247,649	148,229	52,885	270,106	18,150	1,376,234	9,469,091
51	2019 - 2020	11,225	532,661	62,546	278,659	166,790	59,508	303,928	20,422	1,548,566	10,572,856
52	2020 - 2021	13,583	644,572	75,687	337,205	201,833	72,010	367,783	24,713	1,873,916	12,656,697
53	2021 - 2022	15,386	730,126	85,733	381,962	228,622	81,568	416,599	27,993	2,122,642	14,249,758
54	2022 - 2023	16,606	787,976	92,526	412,226	246,737	88,031	449,607	30,211	2,290,825	15,326,957
55	2023 - 2024	18,476	876,715	102,946	458,649	274,523	97,945	500,240	33,614	2,548,811	16,979,328
56	2024 - 2025	19,962	947,253	111,229	495,551	296,611	105,825	540,488	36,318	2,753,881	18,292,782
57	2025 - 2026	20,905	992,020	116,486	518,971	310,628	110,826	566,032	38,034	2,884,029	19,126,367
58	2026 - 2027	22,635	1,074,078	126,121	561,899	336,323	119,993	612,853	41,181	3,122,590	20,654,327
59	2027 - 2028	23,658	1,122,650	131,825	587,309	351,532	125,420	640,567	43,043	3,263,799	21,558,759
60	2028 - 2029	24,713	1,172,679	137,699	613,482	367,197	131,009	669,113	44,961	3,409,245	22,490,324
61	2029 - 2030	25,799	1,224,209	143,750	640,439	383,333	136,766	698,515	46,937	3,559,054	23,449,836
62	2030 - 2031	26,917	1,277,284	149,982	668,205	399,952	142,695	728,799	48,972	3,713,357	24,438,134
63	2031 - 2032	28,069	1,331,952	156,402	696,805	417,070	148,803	759,992	51,068	3,872,289	25,456,080
Total		321,886	15,274,363	1,793,558	7,990,712	4,782,816	1,706,415	8,715,319	585,626	44,406,052	298,715,995
Present Value^a		158,667	7,529,169	884,096	3,938,850	2,357,586	841,141	4,296,030	288,672	21,889,011	148,792,083

- a. The City General Fund receives Tier 1 pass through only. Its share of Tiers 2 and 3 are assumed to be retained by the Agency.
b. Discounted to constant FY:2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-C1
Summary of Tax Increment Projections
Central District 2001 Area

Project Area Information	
Type	Post-1994 Plan
Base Year	FY 2001 - 2002
Time Limit on TI Collection	FY 2046 - 2047
Base Year Assessed Value (AV)	15,780,702
FY 2010 - 2011 AV	98,988,966
Tax Increment (TI) Projections^a	
<i>Nominal (Future) Dollars</i>	
Incremental Tax Revenues	64,907,000
Less: County Admin Fee	(454,000)
Subtotal: TI Remitted to Agency	64,453,000
Agency Obligations:	
Less: Low and Moderate Income Housing Fund ^b	(12,981,000)
Less: Additional TI for Housing	(3,245,000)
Less: Pass-Through Payments ^c	(16,777,000)
Less: State ERAF Payments	0
Less: Existing Debt Obligation	0
Subtotal: TI Available for Non-Housing Program and Agency Administration	31,450,000
Projected Use of Funds: ^d	
Agency Administration	3,489,000
<i>In Constant FY 2010 - 2011 Dollars</i>	737,000
Housing Redevelopment Program	16,227,000
<i>In Constant FY 2010 - 2011 Dollars</i>	6,097,000
Non-Housing Redevelopment Program	27,961,000
<i>In Constant FY 2010 - 2011 Dollars</i>	11,502,000
Total Redevelopment Program	47,677,000
<i>In Constant FY 2010 - 2011 Dollars</i>	18,336,000

- a. Figures rounded to the nearest \$1,000. Calculations may not precisely match due to rounding.
b. Refer to Chapter IV, Section F.3.c for description of required Housing Set-Aside amounts.
c. Refer to Chapter IV, Section F.3.b for description of pass-through payment calculation.
d. Constant FY 2010-2011 dollars discounted at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

**Table E-C2
Tax Increment Projections
Central District 2001 Area
(in Nominal/Future Dollars)**

Plan Year	Fiscal Year	Beginning of the Year Assessed Value			Incremental Tax Revenues							Projected Use of Funds				
		Secured Assessed Value (1)	Other Assessed Value (2)	Total Beginning of Year Assessed Value (3)	Beginning of Year Incremental AV over Base (5)	Basic Incremental Revenue (6)	Supplemental Revenue (7)	Gross Incremental Tax Revenues (8)	County Admin (9)	20% Housing Set Aside (10)	Additional TI for Housing (11)	AB 1290 Statutory Pass-Through Payments (12)	Total Pass Through Payments	Agency Admin (13)	Housing Redevelopment Program (14)	Non-Housing Redevelopment Program (15)
Base	2001 - 2002			15,780,702												
9	2010 - 2011	81,999,754	16,989,212	98,988,966	83,208,264	977,478	9,633	987,111	6,910	197,422	49,356	197,422	197,422	0	246,778	536,001
10	2011 - 2012	84,459,747	16,989,212	101,448,959	85,668,257	1,006,377	9,922	1,016,299	7,114	203,260	50,815	203,260	203,260	0	254,075	551,850
11	2012 - 2013	86,993,539	16,989,212	103,982,751	88,202,049	1,036,142	10,219	1,046,362	7,325	209,272	52,318	209,272	212,799	0	261,590	564,647
12	2013 - 2014	89,603,345	16,989,212	106,592,557	90,811,855	1,066,800	10,526	1,077,326	7,541	215,465	53,866	222,625	222,625	0	269,332	577,828
13	2014 - 2015	92,291,446	16,989,212	109,280,658	93,499,956	1,098,379	10,842	1,109,220	7,765	221,844	55,461	232,746	232,746	0	277,305	591,405
14	2015 - 2016	95,060,189	16,989,212	112,049,401	96,268,699	1,130,904	11,167	1,142,071	7,994	225,414	57,104	243,170	243,170	0	285,518	605,388
15	2016 - 2017	97,911,995	16,989,212	114,901,207	99,120,505	1,164,405	11,502	1,175,907	8,231	235,181	58,795	253,908	253,908	0	293,977	619,792
16	2017 - 2018	100,849,354	16,989,212	117,838,566	102,057,864	1,198,911	11,847	1,210,759	8,475	242,152	60,538	264,967	264,967	0	302,690	634,627
17	2018 - 2019	103,874,835	16,989,212	120,864,047	105,083,345	1,234,453	12,203	1,246,655	8,727	249,331	62,333	276,358	276,358	0	311,664	649,907
18	2019 - 2020	106,991,080	16,989,212	123,980,292	108,199,590	1,271,061	12,569	1,283,629	8,985	256,726	64,181	288,090	288,090	0	320,907	665,646
19	2020 - 2021	110,200,813	16,989,212	127,190,025	111,409,323	1,208,767	12,946	1,321,712	9,252	264,342	66,086	300,175	300,175	0	330,428	681,857
20	2021 - 2022	113,506,837	16,989,212	130,496,049	114,715,347	1,347,604	13,334	1,360,938	9,527	272,188	68,047	312,622	312,622	0	340,234	698,554
21	2022 - 2023	116,912,042	16,989,212	133,901,254	118,120,552	1,387,606	13,734	1,401,340	9,809	280,268	70,067	325,443	325,443	0	350,335	715,573
22	2023 - 2024	120,419,403	16,989,212	137,408,615	121,627,913	1,428,808	14,146	1,442,954	10,101	288,591	72,148	338,648	338,648	0	360,739	733,467
23	2024 - 2025	124,031,985	16,989,212	141,021,197	125,240,495	1,471,246	14,570	1,485,817	10,401	297,163	74,291	352,249	352,249	0	371,454	751,713
24	2025 - 2026	127,752,945	16,989,212	144,742,157	128,961,455	1,514,958	15,008	1,529,966	10,710	305,993	76,498	366,259	366,259	0	382,491	770,505
25	2026 - 2027	131,585,533	16,989,212	148,574,745	132,794,043	1,559,981	15,458	1,575,439	11,028	315,088	78,772	380,689	380,689	0	393,660	789,862
26	2027 - 2028	135,533,099	16,989,212	152,522,311	136,741,609	1,606,354	15,922	1,622,276	11,356	324,455	81,114	395,551	395,551	0	405,669	809,800
27	2028 - 2029	139,599,092	16,989,212	156,588,304	140,807,602	1,654,119	16,399	1,670,518	11,694	334,104	83,526	410,860	410,860	0	417,630	830,335
28	2029 - 2030	143,787,065	16,989,212	160,776,277	144,995,575	1,703,317	16,891	1,720,208	12,041	344,042	86,010	426,627	426,627	0	430,052	851,487
29	2030 - 2031	148,100,677	16,989,212	165,089,889	149,309,187	1,753,990	17,398	1,771,388	12,400	354,278	88,569	442,868	442,868	0	442,868	873,273
30	2031 - 2032	152,543,697	16,989,212	169,532,909	153,752,207	1,806,184	17,920	1,824,104	12,769	364,821	91,205	459,596	459,596	0	456,026	895,173
31	2032 - 2033	157,120,008	16,989,212	174,109,220	158,328,518	1,859,944	18,457	1,878,401	13,149	375,650	93,920	481,073	481,073	187,840	469,600	923,739
32	2033 - 2034	161,833,608	16,989,212	178,822,820	163,042,118	1,915,316	19,011	1,934,327	13,540	386,865	96,716	503,194	503,194	193,433	483,582	940,578
33	2034 - 2035	166,688,617	16,989,212	183,677,829	167,897,127	1,972,350	19,582	1,991,931	13,944	398,386	99,597	525,979	525,979	199,193	497,983	954,833
34	2035 - 2036	171,689,275	16,989,212	188,678,487	172,897,785	2,031,094	20,169	2,051,263	14,359	410,253	102,563	549,447	549,447	205,126	512,816	969,515
35	2036 - 2037	176,839,953	16,989,212	193,829,165	178,048,463	2,091,601	20,774	2,112,375	14,787	422,475	105,619	573,619	573,619	211,238	528,094	984,638
36	2037 - 2038	182,145,152	16,989,212	199,134,364	183,353,662	2,153,923	21,397	2,175,321	15,227	435,064	108,766	598,517	598,517	217,532	543,830	1,000,214
37	2038 - 2039	187,609,507	16,989,212	204,598,719	188,818,017	2,218,115	22,039	2,240,154	15,681	448,031	112,008	624,161	624,161	224,015	560,039	1,016,258
38	2039 - 2040	193,237,792	16,989,212	210,227,004	194,446,302	2,284,233	22,700	2,306,933	16,149	461,387	115,347	650,575	650,575	230,693	576,733	1,032,783
39	2040 - 2041	199,034,926	16,989,212	216,024,138	200,243,436	2,352,334	23,381	2,375,715	16,630	475,143	118,786	677,781	677,781	237,572	593,929	1,049,804
40	2041 - 2042	205,005,973	16,989,212	221,995,185	206,214,483	2,422,478	24,083	2,446,561	17,126	489,312	122,328	705,803	705,803	244,656	611,640	1,067,335
41	2042 - 2043	211,156,152	16,989,212	228,145,364	212,364,662	2,494,726	24,805	2,519,532	17,637	503,906	125,977	734,666	734,666	251,953	629,883	1,085,392
42	2043 - 2044	217,490,837	16,989,212	234,480,049	218,699,347	2,569,142	25,549	2,594,692	18,163	518,938	129,735	764,395	764,395	259,469	648,673	1,103,991
43	2044 - 2045	224,015,562	16,989,212	241,004,774	225,224,072	2,645,791	26,316	2,672,106	18,705	534,421	133,605	795,016	795,016	267,211	668,027	1,123,148
44	2045 - 2046	230,736,029	16,989,212	247,725,241	231,944,539	2,724,738	27,105	2,751,844	19,263	550,369	137,592	826,556	826,556	275,184	687,961	1,142,880
45	2046 - 2047	237,658,110	16,989,212	254,647,322	238,866,620	2,806,055	27,919	2,833,973	19,838	566,795	141,699	859,041	859,041	283,397	708,493	1,163,204
	Total					64,269,683	637,444	64,907,127	454,350	12,981,425	3,245,356	16,776,759	16,776,759	3,488,513	16,226,782	27,960,724
	Present Value ^a					24,147,299	239,125	24,386,424	170,705	4,877,285	1,219,321	5,880,979	5,880,979	736,531	6,096,606	11,501,603

a. Discounted to constant FY 2010-2011 dollars at 5.5%.

Notes on Table E-C2

- (1) For all years after FY 2010-11, includes prior year's new development value plus prior year's beginning of year assessed value escalated annually at 3%.
- (2) Includes unsecured and state assessed value. Escalated annually at 0% from prior year.
- (3) Sum of columns (1) and (2).
- (4) No specific new development is projected.
- (5) Total beginning of the year assessed value (column 3) less base year assessed value.
- (6) Equals 1.174737% of beginning of year incremental AV over base value (column 5), based on basic 1% tax rate and 0.174737 bond override.
- (7) Equals 1.174737% of the new development supplemental roll value assessed during the year (column 4).
- (8) Sum of columns (6) and (7). Also equals gross tax increment to the Agency.
- (9) Assumed to equal 0.7% of gross incremental tax revenues, based on actual County administrative charge for FY 2009-10.
- (10) Equals 20% of gross incremental tax revenues.
- (11) Equals 5% of gross tax increment, per City of Oakland Policy.
- (12) AB 1290 statutory pass-through payments starting from the first year of tax increment collection. Assumes City takes Tier 1 pass through. Assumes City's Tier 2 and 3 pass throughs are retained by the Agency.
- (13) Assumed to be zero through expiration of Original 1969 Area after FY 2032-33; assumed to be 10% of Gross TI thereafter.
- (14) Total tax increment available for housing-related redevelopment activities.
- (15) Total tax increment available for non-housing related redevelopment activities.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-C3a
 Statutory Pass-Through Payments to Affected Taxing Entities
 Central District 2001 Area
 (In Nominal/Future Dollars)

ERAF Adjusted Levies

Plan Year	Fiscal Year	City General Fund[a] Levy: 29.47%	Alameda County General Fund Levy: 19.96%	Oakland Unified School Dist. Levy: 18.67%	Co. Supt. Inst. Pupils Levy: 0.15%	Co. Supt. Juv. Hall Ed. Levy: 0.03%	Co. Supt. Service Levy: 0.09%	Co. Supt. Capital Levy: 0.07%	Flood Control Levy: 0.13%	Flood Control Zone 12 Levy: 1.90%	Bay Area Air Quality Mgmt Levy: 0.19%	Mosquito Abatement Levy: 0.09%	AC Transit Sp. District I Levy: 4.63%	BART Levy: 0.54%
Base	2001 - 2002													
9	2010 - 2011	58,172	39,408	36,859	290	60	180	139	260	3,744	365	177	9,137	1,073
10	2011 - 2012	59,892	40,573	37,949	295	62	185	143	268	3,855	376	182	9,407	1,105
11	2012 - 2013	61,663	42,771	40,005	314	65	195	150	283	4,063	397	192	9,916	1,164
12	2013 - 2014	63,488	45,036	42,123	331	68	206	158	297	4,278	418	202	10,441	1,226
13	2014 - 2015	65,368	47,368	44,304	348	72	216	167	313	4,500	439	213	10,982	1,290
14	2015 - 2016	67,303	49,770	46,551	366	76	227	175	329	4,728	461	223	11,539	1,355
15	2016 - 2017	69,297	52,244	48,866	384	79	239	184	345	4,963	484	235	12,113	1,422
16	2017 - 2018	71,351	54,793	51,249	403	83	250	193	362	5,205	508	246	12,704	1,492
17	2018 - 2019	73,467	57,418	53,704	422	87	262	202	379	5,455	532	258	13,312	1,563
18	2019 - 2020	75,646	60,121	56,233	442	91	275	212	397	5,712	557	270	13,939	1,637
19	2020 - 2021	77,890	62,906	58,838	462	96	287	221	416	5,976	583	282	14,585	1,713
20	2021 - 2022	80,202	65,775	61,521	483	100	300	231	434	6,249	610	295	15,250	1,791
21	2022 - 2023	82,582	68,729	64,284	505	105	314	242	454	6,529	637	309	15,935	1,871
22	2023 - 2024	85,035	71,772	67,130	527	109	328	253	474	6,818	665	322	16,640	1,954
23	2024 - 2025	87,561	74,906	70,062	551	114	342	264	495	7,116	694	336	17,367	2,039
24	2025 - 2026	90,162	78,135	73,082	574	119	357	275	516	7,423	724	351	18,115	2,127
25	2026 - 2027	92,842	81,460	76,192	599	124	372	287	538	7,739	755	366	18,886	2,218
26	2027 - 2028	95,602	84,885	79,395	624	129	388	299	561	8,064	787	381	19,680	2,311
27	2028 - 2029	98,445	88,413	82,695	650	134	404	311	584	8,399	820	397	20,498	2,407
28	2029 - 2030	101,374	92,046	86,093	676	140	420	324	608	8,745	853	413	21,341	2,506
29	2030 - 2031	104,390	95,789	89,594	704	146	437	337	633	9,100	888	430	22,208	2,608
30	2031 - 2032	107,496	99,644	93,199	732	152	455	351	658	9,466	924	447	23,102	2,713
31	2032 - 2033	110,696	104,816	98,037	770	159	479	369	692	9,958	972	470	24,301	2,853
32	2033 - 2034	113,992	110,143	103,020	809	168	503	388	728	10,464	1,021	494	25,536	2,998
33	2034 - 2035	117,387	115,631	108,153	850	176	528	407	764	10,985	1,072	519	26,809	3,148
34	2035 - 2036	120,883	121,283	113,439	891	184	554	427	801	11,522	1,124	544	28,119	3,302
35	2036 - 2037	124,485	127,104	118,884	934	193	580	447	840	12,075	1,178	571	29,469	3,460
36	2037 - 2038	128,194	133,100	124,493	978	202	608	468	879	12,645	1,234	597	30,859	3,623
37	2038 - 2039	132,015	139,276	130,269	1,024	212	636	490	920	13,232	1,291	625	32,291	3,792
38	2039 - 2040	135,950	145,638	136,219	1,070	221	665	512	962	13,836	1,350	654	33,766	3,965
39	2040 - 2041	140,003	152,190	142,348	1,118	231	695	536	1,005	14,458	1,411	683	35,285	4,143
40	2041 - 2042	144,178	158,939	148,660	1,168	242	726	559	1,050	15,100	1,473	713	36,849	4,327
41	2042 - 2043	148,479	165,890	155,162	1,219	252	758	584	1,096	15,760	1,538	745	38,461	4,516
42	2043 - 2044	152,908	173,050	161,858	1,272	263	790	609	1,143	16,440	1,604	777	40,121	4,711
43	2044 - 2045	157,470	180,424	168,756	1,326	274	824	635	1,192	17,141	1,673	810	41,831	4,912
44	2045 - 2046	162,169	188,020	175,860	1,382	286	859	662	1,242	17,862	1,743	844	43,592	5,119
45	2046 - 2047	167,009	195,844	183,178	1,439	298	894	689	1,294	18,606	1,816	879	45,406	5,331
Total		3,825,046	3,665,307	3,428,266	26,938	5,574	16,738	12,897	24,210	348,212	33,980	16,452	849,791	99,781
Present Value ^b		1,437,118	1,257,603	1,176,272	9,243	1,913	5,743	4,425	8,307	119,475	11,659	5,645	291,572	34,236

a. The City General Fund receives Tier 1 pass through only. Its share of Tiers 2 and 3 are assumed to be retained by the Agency.

b. Discounted to constant FY 2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Table E-C3b
Statutory Pass-Through Payments to Affected Taxing Entities
Central District 2001 Area
(In Nominal/Future Dollars) ERAF Adjusted Levies

Plan Year	Fiscal Year	E.B. Regional Parks Levy: 2.42%	EBMUD Levy: 1.45%	EBMUD Spec. Dist. 1 Levy: 0.52%	Peralta CC Levy: 2.64%	Oakland Knowland zoo Levy: 0.18%	ERAF Levy: 16.88%	Total Statutory Pass Throughs
Base	2001 - 2002							
9	2010 - 2011	4,783	2,861	1,021	5,216	347	33,332	197,422
10	2011 - 2012	4,925	2,946	1,051	5,370	357	34,317	203,260
11	2012 - 2013	5,192	3,105	1,108	5,661	376	36,177	212,799
12	2013 - 2014	5,466	3,270	1,167	5,961	396	38,092	222,625
13	2014 - 2015	5,750	3,439	1,227	6,270	417	40,065	232,746
14	2015 - 2016	6,041	3,613	1,290	6,588	438	42,096	243,170
15	2016 - 2017	6,341	3,793	1,354	6,915	460	44,189	253,908
16	2017 - 2018	6,651	3,978	1,420	7,252	482	46,345	264,967
17	2018 - 2019	6,969	4,168	1,488	7,600	505	48,565	276,358
18	2019 - 2020	7,298	4,365	1,558	7,958	529	50,852	288,090
19	2020 - 2021	7,636	4,567	1,630	8,326	554	53,207	300,175
20	2021 - 2022	7,984	4,775	1,704	8,706	579	55,633	312,622
21	2022 - 2023	8,342	4,990	1,781	9,097	605	58,132	325,443
22	2023 - 2024	8,712	5,211	1,860	9,500	632	60,706	338,648
23	2024 - 2025	9,092	5,438	1,941	9,915	659	63,357	352,249
24	2025 - 2026	9,484	5,672	2,025	10,342	688	66,088	366,259
25	2026 - 2027	9,888	5,914	2,111	10,782	717	68,900	380,689
26	2027 - 2028	10,303	6,163	2,199	11,235	747	71,797	395,551
27	2028 - 2029	10,732	6,419	2,291	11,702	778	74,781	410,860
28	2029 - 2030	11,173	6,682	2,385	12,183	810	77,855	426,627
29	2030 - 2031	11,627	6,954	2,482	12,679	843	81,020	442,868
30	2031 - 2032	12,095	7,234	2,582	13,189	877	84,281	459,596
31	2032 - 2033	12,723	7,609	2,716	13,873	923	88,655	481,073
32	2033 - 2034	13,369	7,996	2,854	14,579	970	93,162	503,194
33	2034 - 2035	14,035	8,395	2,996	15,305	1,018	97,803	525,979
34	2035 - 2036	14,721	8,805	3,143	16,053	1,068	102,583	549,447
35	2036 - 2037	15,428	9,228	3,293	16,824	1,119	107,507	573,619
36	2037 - 2038	16,156	9,663	3,449	17,617	1,172	112,579	598,517
37	2038 - 2039	16,906	10,111	3,609	18,435	1,226	117,803	624,161
38	2039 - 2040	17,678	10,573	3,774	19,277	1,282	123,183	650,575
39	2040 - 2041	18,473	11,049	3,943	20,144	1,340	128,725	677,781
40	2041 - 2042	19,292	11,539	4,118	21,037	1,399	134,434	705,803
41	2042 - 2043	20,136	12,043	4,298	21,957	1,460	140,313	734,666
42	2043 - 2044	21,005	12,563	4,484	22,905	1,523	146,369	764,395
43	2044 - 2045	21,900	13,099	4,675	23,881	1,588	152,606	795,016
44	2045 - 2046	22,822	13,650	4,872	24,886	1,655	159,031	826,556
45	2046 - 2047	23,772	14,218	5,074	25,922	1,724	165,649	859,041
Total		444,899	266,096	94,972	485,142	32,264	3,100,192	16,776,759
Present Value^a		152,649	91,300	32,586	166,457	11,070	1,063,707	5,880,979

a. The City General Fund receives Tier 1 pass through only. Its share of Tiers 2 and 3 are assumed to be retained by the Agency.

b. Discounted to constant FY 2010-2011 dollars at 5.5%.

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

Appendix F:
Amended 2009-2014 Five-Year Implementation Plan

**CENTRAL DISTRICT REDEVELOPMENT PROJECT
FIRST AMENDED AND RESTATED FIVE -YEAR IMPLEMENTATION PLAN
2009-2014**

INTRODUCTION

Since 1994, the California Community Redevelopment Law ("CRL") requires redevelopment agencies to adopt an implementation plan for each five-year period that the Redevelopment Plan is effective. This 2009-2014 First Amended and Restated Implementation Plan for the Central District Redevelopment Project (the "Implementation Plan") is a policy statement that has been prepared to guide and set priorities for redevelopment activities for the 2009-2014 period. This Implementation Plan covers both the original Central District Redevelopment Project Area adopted in 1969 and the territory added to the Project Area by amendments in 1982 and 2001, and as such, references to the "Project Area" in this report include all three areas. The existing Implementation Plan, adopted in 2009, has been amended in connection with that 17th Amendment to the Central District Urban Renewal Plan ("CDURP" or "Redevelopment Plan") that proposes to extend the time limits for Redevelopment Plan effectiveness and receipt of tax increment revenues by eleven years (pursuant to SB 211, codified at California Health and Safety Code Section 33333.10, et seq., and Health and Safety Code Section 33331.5), extend the time limit for use of eminent domain authority, and increase the dollar cap on tax increment revenue.

This Implementation Plan includes two separate components: the Redevelopment and Housing Components. The Redevelopment Component revisits the goals and objectives of the Redevelopment Plan, presents the programs, projects, and expenditures (other than those related to low- and moderate-income housing) that have been or will be implemented to achieve the Agency's goals and objective. It also describes how these programs, projects, and expenditures eliminate blight within the Project Area. The Housing Component describes how the Agency has implemented and will continue to implement various CRL requirements regarding low- and moderate-income housing; how the Redevelopment Plan goals and objectives for housing preservation and production will be implemented; and how the statutory requirements for the expenditure of tax increment set-aside funds for housing purposes will be met.

The Redevelopment Agency is required to prepare a mid-term review of the Implementation Plan and conduct a public hearing between the second and third year after the Implementation Plan has been adopted. New issues and opportunities may be encountered in the course of administering the Implementation Plan during the five-year period. Therefore, this Implementation Plan may be amended, if necessary, to effectuate changes in Agency priorities. Any such amendments will be reflected in the mid-term review of the Implementation Plan.

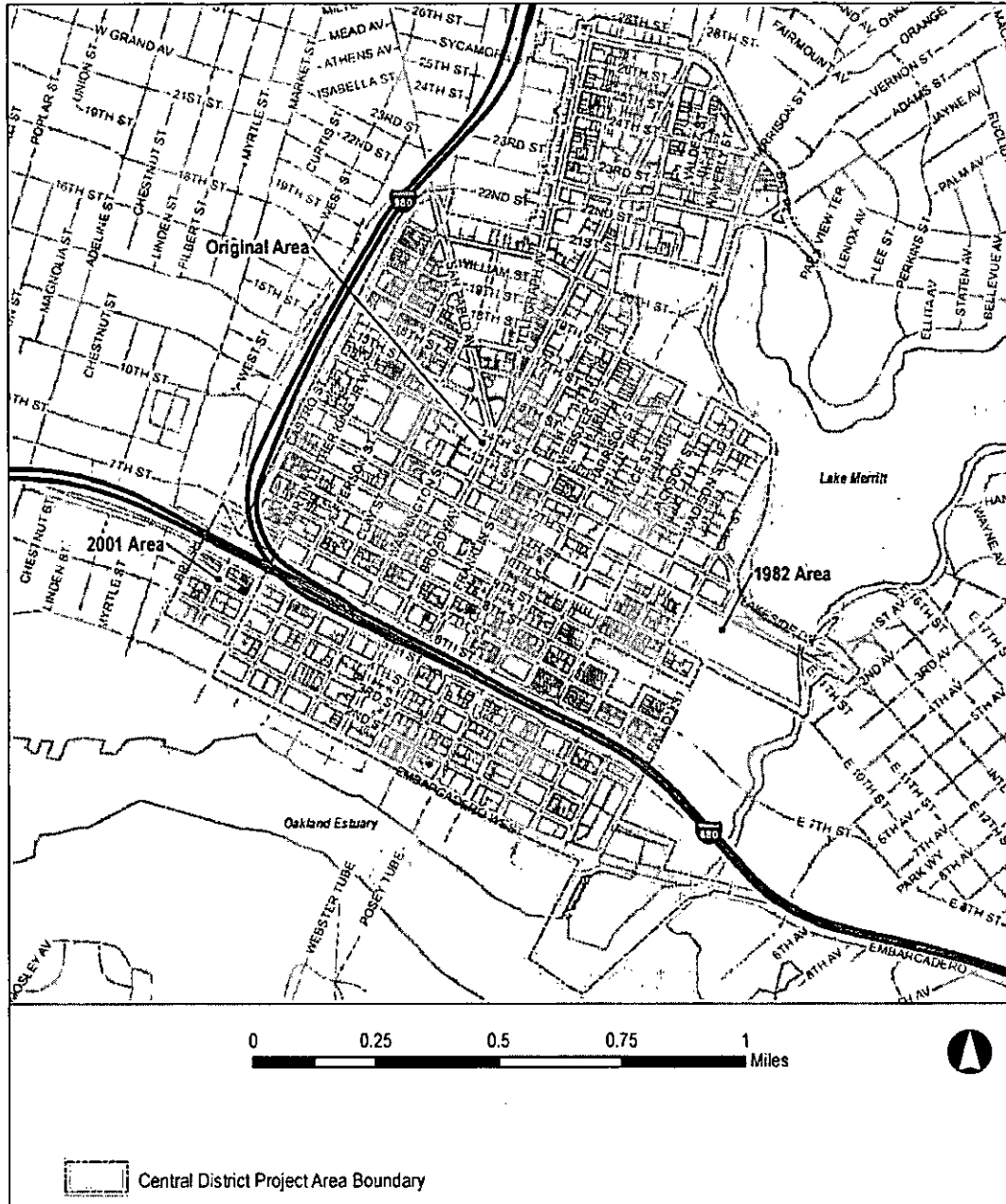
A. BACKGROUND

On June 12, 1969, the Oakland City Council adopted the CDURP, and subsequently amended or supplemented it the following dates: January 21, 1971; May 29, 1973; December 16, 1975; December 12, 1978; June 12, 1979; August 3, 1982; October 2, 1984; June 11, 1985; March 27, 1990; February 18, 1997; October 27, 1998; July 24, 2001; January 6, 2004;

July 20, 2004; December 21, 2004; and on June 20, 2006, as well as the 17th and 18th Amendments under consideration and referred to above.

The Project Area covers approximately 250 city blocks (828 acres) generally bounded by I-980, Lake Merritt, 27th Street and the Embarcadero. Refer to Figure 1 for the map of the Project Area.

Figure 1
Map of Central District Project Area



The area added in 2001 is known as the 2001 Brush & MLK Amendment Area. Within the Project Area, the four major redevelopment activity areas are as follows: City Center, Chinatown, Old Oakland and the Uptown. The Project Area is a major economic and transportation hub in the San Francisco-Oakland Metropolitan Area and includes 24 Class A and 51 Class B office buildings with approximately 10.7 million square feet of office space. The Project Area is also at the center of the Bay Area Rapid Transit (BART) system, with three stations (12th Street Oakland City Center, 19th Street Oakland and Lake Merritt Oakland) located within its boundaries. More than forty AC Transit bus lines connect the Project Area with other parts of Oakland and nearby communities. A map of the Project Area is attached to this report.

The Agency's ability to address the Project Area's conditions of blight is directly linked to the Project Area's time limits for incurring and repaying debt, completing Redevelopment Plan activities, and collecting tax increment. Therefore, these time limits must be considered as an integral part of the overall Redevelopment Plan.¹ Table 1 presents existing Redevelopment Plan effectiveness and fiscal limits as well as those proposed as part of the 17th Amendment under consideration:

¹ In July 2009, the California legislature passed legislation to balance the State's budget deficit, including ABX4-26, which authorized the funding of a Supplemental Educational Revenue Augmentation Fund (SERAF) using revenue generated by redevelopment agencies from across the state. The Agency's mandated contribution for FY 2009-10 is \$41,074,866, and \$8,497,000 for FY 2010-11. Under CRL Section 33331.5, agencies are entitled to a one-year extension on plan effectiveness and receipt of tax increment time limits if SERAF payments are made. The California Redevelopment Association filed a lawsuit challenging the SERAF requirement, which is currently under appeal. If the appeal is unsuccessful, the Central District Project will be entitled to a one-year extension of its time limits, subject to Council approval by ordinance, meaning that the Plan's effectiveness/activity time limit, and tax increment collection time limit would be extended by one year. Similarly, the same time limits for the 2001 Brush & MLK Amendment Area would be extended by one year.

Table 1
Summary of Existing and Proposed Time and Fiscal Limits
Central District Project Area

	Central District (Original Area)	Central District (1982 Area)	Central District (2001 Area)
Background Information			
Date Adopted	June 12, 1969	August 3, 1982	July 24, 2001
Base Year	FY 1968/69	FY 1982/83	FY 2001/02
Base Year Assessed Value	\$275,241,000	\$0 ^a	\$15,780,702
Existing Time Limits			
Incurring Debt	Eliminated ^b	Eliminated ^b	July 24, 2021
Eminent Domain	June 12, 2009 ^c	June 12, 2009 ^c	July 24, 2013
Plan Effectiveness	June 12, 2012 ^d	June 12, 2012 ^d	July 24, 2032 ^e
Tax Increment Receipt	June 12, 2022 ^d	June 12, 2022 ^d	July 24, 2047 ^e
Proposed Time Limits			
Incurring Debt	No Change	No Change	No Change
Eminent Domain	June 12, 2022	June 12, 2022	June 12, 2022
Plan Effectiveness	June 12, 2022 ^f	June 12, 2022 ^f	No Change
Tax Increment Receipt	June 12, 2032 ^f	June 12, 2032 ^f	No Change
Existing Fiscal Limits			
Combined Tax Increment Cap ^g	\$1,348,862,000		
1982 Area Tax Increment Cap ^g	N/A	\$75,000,000	N/A
Incurring Debt	N/A	\$100,000,000	N/A
Proposal Fiscal Limits			
Tax Increment Cap ^h	\$3,000,000,000		
Incurring Debt	No Change	\$100,000,000	No Change

Note: N/A = Not applicable.

a. Estimated to be \$0 as all parcels within the 1982 Area were publicly owned at the time the 1982 Area was added to the Central District.

b. The incurring debt limit for the Central District Original Area and 1982 Area was eliminated in by Ordinance 12570 C.M.S. in 2004, as authorized by the CRL.

c. Re-established and extended per Ordinance 12090 C.M.S.

d. Ordinance 12617 C.M.S. extended these time limits by one year per SB 1045, and Ordinance 12641 C.M.S. extended these time limits by two years per SB 1096

e. Ordinance 12641 C.M.S extended these time limits by one year per SB 1045.

f. Per SB 211, the time limits for plan effectiveness and tax increment receipt for pre-1994 plans are proposed to be extended by ten years.

g. The limit of approximately \$1.3 billion applies to the entire Central District Project Area. The 1982 Area has an individual cap of \$75 million.

h. The Plan Amendment proposes to eliminate the \$75 million limit for the 1982 area and increase the Project Area's overall limit on Tax Increment collection to \$3 billion.

Source: Redevelopment Agency of the City of Oakland.

B. CONDITIONS OF BLIGHT

CRL Sections 33030-33039 outline the legal framework for establishing a redevelopment area. The law states that redevelopment may be required in the interest of the health, safety, and general welfare of people in communities that are plagued by blighted areas, which constitute physical and economic liabilities. The blight must also cause a reduction or lack of proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community that cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment. In order to establish a redevelopment area, the CRL Law requires that blighting conditions in the area must be substantiated by at least one physical as well as one economic condition as defined by the law.

The City Council found evidence of blight at the time of plan adoption and applicable plan amendments that required evidence of remaining blight, and concluded that redevelopment was necessary to effect the public purposes declared in the CRL. The blighting conditions in the Project Area have included:

- Deteriorated and dilapidated buildings – At the time of the Original Area Plan Adoption on June 12, 1969, over a third of the buildings in the area were previously documented as seriously deficient. The Plan Amendment in 1982, which added the 1982 Area, included the Henry J. Kaiser Convention Center, which due to age and building deterioration needed substantial rehabilitation that could not be alleviated by private investment. Parcels in the 2001 Area had dilapidated and deteriorated buildings including unreinforced masonry buildings.
- Underutilized and vacant land or abandoned buildings – At the time of the Original Area Plan Adoption, low intensity pattern of construction with an extremely low floor area ratio was a hindrance to the private market to capitalize on the area's location potential.
- Lots of irregular form and shape and inadequate size – Extensive fragmented ownership, parcelization and subdivision of the interiors of structures prevented private investment in the Project Area at the time of the Plan Adoption.
- High vacancy rates – Nearly 45 percent of the total usable floor space in the Original Project Area was vacant at the time of the plan adoption in 1969.
- Obsolete design – The majority of the Original Project Area suffered from obsolete design due to technological progress and modern building techniques. The existing building stock in the 2001 Area failed to satisfy the needs of modern industrial users for availability of parking, outside storage, on-site truck access, and loading dock facilities.
- Inadequate public infrastructure – Inadequate vehicle and pedestrian infrastructure in the Project Area caused congestion and disrupted traffic flow in the Project Area at the time of Plan Adoption. The City added the 1982 Area in order to properly and efficiently plan and implement traffic improvements. The 2001 Area suffered from inadequate/substandard streets, curbs and/or gutters.

The Agency's redevelopment program has included projects and activities that span the entire Project Area as well as those that have focused on City Center, Chinatown, Old Oakland and Uptown. Since the adoption of the Project Area, the Agency has facilitated or assisted in the

implementation of numerous major projects and developments that alleviated blighting conditions and catalyzed development in the Project Area. However, while many parcels in the Project Area are no longer blighted as a result of the Agency's Redevelopment Program and private investment stimulated in part by public investment in the area, significant blight remains within a large portion of the Project Area. The following blighting conditions remain:

- Unsafe or Unhealthy Buildings
- Conditions Hindering the Viable Use of Buildings or Lots
- Depreciated or Stagnant Property Values
- Impaired Property Values Due to Hazardous Wastes
- Indicators of Economically Distressed Buildings
- Excess of Problem Businesses
- High Crime Rate

C. GOALS AND OBJECTIVES FOR THE PROJECT AREA

Generally, it is the objective of the Agency to assist in the improvement of the Project Area, which is in need of redevelopment and private reinvestment to correct health and safety concerns and to address economic and physical blighting conditions. The following specific goals and objectives are included in the CDURP:

- Strengthening of the Project Area's existing role as an important office center for administrative, financial, business service and governmental activities.
- Revitalization and strengthening of the Oakland Central District's historical role as the major regional retail center for the Metropolitan Oakland Area.
- Establishment of the Project Area as an important cultural and entertainment center.
- Re-establishment of residential areas for all economic levels within specific portions of the Project Area.
- Provisions of employment and other economic benefits to disadvantaged persons living within or near the Project Area.
- Restoration of historically significant structures within the Project Area.
- Improved environmental design within the Project Area, including creation of a definite sense of place, clear gateways, emphatic focal points and physical design which expresses and respects the special nature of each sub-area.
- Provision of adequate infrastructure such as public parking, sidewalks and traffic control.
- Utilization of key transit nodes to support transit-oriented development.

One of the primary functions of this Implementation Plan is to illustrate how the Agency's efforts during the five-year term of this Implementation Plan will continue to eliminate blighting conditions throughout the Project Area. The goals above are considered with each action the Agency takes, so that all expenditures go towards supporting the programs and projects that will address blighting conditions and attract private investment to the Project Area. The next section provides a description of those activities planned for the term of this Plan.

D. PROJECTS AND EXPENDITURES PROPOSED FOR THE NEXT FIVE YEARS

This section of the Implementation Plan identifies programs projects, and expenditures to be used in the realization of the goals and objectives over the term of the Plan. The elements of this Redevelopment Component of the Implementation Plan are interrelated to accomplish the alleviation of blight remaining in the Project Area. The means for achieving the goals and objectives of the Redevelopment Component are the programs, projects and expenditures the Agency intends to undertake over the five-year term. By implementing these projects and programs, the Agency will continue to abate blight in the Project Area despite the challenging economic environment created by the national recession with its weak real estate, financial and employment markets.

The following table outlines the projected tax increment revenues for the Project Area over the five-year period of this Implementation Plan. These figures assume an annual growth rate of one percent over the 2009 assessed property valuation. These projections are subject to change based on actual revenue receipts and potential specified payments that will be required if the City approves legislation to comply with the "Voluntary Redevelopment Program" as specified in ABx1 27 (the "Voluntary Program Act").

Table 2
Projection of Tax Increment Revenue
Fiscal Years 2009/10-13/14
Project Area (including Amendment Area)
(S'000s)

	2009-10	2010-11	2011-12	2012-13	2013-14	TOTAL
Gross Tax Increment Revenue*	57,605	56,515	53,830	54,368	54,911	277,229
Housing Set-Aside Req't **	(11,526)	(12,619)	(13,457)	(16,310)	(16,473)	(70,385)
AB 1290 Pass-through	(5,029)	(4,881)	(4,274)	(4,382)	(4,490)	(23,056)
Debt Service	(25,420)	(25,839)	(25,855)	(26,033)	(26,768)	(129,915)
Ti Rebates	(1,288)	(1,317)	(1,346)	(1,377)	(1,423)	(6,751)
State Education Funds (SERAF)***	(7,039)	(3,052)	0	0	0	(10,091)
City Staff & Overhead	(8,276)	(8,275)	(7,789)	(7,529)	(7,273)	(39,142)
Net Tax Increment Revenues	(973)	532	1,109	(1,263)	(1,516)	(2,111)

* Net of County Administrative Fee

** Low-/Moderate Income Housing Set-Aside 1) includes FY 2010-11 voluntary contribution of 2.4% and FY 2011-12 voluntary contribution of 5.0% in addition to the CRL-required 20%; 2) requirement increased to 30% starting FY 2012-13 per Health and Safety Code Section 33333.10(g) and assuming proposed 17th Amendment under consideration is approved.

*** Any potential payments required pursuant to ABx1 27 have not been included in this calculation because the total amount of the remittance, if any, or the Project Area's proportional share has not been determined.

There will not be any net tax increment revenue available in the Capital Projects Fund for Agency activities in the Project Area between FY 2009-10 and FY 2013-14. Total funding for the set-aside into the Low and Moderate Income Housing Fund during FY 2009-10 to FY2013-14 is estimated to be approximately \$70.4 million.

The proposed projects and program expenditures for the next implementation period will be funded from projected net tax increment revenues (as described in Table 2), capital funds (including bond proceeds and revenue from capital projects), sales proceeds, fund transfers and miscellaneous sources (including interest and rental income). Table 3 below outlines the amount of capital allocated to each of the projects and programs in fiscal year 2009-11 within certain geographic areas.

Table 3
Projection of Capital Expenditures
Central District Project Area
Fiscal Years 2009/10 - 13/14

Capital Project Descriptions	Fiscal Year 2009-10	Fiscal Year 2010-11	Fiscal Year 2011-12	Fiscal Year 2012-13	Fiscal Year 2013-14	Total
Commercial Development						
1800 San Pablo Parking Garage	\$0	\$0	\$6,400,000	\$0	\$0	\$6,400,000
Business Improvement District (BID)	\$0	\$0	\$65,000	\$0	\$0	\$65,000
Central District Site Acquisition - City Walk	\$2,030,000	\$2,970,000	\$470,000	\$0	\$0	\$5,470,000
Downtown Facade Improvement Program	\$449,000	\$1,180,000	\$1,902,000	\$0	\$0	\$3,531,000
Downtown Historic Facade Program	\$0	\$331,000	\$0	\$0	\$0	\$331,000
Fox Courts DDA	\$0	\$0	\$52,000	\$0	\$0	\$52,000
Retail/Entertainment Catalyst Project-Tenant Improvements	\$873,000	\$646,000	\$1,500,000	\$0	\$0	\$3,019,000
Small Business Retail (Broadway) Loan Program	\$110,843	\$0	\$311,000	\$179,000	\$0	\$600,843
Uptown - Retail Entertainment Catalyst Project	\$0	\$0	\$57,000	\$0	\$0	\$57,000
Victory Court	\$0	\$0	\$36,747,500	\$53,000,000	\$0	\$89,747,500
Community Enhancement						
- Chinese Garden	\$335,000					
- Jefferson Sq. Public Facility	\$0	\$661,250	\$0	\$0	\$0	\$661,250
- Lincoln Rec Center Pub Facility	\$0	\$0	\$787,000	\$0	\$0	\$787,000
- Malonga Public Facility	\$0	\$0	\$920,000	\$0	\$0	\$920,000
- Scotlan Capital Improvement	\$0	\$0	\$4,000,000	\$0	\$0	\$4,000,000
1-1/2% Public Art	\$418,967	\$0	\$753,000	\$753,000	\$0	\$1,924,967
14th & Broadway Transit Center	\$0	\$0	\$0	\$318,000	\$0	\$318,000
Basement Backfill Program	\$0	\$280,000	\$2,552,000	\$0	\$0	\$2,832,000
Broadway - West Grand - ORA	\$336,000	\$0	\$64,000	\$0	\$0	\$400,000
Central District Public Facilities - Scotlan Lease Payment 2011-12	\$2,000,000	\$2,000,000	\$0	\$0	\$0	\$4,000,000
Downtown Streetscape Master Plan	\$0	\$0	\$0	\$2,847,000	\$0	\$2,847,000
I 880 Broadway Underpass	\$0	\$0	\$0	\$1,050,000	\$0	\$1,050,000
Telegraph Phase I ORA	\$0	\$0	\$157,000	\$0	\$0	\$157,000
Upper Broadway Retail Strategy	\$4,000,000	\$0	\$10,470,000	\$10,000,000	\$15,030,000	\$39,500,000
Uptown Garage (21st and Telegraph)	\$182,000	\$0	\$3,300,000	\$0	\$0	\$3,482,000
Downtown Capital Project Support/ Planning	\$0	\$631,000	\$1,000,000	\$400,000	\$253,000	\$2,284,000
Total	\$10,734,810	\$8,699,250	\$71,507,500	\$68,547,000	\$15,283,000	\$174,436,560

The redevelopment activities the Agency has planned over the five years focus on rehabilitation and enhancement of the Project Area's infrastructure and buildings, while facilitating new mixed-use and infill development, attracting new businesses to the downtown and operating

public facilities in support of these efforts. Economic development is also made a priority, as evidenced by the specific retail plan for the Broadway/Valdez district, as well as continuous and comprehensive marketing efforts in the areas of overall image enhancement; business attraction marketing; city promotion; visitor marketing (through the Oakland Convention & Visitors Bureau contract); and film, special events and cultural arts to enhance vitality and fuel continued revitalization of the area. Private sector activities will additionally contribute to blight abatement within the Project Area. The projects and programs will generally be implemented either throughout the Project Area.

I. Commercial Development

a. Property Acquisition, Site Preparation and Disposition, Projects and Activities

10K Downtown Housing Initiative

In 1999, former Mayor Jerry Brown and the City Council launched the 10K Downtown Housing Initiative. This major downtown redevelopment effort aimed to attract 10,000 new residents to the Central District by marketing the area, identifying opportunity sites, preparing Agency-owned properties for disposition via issuance of a Request for Proposals, and working with private developers during the project approval process to build new housing. As of August 2010, 4,274 housing units were completed, 371 units are under construction, 1,670 units have planning approvals and 1,439 units are in planning. Although the 4,645 units completed or under construction have not met the goal of the 10K initiative since it would take approximately 6,000 units to accommodate 10,000 new city dwellers, the initiative significantly contributed to developing a substantial amount of in-fill housing in the Central District in a relatively short time, while positioning downtown Oakland as a desirable area to live. The severe downturn in the local housing market and the national credit crisis cast doubt on the near-term prospect of starting those residential projects that are not yet under construction. As a result, the Agency is no longer implementing the 10K strategy. However, the Agency will work with the developers of those projects that have secured planning approvals or which are still in the planning phase in order to move these projects toward construction during the implementation period. Other plans for FY 2010-14 include completion of Domain, formerly Citywalk (264 rental apartments and 3,000 square feet of retail), which resumed construction after being idle for over three years after the Agency authorized a market-rate construction loan in the amount of \$5 million to the new project developer. The loan represented gap financing that was needed to resume and complete construction of the project. Project construction restarted in June of 2010 and is scheduled for completion in December of 2011.

1800 San Pablo Avenue

The Agency owns a parcel bounded by San Pablo Avenue, 18th Street, 19th Street and the Fox Courts Project. In October of 2009, the Agency issued a request for development proposal for the site and selected Sunfield Development, LLC as the developer for the site. Upon Council approval, the Agency entered into an ENA with the developer in July of 2010. Plans for the 2009-10 through 2013-14 implementation period include entering into a DDA or Ground Lease and working towards the start of construction of a new mixed-use project on the site.

Broadway Corridor Retail Strategy – Site Assembly and Preparation

The *Upper Broadway Retail Strategy – A Component of the Oakland Retail Enhancement Strategy* report identifies the Broadway Retail Corridor (BRC), which is partially located in the Project Area, as a key area in Oakland for comparison/life-style retail, office and housing mixed use development. The Agency is participating in an interdepartmental effort to create a specific plan for the BRC that provides for an urban mixed-use, mixed-income development with major retail and high density housing components and the appropriate accompanying environmental impact report (EIR). During FY 2009-11, the Agency acquired two strategic parcels located at 2330 Webster and 2315 Valdez Street. The Agency will continue operation of these properties as public surface parking lots until the economy improves sufficiently for the implementation of the Retail Strategy. Goals for 2010-14 include identification and purchase of opportunity sites necessary for the implementation of the plan, including identification of opportunity sites to provide new parking garages and other amenities in the area, and working with developers and property owners on the implementation of the strategy.

City Center Site Preparation

This project consists of four large properties located in the City Center area of downtown, of which one, located at 555 12th Street, was developed into an office tower by the Shorenstein Company in 2002. The Shorenstein Company also purchased the site located at 661 12th Street (known as T12) in December of 2007 from the Agency, and started construction of an office building in November of 2008. After removal of all hazardous soils from the property, which was overseen and paid for by the Agency, Shorenstein halted project construction in January of 2009 and requested an extension of the completion date by 36 months. In 2010, the Agency and Shorenstein negotiated a 13th Amendment to the City Center DDA extending the date to complete construction of the project from April of 2012 to April of 2015, with two additional extension options that could extend completion of construction until 2017. At this time, Shorenstein has stabilized the site, and is paying for an art project that would beautify the fence surrounding the vacant site. Shorenstein also had an option to acquire T-5/6 located at 12th Street and Clay Street, which the company terminated in 2010. This site is now available for development and the Agency will prepare a development strategy for the property during FY 2010-14. Wood Street Partners acquired another of the City Center properties (T10) in 2010, after a previous developer halted construction on the site in July of 2007. In March of 2010, the Agency authorized a market-rate construction loan in the amount of \$5 million to the new developer to provide gap financing that was needed to resume and complete construction of the residential project. Project construction restarted in June of 2010 and is scheduled for completion in December of 2011.

Key System Building – 12th & Broadway

This project consists of the renovation of the historic Key System building on the corner of 12th Street and Broadway, and its integration into a new mixed-use 20-story office tower with 310,000 square feet of office and 9,810 square feet of ground floor retail space to be developed on an adjacent vacant site. The project also includes a purchase and sales agreement between the Agency and SKS Broadway, LLC, the developer for the site, for a 145-space public parking garage located in the adjacent University of California Office of the President (UCOP) garage located at 409 – 12th Street. In 2010, the Agency executed 1) an amendment to the Amended and Restated Owner Participation Agreement (OPA) and 2) an amendment to the purchase and sale agreement a between the Agency and SKS for 145 spaces. The amendment to the OPA will extend the deadlines for SKS to complete a number of activities, including commencement of construction by June of 2013. The amendment to the PSA will extend the deadline for SKS to purchase the UCOP Parking to June 2014. Other plans for FY 2010-14 include working with SKS to identify potential tenants that would result in an acceleration of the development schedule.

Uptown Project

In December of 2009, Forest City, Inc. and its affiliates completed the redevelopment of a 6.5 acre site located in the Uptown Area. The Uptown apartment complex includes a transit-oriented development consisting of 665 mixed-income rental apartments, of which 25 percent (166 units) are affordable to low and moderate income households, 9,000 square feet of neighborhood-serving retail and a 25,000 square-foot public park, known as Henry J. Kaiser Memorial Park.

The Agency pursued redevelopment of the last parcel at 1901 Telegraph Avenue, which was scheduled to start construction in October of 2008, with Forest City, but the company did not proceed because of the deteriorating conditions in the local housing market and the national financial crisis. Plans for FY 2010-14 include the development of a temporary rotating art display to showcase the works of local artists on the site. The Agency will also prepare a strategy for permanent development for the property during the implementation period and issue a Request for Proposals.

Victory Court

The Agency has been in discussions with Major League Baseball (MLB) over the potential development of a new ballpark for the Oakland A's in the Victory Court area near Jack London Square. The Agency has undertaken initial planning efforts, including preparation of an Environmental Impact Report and evaluating site assembly and infrastructure requirements for the stadium. If the project goes forward the Agency would complete the EIR, negotiate and execute a Disposition and Development Agreement with the A's and MLB, complete site acquisition and relocation of existing tenants, complete environmental remediation, and initiate demolition, site preparation and constructing off-site infrastructure during FY 2010-14.

b. **Planning**

Broadway Corridor Retail Strategy

In December 2007, the Oakland City Council reviewed recommendations from the *Upper Broadway Strategy – A Component of the Oakland Retail Enhancement Strategy*. The report identifies the Broadway Retail Corridor (BRC), which is partially located in the Project Area, as a key area in Oakland for comparison/life-style retail, office and housing mixed use development. The Agency is finding and participating in an interdepartmental effort to create a specific plan for the BRC that provides for an urban mixed-use, mixed-income development with major retail and high-density housing components and the appropriate accompanying environmental impact report (EIR); Goals for 2010-14 include completion of the specific plan and the EIR. Once completed, the Broadway Corridor Retail Strategy is a major effort by the Agency to attract, retain and expand retail in the Project Area.

Lake Merritt Bart Station Area Plan

The City of Oakland, the Agency, BART and the Peralta Community College District, through a grant from the Metropolitan Transportation Commission, have come together to prepare a Station Area Plan for the area around the Lake Merritt BART Station. The Plan will consider land use, buildings, design, circulation, BART improvements, streetscape improvements, parks, public spaces and other established plans. It will identify actions the City and the other public agencies should take to improve the area, and it will establish regulations for development projects on private property. The project also involves the preparation of an Environmental Impact Report (EIR) for the Station Area Plan. Plans for 2010-14 include completion of the plan and the EIR.

c. **Commercial Attraction, Retention, and Expansion**

Broadway Corridor Small Business Retail Loan Program

The Small Business Retail Loan Program provides a revolving loan fund that is made available to small retail and commercial business and property owners along the Broadway corridor. The loan fund is intended to provide capital for physical improvements, including those related to life safety and façade enhancement. The City of Oakland's Community and Economic Development Agency's Commercial Lending division has contracted with the Oakland Business Development Corporation (OBDC) to assist small businesses and property owners in the Broadway Corridor Target Area, and provides hands-on business assistance throughout the commercial loan application process. During FY 2009-11, OBDC made two loans to qualifying businesses. During FY 2010-14, OBDC will continue to provide direct loan packaging and underwriting of loan program funds.

Business Improvement District/Community Benefit District

The purpose of a Business Improvement District (BID), also known as a Community Benefit District (CBD), is to generate revenues from special assessments that are used to finance

additional services to assessed districts beyond those already provided by the City, thereby improving the public perception of Oakland's commercial and mixed-use neighborhoods, including the Central Business District, as a place to work, shop, live and conduct business. Within the Central District, there are three BIDs, the Koreatown/Northgate Community Benefit District which was formed in July 2007, and the Downtown Oakland and Lake Merritt/Uptown Community Benefit Districts which were established in July 2008. Collectively, these three districts generate approximately \$2.2 million in special assessments per year.

BID activities include, but are not limited to private security and ambassador services, enhanced landscaping, sidewalk cleaning, special events, district branding and other marketing activities to support the economic vitality of the district. The BID program may also provide, as needed, technical information and advice to staff from other economic development divisions, including the Oakland Merchant Association Assistance Program (MAAP) responsible for facilitating BID service delivery on the district level and/or for assessing the readiness of new groups interested in exploring the possible future formation of a BID within their commercial district in the Central District.

Plans for FY 2010-14 include working with community representatives interested in exploring the possible formation of a BID and facilitating the development of policies and procedures which support an effective coordination of efforts between various City divisions (e.g. Public Works, Environmental Services, Oakland Police) and the three existing downtown BIDs.

Downtown Façade Improvement Program

The Downtown Façade Improvement Program (FIP) was created in 1999 and includes the Uptown, Old Oakland/Chinatown and the Lower Broadway areas. The Downtown FIP provides matching grants and design assistance to existing businesses and property owners for the purpose of making storefront and façade improvements. The FIP is intended to restore the exterior of historic buildings, update and modernize the exterior of older buildings for reoccupation, promote retail activity, improve the pedestrian experience and help support other redevelopment projects by enhancing the general appearance of surrounding properties. Eligible work includes the following:

- Painting/wall repair/cleaning • New awnings/canopies
- Renovation or repair of windows • Landscaping and exterior seating and lighting
- Rehabilitation of historic facades • Doors and storefront systems
- Improvement & removal of safety grilles • Removal & replacement of signage

The goal for FY 2010-14 is to start and/or complete 200 projects. FIP staff will continue to identify new eligible applicants and work closely with property owners during the implementation of each Façade project during implementation of the program.

Downtown Tenant Improvement Program

The Downtown Tenant Improvement Program (TIP) provides incentives to attract businesses to targeted locations in the downtown area. While the market for retail in Downtown has improved

over the last few years, in many cases the building spaces that are available require substantial tenant improvements to meet the needs of retailers and restaurant operators. Some property owners are unable to improve their properties in order to attract premium tenants and customers. The TIP is part of the City's business CARES strategy (creation, attraction, retention and expansion.) The TIP offers property and business owners matching grants on a dollar-for-dollar basis of up to \$99,000 for tenant improvements to the interior of retail spaces. Under the TIP incentives can be provided to fund eligible expenses such as:

- Hazardous materials abatement i.e. removal of asbestos
- Compliance with the Americans with Disability Act (ADA)
- Demolition and shell reconstruction
- Plumbing, mechanical, electrical and HVAC
- Interior décor and historic restoration of interior materials
- The primary focus of the TIP will be helping to design the interior of vacant retail spaces

The goal for FY 2010-14 is to start and/or complete 150 tenant improvement projects.

Economic Development Program

The Agency is supporting the Economic Development Division's Economic Development Program to increase investment in Oakland in a way that contributes to the prosperity of businesses, provides sustainable job opportunities for Oakland residents and builds a diverse economy in Oakland. The Economic Development Division is now organized into three primary service areas: Strategic Economic Development Services, Business Services and Workforce Development Units. The program serves not only the Central District Project Area and I-880 corridor, but also other commercial areas and business districts of the city. For FY 2010-14, the Economic Development Program will focus on the following major initiatives:

- Continued implementation of the **Citywide Retail Enhancement Strategy**
- The **Downtown Development Strategy** is focused on the attraction of new, financially secure and experienced investors into Oakland's downtown market.
- The **Industry Clusters Strategy Program** is a new program that will focus on implementation of key projects in identified targeted industry sectors: Clean & Green, Creative & Innovation Services, Trade & Logistics, Health & Life Sciences, Manufacturing & Processing, especially Specialty Food production.
- Continued implementation of the **Oakland Business Services Strategy**, the City and Redevelopment Agency's overall efforts to offer a coordinated, comprehensive program of business development services to Oakland's existing and new businesses. The Business Services Center has become a key component of this strategy.
- The **Workforce Development Program** was re-established in late 2010 and is primarily responsible for administering the Workforce Investment Board Program and contracts.
- The **Oakland Green Business** activities focus on helping businesses improve their environmental performance; and attracting and expanding businesses that offer environmental products or services.

Marketing & Special Events Program

The Marketing & Special Events Program positions Oakland and the Project Area as a center for business in the Bay Area through a comprehensive marketing strategy in the following areas: image enhancement; business attraction marketing; city promotion; visitor marketing (through the Oakland Convention & Visitors Bureau contract); and film, special events and cultural arts. Major functions include creating and implementing marketing campaigns; production of marketing collateral, high-profile special events and business support activities; promoting Oakland and the Project Area at key trade shows and conventions; generating positive publicity, including business-related media coverage; providing marketing technical assistance for small businesses and key cultural attractions; and promoting Oakland and the Project Area as a prime destination for shopping, dining, arts and entertainment. Goals for FY 2010-14 include launching a comprehensive, two-year marketing campaign promoting Oakland and the Project Area as a regional center for business and the arts.

Public Safety and Police Services Program

The Agency will continue to provide targeted and enhanced police services to commercial districts in the Project Area above standard police patrol levels. The goal of the Program is to facilitate increased commercial investment and redevelopment activities in the Project Area by reducing crime and improving safety and security for property owners, businesses, workers and patrons

d. Business Rehabilitation and Modernization Program

Downtown Façade and Tenant Improvement Programs

The Agency will continue to implement the Downtown Façade Improvement Program (FIP) and the Tenant Improvement Program (TIP) as described in more detail above since these programs are essential components of the Agency's business rehabilitation and modernization program.

II. Community Enhancement

a. Public Improvements

George P. Scotlan Memorial Convention Center

In June 2010, the Redevelopment Agency and the City of Oakland entered into a 12-year sublease for the George P. Scotlan Memorial Convention Center to develop appropriate marketing strategies and a capital improvement program for the renovation and modernization of the aging facility in order to enhance its appearance, marketability and long-term economic success. The sublease authorizes lease payments of \$2 million in FY 2009-10, and \$2 million in FY 2010-11. In July 2010, the Agency committed \$4 million to renovate the facility. The scope of the project focuses mainly on cosmetic upgrades to the property, new furniture and fixtures, and remodeled bathrooms to make them ADA accessible. Construction management for the renovation is being handled by ISC, the property management company for the Scotlan

Convention Center. Goals for FY 2010-14 include construction bidding to be completed by July 2011, permits secured in September 2011, and renovation to be completed by early 2012.

Public Parking

The Agency is developing and implementing parking optimization strategies that include administering contracts with operators for 4 public garages, two surface parking lots, the Oakland Ice Center and the George P. Scotlan Memorial Convention Center. These public parking facilities include the Franklin 88, UC Office of President, Telegraph Parking Plaza, City Center City Center Garage West and surface lots located at 2330 Webster and 2315 Valdez Street, and 490 Thomas L. Berkeley Way. The Agency may sell any of these facilities to enhance other redevelopment activities.

- **Franklin 88** - This 135-space garage serves Chinatown and was completed in October of 2004. The garage also provides overflow parking for the adjacent Courtyard by Marriott Hotel per a parking license agreement with the Agency. In 2010, Agency staff, in cooperation with the Home Owners Association at Franklin 88 hired Pacific Park Management to lease the facility. This new management company has improved the financial performance of the garage and eliminated the need for Agency subsidies. Plans for FY 2010-14 include administration of the parking operation agreement, and working with the operator and the home owners association on further improving the performance of this Agency asset.
- **City Center Garage West** - This garage continues to provide parking for offices and commercial tenants and workers in the City Center area, including workers in the Federal Building, the State Building, the City Administration Complex, Preservation Park and many other buildings near City Center. During FY 2010-2014, the Agency plans to continue to enhance parking operations and improve the financial performance of the garage.
- **UC Office of President Parking Operations** - The Agency owns and operates public parking in the UCOP Building at 11th, 12th and Franklin Streets. It is anticipated that this public parking garage will generate approximately \$320,000 per year in gross income during FY 2011-13. The garage is expected to operate without a subsidy in FY 2010-14. The Agency is under contract with SKS Broadway LLC to sell the garage once SKS has commenced construction of the Key System project currently scheduled for 2013.
- **Telegraph Parking Plaza** - The Agency acquired Telegraph Parking Plaza from the City during FY 2008-09. During FY 2011-13 the Agency will analyze the need for capital improvements at the garage and work with the Parking Division to issue a Request for Proposals for a new operator to improve the financial performance of the facility. The garage generated approximately \$470,000 in gross revenues per year during FY 2009-11. Plans for 2010-14 include evaluation to upgrade or replace garage with mixed-use project.

- **2330 Webster and 2315 Valdez Street** – The Agency acquired the surface lot in 2010 as part of the site assembly for the implementation of the Broadway Retail Strategy. During FY 2010-14, the Agency will evaluate future development of the site into a mixed-use project that includes a significant parking component in support of the Broadway Retail Strategy.

Touraine Hotel/Henry J. Robinson Multi-Service Center

The Henry J. Robinson Multi-Service Center (HRMSC) provides economic benefits to disadvantaged persons living within or near the Project Area by operating major supportive housing services to eliminate homelessness for struggling families through the provision of a two-year transitional housing program, an emergency shelter and drop-in services for the homeless population in Oakland. The HRMSC provides transitional housing for up to 54 families at a time, and gives homeless individuals the opportunity to stabilize their lives while completing, through case management, the necessary work needed to become productive citizens. The Center also provides 8 emergency housing units, a drop-in center, and an award-winning program for children. The programs at the HRMSC are funded by grants, with the Department of Housing and Urban Development (HUD) funding the Supportive Housing Program at the Center. The Redevelopment Agency receives income from leasing the Center, and the funds are utilized for capital improvements and maintenance repairs at the facility.

The housing and services provided at the HRMSC feed into the City of Oakland's Permanent Access To Housing (PATH) Strategy to end homelessness in Oakland. Major accomplishments at the HRMSC during the 2009/10 program year included the provision of transitional housing and other supportive housing services for 67 families with 101 children, emergency shelter for 349 adults and children for 8,552 bed nights. 39 families exited the program and moved into permanent housing. 10 families secured other transitional housing.

For FY 2010-14, based on past performance, it is anticipated that 75% of all program participants who come in from the streets or from shelters will move into transitional housing and improve their residential stability, 100% of program participants will take part in skill development programs (vocational training, educational enrollment, life skills and money management), and 75 percent of all participants will increase their personal skills in the areas of budget management, decision-making and problem solving.

b. Circulation, Street Improvements and Streetscapes

Basement Backtill and Repair Program

The Central District Basement Backtill and Repair Program ("BBRP") is a program that was initiated by the Agency in 2008 to assist private property owners with the repair of their deteriorated sub-sidewalk basement spaces in specific areas of the Project Area. The purpose of this program is to correct the problems associated with these deteriorated basements – such as leaking and rusted elevator access doors, deteriorated structural elements, rusted rebar, and leaking skylights and sidewalk grilles – so that the Agency can proceed with construction of

several streetscape projects included in the Downtown Streetscape Master Plan. Plans for 2010-14 include: Executing engineering contracts; completing designs; obtaining building permits; engineering utilities; and completing construction of the improvements.

Downtown Streetscape Master Plan

The Streetscape Master Plan calls for the construction of various public improvements to complement existing and future redevelopment projects, and to attract new public and private investment into the Project Area. The recommendations of the Streetscape Master Plan were guided by the objective of improving the appearance of selected sub-areas of the Project Area. The planned improvements will achieve this goal by creating a definite sense of place, clear gateways, emphatic focal points and an attractive physical design. The improvements consist of repair and/or restoration of existing pavement, widening existing sidewalks, constructing pedestrian bulb-outs, introducing new landscaping such as street trees, improving signage and striping, installing new lighting, modifying existing traffic lane patterns, and creating bicycle lanes. Agency funds for the implementation of the Streetscape Master Plan are complemented with local Alameda County Transportation Improvement Authority Measure B grant funding, local Alameda County Congestion Management Agency grant funding, and state grant funding via a voter-approved Proposition IC bond measure. During 2004-5 through 2008-9, 100% plans, specifications and cost estimates were completed for the following projects: Broadway Phase II and III, Latham Square, Telegraph Avenue, Telegraph Phase One, Old Oakland, 11th Street and Broadway-West Grand. Construction was completed for the following projects: Broadway Phase II and III (Broadway 12th to 20th), Telegraph Phase One (the west side of Telegraph Avenue from 18th Street to 20th St., 11th Street between Broadway and Clay Street, Broadway-West Grand (Broadway from West Grand to 24th Street). Plans for 2009-10 through 2013-14 include completing design and construction of the Old Oakland Streetscape Improvement Project, the Telegraph Avenue Streetscape Improvements, and Latham Square.

The Agency will investigate the need for additional streetscape projects throughout the Project Area based on an evaluation of existing conditions, planned projects and intensity of use of the streets in any given area. Priority will be given to heavily utilized streets around important public and private buildings, such as, for example, the Alameda County Superior Court building, Broadway/Valdez Retail Area or the Victory Court area. It is the Agency's goal to coordinate its work with Alameda County, the Peralta Community College District and BART to provide streetscapes that are safe, clean and attractive to businesses and the general public.

c. Recreational, Entertainment, Cultural and Arts Facilities and Improvements

Marketing & Special Events Program

The Marketing & Special Events Program promotes Oakland by organizing key cultural attractions, such as the on-going production of the annual Art & Soul festival which attracts 50,000 visitors to the Central District and generates extensive positive publicity. Plans for FY 2010-15 include continued production of the Art & soul festival, the Oakland Marathon and other cultural events.

Oakland Ice Center

The Oakland Ice Center (OIC) supports the Agency's redevelopment efforts in the Uptown Area by providing a recreational ice skating facility that attracts families to this part of downtown Oakland, especially on evenings and weekends. The OIC contributes to the establishment of the Uptown Area as a cultural and entertainment center. The facility has been managed by San Jose Arena Management (SJAM) since 2007. Since then, SJAM has substantially improved the financial performance of and community involvement at the OIC. In 2010, the Agency negotiated a 5-year extension of SJAM's contract. SJAM has noticeably increased the ethnic, gender, and economic diversity of OIC patrons and within the various skating program. The Agency also negotiated and entered into a ground lease with SJAM to improve and operate an existing surface parking lot next to the OIC. This parking lot will satisfy a demand for off-street parking next to the OIC as voiced by many of its patrons. Plans for 2010-14 include continued facility upgrades and to present a diverse program to Oakland residents and the public at large.

Fox Theater Management

The Fox Theater was vacant for many years and represented a blighting influence on the surrounding area. The Fox Theater Master Plan called for the renovation and adaptive reuse of a major historic landmark in downtown Oakland into a performing arts center and educational facility for the Oakland School for the Arts. Project construction commenced in September of 2006 and was completed in February of 2009. Another Planet Entertainment manages the facility, which includes the nightclub "Den". The Fox has become the most popular concert venue in the Bay Area. Accomplishments for FY 2009-11 include execution of a lease with "Rudy Can't Fail", a late night bar and restaurant, which will occupy the last vacant retail space in the building. Plans for FY 2010-14 include continued build-out and opening of the new restaurant and continued support of the Agency-established non-profit public benefit corporation, Fox Oakland Theater which oversees the management of the theater.

Public Art Program

The Agency's Public Art Program allocates 1.5 percent of Agency capital construction project funding for the commissioning of public artwork. Agency funds will be used for artwork that is part of the Agency's Streetscape Improvement projects and for public art installations on publicly-owned properties. Plans for 2010-14 include the following:

- ***BART Entrance at 17th Street*** - Staff has worked with BART and a visual artist on an installation at the 17th Street BART entrance that will complement the surrounding Uptown Arts and Entertainment District. During FY 2009-11, staff selected the artist, obtained approval from BART and the Public Art Advisory Committee and started work on the design of the piece. Completion of the project is scheduled for August 2012.
- ***Uptown Parcel 4*** - Temporary Rotating Art Display: Staff plans to use the perimeter of the future development site at 1911 Telegraph as a temporary location for a rotating art display showcasing the works of local artist. During FY 2009-11, staff secured a \$200,000 grant from the National Endowment for the Arts for this project. Staff also hired an architect to design the art display area along 19th Street, Telegraph and Henry J.

Kaiser Memorial Park. Plans for 2011-13 include final design, construction and opening of the display space in the winter of 2011. The Public Art Program will commission new work, both permanent and temporary, for this site. A Request for Qualifications for artists will be released in spring 2011 with a 12-month timeline to commission and fabricate new projects for debut at Parcel 4. Existing artwork will also be placed on site supported by stipends paid to the artists. Exhibitions will be rotated on a staggered basis every six to twelve months, so that the display is frequently refreshed for viewers.

Public Parks and Facilities

As the population in the Central District is growing and public use of parks and facilities is increasing, there is a need to address deferred maintenance issues at certain public parks and facilities within the Project Area. As a result, in FY 2009-2011 the Agency made available \$3 million in grants to improve the following parks and public facilities. Plans for FY 2010-14 include the following projects:

- **Chinese Garden Park (7th and Harrison Streets)** - Improvements to the Chinese Garden Park include repairs to pathways, concrete pad at the pavilion, re-sodding of the lawn, tree planting and irrigation systems. Construction was completed in March 2010.
- **Henry J. Kaiser Memorial Park** - The Agency, with financial assistance from the City, worked with Forest City to create Henry J. Kaiser Memorial Park, a new 25,000 square-foot public park in the Uptown area. The park was completed in October of 2008. In 2010, the Agency provided a grant not to exceed \$182,000 to the Oakland Chamber of Commerce Foundation to pay toward the cost of installing the sculptural monument titled "Remember Them: Champions for Humanity" by Mario Chiodo. Completion and installation of at least 3 components of the sculpture at the Park is anticipated to occur in September of 2011.
- **Jefferson Square Park (618 Jefferson Street)** - Jefferson Park was subject to a major renovation to upgrade its tot lot, add a new dog park with separate areas for small and large dogs, relocate an existing full-sized basketball court, and complete general landscaping improvements. Construction started in 2010 and was completed in November 2010. In 2011, installation of historical marker panels and ADA parking will be completed.
- **Lincoln Square Park (261-11th Street)** - The Lincoln Square Park modernization project will provide a new synthetic turf field connecting the park to the adjacent Lincoln Elementary School as well as landscaping and irrigation, fencing, game tables, benches, site lighting and ornamental walls. The project adds approximately 1/3 acre of developed open space to the existing park. The school, as well as four day-care centers and two Head Start Programs use Lincoln Square Park as additional play area. The contract for the work has been bid and awarded. Start of construction occurred in March 2011 with a completion date of late July 2011.
- **Malonga Casquelourd Art Center Rehabilitation** - The Agency is providing funding assistance toward the rehabilitation of the Malonga Casquelourd Art Center. Plans for 2010-14 include completion of the work in the spring of 2012.

IV. HOW GOALS, OBJECTIVES, PROJECTS AND EXPENDITURES WILL ELIMINATE BLIGHT

The Agency proposes to continue to focus its activities in the next three to five years on eliminating physical and economic blight conditions through the construction of public improvements and utilities, and assisting the private sector in developing vacant and/or underutilized properties. It is the Agency's intent that the Implementation Plan as proposed will encourage further private sector investment in both commercial and residential designated areas.

The Agency will focus on three categories of activities in order to eliminate blight in the Central District. These are:

1. Assemble blighted and underutilized properties into sites suitable for new development. Such land assembly would likely take place in response to property owner, developer or Agency-initiated efforts to assemble property needed for the expansion of existing uses or for the creation of sites suitable of development for new uses. Through an Owner Participation Agreement ("OPA") or Disposition and Development Agreement ("DDA"), the Agency may provide land write-downs or may grant or loan money to assist new retail, commercial, housing, and entertainment development, or facilitate the expansion of existing facilities. Projects that include this activity could be located within the Upper Broadway Retail Strategy area or Victory Court. The Agency may use its power of eminent domain during the implementation of these projects and programs.

2. Supply low cost loans, grants, subsidies and directly improve blighted structures, including the Fox Theater, the Uptown Project, the Façade Programs, the Downtown Historic Façade Program and the Downtown Tenant Improvement Program. By eliminating physical deterioration, and improving the substandard or functionally obsolescent condition of retail and commercial buildings, more businesses will be attracted to the area, which will improve retail sales, property values and property taxes. The increased business activity should attract new patrons to the Project Area.

3. Provide infrastructure improvements covering a variety of public works projects ranging from installation of utilities, traffic capacity projects, mass-transit improvements, parking facilities, new streets, under grounding overhead distribution and communication lines, storm drainage and sanitary sewers, bridges and under- or over-crossings, flood control improvements, pedestrian and bicycle friendly areas, traffic calming, and freeway noise walls. This may also include streetscape projects including construction of new curbs, gutters and sidewalks; planting street trees and shrubs; constructing both decorative and handicapped accessible crosswalks; constructing new medians with landscaping; adding visual and safety improvements to existing medians; installing street furniture, such as trash receptacles and newspaper racks; and improving area lighting by increasing the number of luminaries, increasing the wattage of individual streetlights or adding pedestrian streetlights.

Improving the infrastructure will help to attract development to the Project Area by eliminating costs that might otherwise be born by the private sector. This should help to increase building activity and improve property values. Furthermore, public improvements such as parking structures will improve the viability of commercial property, helping to compensate for

individual property site deficiencies, and lighting improvements will create a safer environment in which to shop and reduce graffiti. The proposed Agency programs for these activities include the Streetscape Master Plan, including Streetscape Improvements in Uptown, Old Oakland/ Chinatown and Lower Broadway, the Broadway Improvement Program, Victory Court, and the continued operation and possible new construction of public parking facilities.

V. HOW GOALS, OBJECTIVES, PROJECTS AND EXPENDITURES WILL FULFILL THE LOW/MODERATE-INCOME HOUSING REQUIREMENTS

A. Implementation Plan Requirements

This Housing Component of the Implementation Plan is required by Article 16.5 of the CRL . (All citations in this portion of the Implementation Plan are to the Health and Safety Code unless otherwise specified.)

The Housing Component presents those components of the Agency's intended program for the Project Area that deal with the expenditure of funds and activities relating to the production of housing at affordable housing cost to persons and families of low and moderate ("low-mod") income. Low-mod income is defined in the CRL by reference to Section 50093 of the Health and Safety Code, which specifies the following income levels:

- Moderate income, which is defined as household income of 80 percent to 120 percent of median income for the applicable household size (Section 50093);
- Low income, which is defined as income of 50 percent to 80 percent of median income for the applicable household size (Section 50079.5); and
- Very-low income, which is defined as income less than 50 percent of median income for the applicable household size (Section 50105).

Affordable housing cost is defined in Section 50052.5 as shown in the following table. Housing cost for rental housing includes rent plus an allowance for tenant-paid utilities. Housing cost for owner-occupied housing includes principal, interest, insurance, taxes, utilities, homeowner association dues, and maintenance.

Definition of Affordable Housing Cost

Income Level	Rental Housing	Owner-Occupied Housing
Very Low Income	30% of 50% of AMI	30% of 50% of AMI
Low Income	30% of 60% of AMI	30% of 70% of AMI
Moderate Income	30% of 110% of AMI	35% of 110% of AMI, but no less than 28% of actual income

AMI = "Area Median Income," which is the Median Family Income, adjusted for family size, for the metropolitan area (Alameda and Contra Costa Counties combined), as determined by the U.S. Department of Housing and Urban Development

The CRL provides that, in addition to the removal of blight, a fundamental purpose of redevelopment is to expand the supply of low-mod housing (Section 33071). To accomplish this purpose, the CRL contains numerous provisions to guide redevelopment agency activities with regard to low-mod housing. These provisions divide a redevelopment agency's housing responsibilities into three major categories:

- The production and/or replacement of low-mod housing depending upon activities undertaken by an agency within its project areas;
- The set-aside and expenditure of specified amounts of tax increment revenue for the express and exclusive purpose of increasing and improving a community's supply of low-mod housing; and
- Preparing reports on how the agency has met, or preparing plans on how the agency will meet its responsibilities with regard to the first two items.

This Housing Component is part of the Agency's responsibilities under the third major category. Its contents address how the Agency's plans for the Project Area will achieve many of the housing responsibilities contained in the first and second major categories of Agency housing activities. Article 16.5 requires that the housing portion of an Implementation Plan address the applicable items presented in the list below.

1. **Production of Housing Based on Activities in the Project Area:**

AREA HOUSING PRODUCTION REQUIREMENTS. In project areas adopted after January 1, 1976, at least 30 percent (30%) of all new and substantially rehabilitated dwelling units developed by a redevelopment agency must be available at affordable housing cost to persons and families of low and moderate income and shall be occupied by these persons and families (Section 33413(b)(1)). At least 15 percent (15%) of all new residential dwelling units developed within a project area under the jurisdiction of an agency by public or private entities or persons other than the Agency must be available at affordable housing cost to persons and families of low or moderate income and shall be occupied by these persons or families (Section 33413(b)(2)). At least 15 percent (15%) of all substantially rehabilitated units that have received agency assistance must be available at affordable housing cost to persons and families of low or moderate income and shall be occupied by these persons or families (Section 33413(b)(2)(iii)).

For pre-1976 plans that adopt a 10-year time extension amendment under §B 211, the area production requirements become applicable and must be applied prospectively to new and substantially rehabilitated dwellings for which building permits are issued on or after the effective date of the time extension amendment (Sections 33333.10(i) and 33413(d)(1)).

- **REPLACEMENT HOUSING REQUIREMENTS.** Suitable locations must be identified for replacement housing units rehabilitated, developed or constructed pursuant to Section 33413(a), if the destruction or removal of low-mod units will result from a project

contained in the Implementation Plan (Section 33490(a)(3)).

2. Set-Aside and Expenditure of Tax Increment for Housing Purposes:

- At least 20 percent of tax increment revenues must be set aside into a low and moderate income housing fund to increase, improve or preserve the community's supply of low and moderate income housing (Section 33334.2).

For agencies that adopt a 10-year time extension amendment under SB 211, beginning the first fiscal year commencing after the adoption of such amendment, the agency is required to set aside at least 30 percent of tax increment revenues into the low and moderate income housing fund (Section 33333.10(g)(1)).

- The law requires the proportional expenditure of these housing funds on moderate, low, and very-low income housing (Section 33334.4). For agencies that have adopted an SB 211 time extension amendment, the proportionality requirements change after amendment adoption and again after the original plan time limit for receipt of tax increment revenues is reached (Section 33333.10(f)).
- The law requires the transfer of housing funds to other public entities producing housing in the community in some cases if the low and moderate income housing fund has excess surplus (a possible outcome of the provisions of Sections 33334.12 *et seq.*).
- The law requires the proportional expenditure of housing funds on the same proportion of the households population over the age of 65 as reported in the most recent U.S. census (Section 33334.4).

3. Additional Requirements:

The implementation plan must include estimates of the balances and deposits into the low and moderate income housing fund; a housing program identifying expenditures from the Housing Fund; an indication of housing activity that has occurred in the project area; and estimates of housing units that will be produced in the project area for each of the various income categories.

For project areas that are within six years of the time limit on the effectiveness of their redevelopment plan, the implementation plan must show the ability of the agency to comply with its replacement housing and area production requirements and the disposition of the remaining monies in the low and moderate income housing fund prior to the time limit (Section 33490(a)(4)).

B. Applicable Low and Moderate Income Housing Requirements

1. Applicable Housing Production Requirements

The date of adoption, the existence of low-mod housing units, and the potential for residential development are the primary determinants of the practical applicability of the various housing provisions of the CRL. The low-mod housing provisions as applied to the Central District Project Area are discussed below:

a. Replacement Housing Obligation

The Agency is required to meet replacement-housing obligations pursuant to the CRL Section 33413(a). This Section requires the Agency to replace, on a one-for-one basis, all units removed from the low and moderate income housing stock caused by Agency activities in the Project Area. Article 16.5 requires that if an implementation plan contains projects that could result in the removal of low-mod housing units, the plan must identify locations suitable for the replacement of such housing.

The Agency does not anticipate undertaking or assisting any actions in the Project Area that would result in the demolition or removal from the market of low and moderate income housing. Therefore there is no replacement housing obligation at present and no need to identify potential locations for replacement dwellings.

b. Housing Production Obligation

Because the Redevelopment Plan was adopted prior to 1976, the Agency was not required to comply with the housing unit area production requirement of the CRL Section 33413(b) prior to the 10-year SB 211 time extension amendment.

Beginning on the date of approval of the 17th Amendment to the Plan adopting the SB 211 time extension, the Central District is required to meet the affordable housing area production requirement for new and substantially rehabilitated dwelling units for which building permits are issued on or after the date of the Amendment.

The Agency does not plan to develop housing in the next five years, rather the Agency will assist in private sector affordable housing development. Thus, the Agency is not anticipated to incur any obligations under the 30% area production requirement of the CRL.

The Agency anticipates some continued private, unassisted and assisted development of housing in the Central District. As a result, following the date of adoption of the 17th Amendment, the Agency will need to create low and moderate housing in order to comply with the provisions of subparagraph (2) of Section 33413(b). Subparagraph (2) requires that 15 percent (15%) of all housing developed in the Project Area (inclusive of restricted units) be low-mod income housing. Of these low-mod units, at least 40 percent (40%) must be affordable to persons and families of very-low income.

To determine the number of units that must be developed in order to comply with this requirement, and to identify how much of this requirement will be satisfied by the

activities included in this Implementation Plan, a brief review of the anticipated housing development activity in the Project Area is presented below.

c. Estimate of Future Housing Construction Activity in the Project Area

The Agency estimates that between the date of the time extension amendment and 2021, as many as 2,109 units of housing may be newly constructed, substantially rehabilitated, or acquired with affordability covenants.

**Central District Project Area
Projected Housing Production, 2011 – 2021**

Project Name	Units	Type	Year Completed	Affordability Level			
				Very Low	Low	Mod	Above Mod
1538 Broadway	69	TBD	TBD				69
17 th & Broadway (aka 1640 Broadway Mixed Use Project)	254	TBD	TBD				254
1701 Martin Luther King Jr. Way	12	TBD	TBD				12
188 11 th Street	287	TBD	TBD				287
2538 Telegraph Avenue	97	TBD	TBD				97
377 2 nd Street	96	TBD	TBD				96
459 23 rd Street	70	TBD	TBD				70
528 Thomas L. Berkley Way	18	TBD	TBD				18/
6 th and Oak Apartments	70	TBD	TBD	69			1
630 Webster Street	27	TBD	TBD				27
632 14 th Street	40	TBD	TBD				40
Broadway West Grand (aka Negherbon Mixed Use Project, Broadway Grand Phase 2)	367	TBD	TBD				367
Domain at Alta (formerly City Walk)	264	TBD	TBD				264
Harrison Senior Apartments	74	Senior	TBD	73			1
Harrison Towers	98	TBD	TBD				98
Jackson Center Two (235 12 th Street)	110	TBD	TBD				110
Jefferson Oaks Apartments	102	TBD	TBD	101			1
Victory Place (aka 1417-1431 Jefferson Street)	54	TBD	TBD				54
Total	2,109			243			1,866

d. Estimated Number of Units Required for Housing Production Obligation

If the allowed 2,109 units are built during this Implementation Plan period, this would generate a housing production obligation of at least 317 units affordable to very-low, low or moderate income households. Of these, at least 127 units would be required to be affordable to and restricted for occupancy by very-low income households.

e. **How the Housing Production Obligation Will be Met**

As noted in section d above, if all projected housing units are built, there will be approximately 317 units of low- and moderate income units (inclusive of that total, 127 units would be required for occupancy by very-low income households) that need to be constructed. To the extent there is a deficit of affordable units constructed, the Agency will identify projects and if necessary provide financial assistance to ensure that the required number of low- and moderate-income units are developed or otherwise made available.

**Central District Project Area
Affordable Unit Production Requirements Based on Completed/Underway
Projects**

	Total	Total Affordable ^a	VLI Only
Total Units Completed/Underway	2,109	243	243
Less Required Affordable Units (15% total, 6% VLI)		317	127
Surplus/(Deficit)		(74)	116

a. Includes units for very low, low and moderate income households.

2. **Applicable Provisions Regarding Low and Moderate Income Housing Set-Aside**

a. **Set-Aside of Tax Increment**

The Agency must comply with the Section 33334.2 requirement to allocate 20 percent of the gross tax increment (“Set-Aside”) to affordable housing activities. The Set-Aside is required to be deposited into the Agency’s Low and Moderate Income Housing Fund (the “Housing Fund”) created to hold the monies until expended.

The Redevelopment Agency has adopted a general policy that 25 percent of all tax increment be allocated to the Housing Fund, subject to certain conditions. The projections of deposits into the Housing Fund that are included in the following section assume that the 25 percent Set-Aside will be deposited into the Housing Fund in each of the years covered by the Implementation Plan except for 2009-10 and 2010-11, where some or all of the voluntary five percent (5%) increase has been used to make State-mandated payments to the Supplemental Educational Revenue Augmentation Fund if that requirement survives a pending legal challenge.

Starting in fiscal year 2012-2013 (i.e., the first fiscal year commencing after the date of adoption of the 17th Amendment), the Agency must deposit at least 30 percent of all tax increment from the Central District into the Housing Fund.

b. **Proportional Expenditures of Housing Fund Monies**

The Project Area is subject to the Section 33334.4 requirement that the Agency expend Housing Fund monies in accordance with an income proportionality test and

an age restriction proportionality test. These proportionality tests must be met every ten years, in the case of the income proportionality test, and over the duration of the implementation plan in the case of the age test, through the termination of the Redevelopment Plan life. The proportionality requirement went into effect on January 1, 2002 and must be met every ten years. For plans adopted prior to 1994, the initial compliance period is actually from January 1, 2002 through December 31, 2014 (CRL Section 66490(a)(2)(A)(iii)), and for ten year periods thereafter. These tests do not have to be met on an annual basis.

Starting on the date of the SB211 plan amendment in 2011, the proportionality requirements will change. Following are how those expenditures will be made.

1. Very-Low and Low Income Housing Expenditures

The income proportionality test requires the Agency to expend Set-Aside funds in proportion to the housing needs that have been determined for the community pursuant to Section 65584 of the Government Code. The proportionality test used in this Implementation Plan is based on the 2008 Regional Housing Needs Allocation (RHNA) Plan prepared by the Association of Bay Area Governments. Based on the 2008 RHNA, the City's minimum required allocation for very-low and low-income expenditures and maximum moderate income housing expenditures are:

Category	RHNA	Threshold
Very-Low Income	1,900	At least 27%
Low Income	2,098	At least 29%
Moderate Income	3,142	No more than 44%
Total	7,140	

Therefore, the CRL requires for Oakland that at least 27 percent of the Housing Fund monies dedicated to projects and programs be spent on housing for very-low income households. In addition, at least 29 percent of these funds must be spent on housing for low-income households, and no more than 44 percent of the funds may be spent on housing for moderate-income households. However, the Agency is entitled to expend a disproportionate amount of the funds for very-low income households, and to subtract a commensurate amount from the low and/or moderate-income thresholds. Similarly, the Agency may provide a disproportionate amount of funding for low income housing by reducing the amount of funds allocated to moderate-income households. In no event may the expenditures targeted to moderate-income households exceed the established threshold amount.

The Agency will allocate and expend its funds in such a way that these percentages are met over the period from January 1, 2002 through December 31, 2014 (CRL Section 33490(a)(2)(A)(iii)). In addition, the City or other entities may provide assistance for the construction of units affordable to very low and

low income households that may also be counted toward meeting the proportionality requirements of Section 33334.4.

2. SB 211 Moderate Income Housing Expenditures

Redevelopment law requires that this implementation plan address SB 211 requirements for a plan amendment that extend an area's time limit (CRL Section 33490(a)(2)(A)). This provision has two rules that impact the use of funds for low-mod housing development. The first rule states that from the date of adoption of the plan amendment to the former deadline for the receipt of tax increment, the agency may only spend 15% of the housing tax increment on moderate income housing. In addition, those moderate income units must be a part of a project that has at least 49% of the units affordable to very low- or low-income households. An exception to this rule is if an additional 5% of the amount deposited in the low-mod housing fund is used for moderate income housing, then, at minimum, a comparable amount must be spent on housing affordable to extremely low-income households (CRL Section 33333.10(f)(2)). The second rule requires that during the ten year extended period for receipt of tax increment revenue under the plan amendment, an agency may spend low mod housing fund monies during a five year sub-period for moderate income housing production only in an amount lesser of (1) the amount spent on extremely low-income housing, or (2) 15% of the amount deposited in the low-mod housing fund during a five year period. Not that the agency cannot make expenditures to assist production of moderate-income housing units than the number of extremely low-income housing units (CRL Section 33333.10(f)(1)).

3. Age Restricted Housing Expenditures

Section 33334.4 also requires that the Agency assist housing that is available to all persons, regardless of age, in at least the same proportion as the low income population under age 65 bears to the total number of low income households in the City as reported in the most recent census of the United States Census Bureau. According to the U.S. Department of Housing and Urban Development, 2000 CHAS Data Book, derived by the 2000 Census indicates that 82 percent of the City's low income households are under 65 years of age. As such, at least 82 percent of the Agency expenditures on affordable housing projects must be spent to assist projects that do not impose age restrictions on those households. The following summarizes the allocation of housing fund monies.

Age Category	Percentage of Funds
Senior	18% Maximum
Unrestricted	82%
Total	100.0%

The Agency will ensure that for the period beginning with the date of the SB211 plan amendment in 2011 through December 31, 2014 (CRL Section

33490(a)(2)(A)(iii)), not more than 18 percent of its expenditures on affordable housing projects are for projects exclusively serving seniors.

4. Excess Surplus

The Housing Fund is subject to CRL provisions requiring the transfer of housing funds to other housing producers in the Oakland area under certain circumstances. For example, such transfers could possibly occur if the Housing Fund had "excess surplus." Excess surplus means any unexpended and unencumbered amount in a Project Area's Housing Fund that exceeds the greater of \$1,000,000 or the aggregate amount deposited into the Housing Fund during the preceding four fiscal years.

The Agency does not anticipate having an excess surplus during the current Implementation Plan cycle or throughout the subsequent remaining Project Area life.

3. Housing Goals and Objectives of the Implementation Plan

The primary goal of the Agency is to comply with the affordable housing requirements imposed by the CRL in a responsible manner. The affordable housing activities identified in this proposed Implementation Plan will explicitly assist in accomplishing the intent of the CRL in regards to the provision of low-mod housing.

The CRL establishes that certain housing expenditures, and preservation and production requirements, be attained during five and ten year increments. The housing production requirement, if applicable, must be met every ten years, while the proportionality tests must be achieved over the next five or ten years, and then again through the end of the Project Area life. It is the Agency's goal and objective for this Implementation Plan to accomplish sufficient activity and expenditures over the Implementation Plan term, and through the term of the Project Area, to comply with the applicable requirements.

4. Estimated Housing Fund Revenues and Expenditures

The following table presents the projected future deposits into the Housing Fund. As shown below, \$71,512,217 in revenues are projected to be available over the five-year term of this Implementation Plan.

**Estimate Housing Set-Aside Revenue
2009-2014**

Plan Year	Fiscal Year	Housing Set Aside
1	2009-10 ²	\$11,526,000
2	2010-11 ³	\$12,619,000
3	2011-12	\$13,457,000
4	2012-13	\$16,310,000
5	2013-14	\$16,473,000
Total	2009-14	\$70,385,000

5. Anticipated Housing Program Activities

The Agency may assist in a variety of programs to provide, improve and preserve affordable housing such as the following:

a. Production

The Agency can make loans and grants from the Low and Moderate Income Housing Fund to non-profit and for-profit developers for the new construction or rehabilitation of affordable housing. Loans can be made on a deferred payment and/or below market interest rate basis.

The Agency can also participate in land acquisition, land cost write-down, developer recruitment, credit enhancement, and other participation to cause affordable housing to be developed. This is normally accomplished after identification of a housing site, development of a housing concept, and issuance of a Request for Proposals for development of housing. Such affordable housing could be rental or ownership housing. The Agency may also acquire land and directly build housing.

b. Rehabilitation

The Agency may offer low-interest or no-interest loans or grants to assist low- and moderate income homeowners in making repairs to existing residences. Such repairs could consist of correcting health and safety violations, re-landscaping, and re-painting. This preserves the affordability of the housing and extends its lifespan, as well as improves the neighborhood. Additionally, such programs can be extended to owners of rental properties to make repairs to affordable rental housing. In either

² This number represents actual expenditures in fiscal year 2009-10. Note that in fiscal year 2009-10 the Agency deposited only 20% -- instead of 25% -- tax increment set-aside into the Housing Fund due to the State of California's requirement that Redevelopment Agencies make an additional deposit to fund education -- into the "Supplemental" Educational Revenue Augmentation Funds (SERAF) account.

³ This number represents budgeted expenditures for fiscal year 2010-11. Note that this represents approximately 22.5% of the tax increment set-aside into the Housing Funds.

case, covenants must be recorded to keep these properties affordable for the time period required by CRL.

c. **Affordability Assistance**

The Agency may provide direct subsidies to lower the cost of producing housing or first-time homebuyer programs to assist very-low to moderate income families with mortgage assistance for the purchase of a home. The latter can take the form of a deferred loan with a low interest rate and equity sharing provisions. When the home is sold, the loan and equity share would be used to help another first-time homebuyer.

d. **Preservation of Existing Affordable Housing**

The Agency may offer loans, grants or other forms of investment to assist in the preservation of existing assisted housing that is otherwise threatened with conversion to market rate. Such assistance would be coupled with affordability restrictions of 55 years for rental housing and 45 years for owner-occupied housing.

6. Allocation of Housing Funds over Previous Implementation Period

While Agency funds are tracked individually for each project area, the funds from all of the Agency's project areas are combined into a single Low and Moderate Income Housing Fund (except for West Oakland and Central City East, both of which restrict the use of housing funds to their Project Areas). The Agency has made findings that affordable housing activities in any part of the City are of benefit to all of the redevelopment project areas. As a result, Low and Moderate Income Housing Funds may be used both inside and outside the Project Area. In addition, the City of Oakland also provides assistance for the development, improvement and preservation of affordable housing.

The tables on the following pages provide information for the previous implementation plan period, 2004-2009, regarding:

- the amounts of Low and Moderate Income Housing Fund moneys utilized to assist units affordable to, and occupied by, extremely low income households, very low income households, and low-income households, including units available to families with children; and
- the number, the location, and level of affordability of units newly constructed with other locally controlled government assistance and without Agency assistance and that are required to be affordable to, and occupied by, persons of low, very low, or extremely low income for at least 55 years for rental housing or 45 years for homeownership housing

Redevelopment Agency Assisted Housing Activities Completed or Underway, 2004 - 2009

Project Name	Type	Year Built	Project Area	Number of Units at Each Affordability Level (2)				Agency Funding (1)
				Very Low	Low	Moderate	Above Moderate	
1574-1590 7th Street	Homeownership	Underway	West Oakland			2	3	\$ 127,327
3701 Martin Luther King, Jr. Way	Homeownership	Underway	West Oakland	TBD	TBD	TBD	TBD	\$ 109,909
3829 Martin Luther King, Jr. Way	TBD	Underway	Broadway/MacArthur	TBD	TBD	TBD	TBD	\$ 52,000
6 th & Oak Streets	Seniors	Underway	Central District		69			\$ 3,699,656
720 E. 11 th Street Project	Families	Underway	Central City East	30	24			\$ 4,859,833
Altenheim Phase I	Senior	2007	None	39	53		1	\$ 4,084,660
Altenheim Phase II	Seniors	Underway	None	48	32		1	\$ 1,753,000
Byron Avenue Homes	Homeownership	Underway	Central City East	4	4	2		\$ 386,550
California Hotel	Special Needs	Underway	West Oakland	149				\$ 600,000
Drachma, Inc (14 unit scattered site)	Families	Underway	West Oakland	14				\$ 840,000
East Side Arts and Housing	Families	2006	Coliseum	4	12		2	\$ 1,130,000
Eastmont Court	Disabled or HIV/AIDS	2005	Central City East	18			1	\$ 1,427,000
Edes Avenue Homes, Phase A	Homeownership	2008	Coliseum		26			\$ 2,517,000
Edes Avenue Homes, Phase B	Homeownership	Underway	Coliseum		13	15		\$ 3,601,000
Effe's House	Families	Underway	None	4	17			\$ 1,257,000
Eldridge Gonaway	Families	Underway	Central City East		39		1	\$ 1,655,000
Emancipation Village	Special Needs	Underway	None	35			2	\$ 1,652,000
Fairmount Apartments	Families	Underway	None	30			1	\$ 3,400,000
Faith Housing	TBD	Underway	West Oakland	TBD	TBD	TBD	TBD	\$ 689,598
Foothill Plaza Apartments	Families	Underway	Central City East	53			1	\$ 2,910,000
Fox Courts	Families	2009	Central District	40	39		1	\$ 4,950,000
Golf Links	Homeownership	2009	None			3	7	\$ 584,000
Harrison Senior	Senior	Underway	Central District		73			\$ 5,133,000
Hills Elmhurst Plaza Senior Housing	Senior	Underway	Coliseum		63		1	\$ 6,032,000
Hugh Taylor	SRO	Underway	Central City East	42				\$ 1,222,000
Ironhorse at Central Station	Families	2009	Oakland Army Base		98		1	\$ 8,379,000
Jack London Gateway	Senior	2009	Acorn	24	36		1	\$ 4,900,000
Lincoln Court	Senior	2006	None	81			1	\$ 2,000,000
Lion Creek Crossings, Phase I	Families	2005	Coliseum	14	56			\$ 1,500,000
Lion Creek Crossings, Phase III	Families	2008	Coliseum		58		1	\$ 3,000,000
Lion Creek Crossings, Phase IV	Families	Underway	Coliseum	50			1	\$ 2,980,547
MacArthur Homes (3801-3807 MLK Jr. Way)	Homeownership	Underway	Broadway/MacArthur	TBD	TBD	TBD	TBD	\$ 800,000
Madison Street Lofts	Families	2008	Central District	78			1	\$ 4,522,915
Mandela Gateway Rental	Families	2005	West Oakland	60	60		2	\$ 2,500,000
Mandela Gateway Townhomes	Families	2008	West Oakland		8	6		\$ 1,479,100
Marin Way Court	Families	Underway	Coliseum		19		1	\$ 1,200,000
Mortgage Assistance Program	Homeownership	multiple	Citywide	47	242	2	1	\$13,451,314

Project Name	Type	Year Built	Project Area	Number of Units at Each Affordability Level (2)				Agency Funding (1)
				Very Low	Low	Moderate	Above Moderate	
Oak Park Homes	Families	2004	Central City East	34			1	\$ 3,419,000
Oak Street Terrace Senior	Senior	2004	Central District	16	22		1	\$ 2,072,000
Oaks Hotel	SRO and Special Needs	Underway	Central District	85				\$ 1,100,000
Orchards on Foothill	Senior	2008	Central City East	64			1	\$ 1,025,000
Palm Court	Homeownership	2005	Acom		12			\$ 855,400
Palm Villas Residential Project	Homeownership	2005	Central City East			78		\$ 5,353,000
Percy Abrams Jr. Senior	Senior	2006	None	44				\$ 1,000,000
Posada de Colores	Senior	Underway	Central City East	99			1	\$ 450,000
Project Pride	Transitional	Underway	West Oakland	42				\$ 1,600,000
Redwood Hill	Homeownership	Underway	None		8	9		\$ 2,310,000
Saint Joseph's Family Phase IIb	Families	Underway	Coliseum	54	4			\$ 3,019,656
Saint Joseph's Family Phase IIa	Families	Underway	Coliseum			16		\$ 3,584,000
Saint Joseph's Senior	Senior	Underway	Coliseum	42	25		1	\$ 4,639,000
Saint Patrick's Terrace	Senior	Underway	West Oakland		65			\$ 753,600
Sausal Creek	Homeownership	2008	None			17		\$ 3,980,000
Seven Directions	Families	2009	Coliseum	23	12		1	\$ 3,289,000
Slim Jenkins	Families	Underway	West Oakland	27		3	2	\$ 1,920,000
Southlake Towers	Seniors	2004	Central District	26	103		1	\$ 445,300
Tassafaronga Homeownership	Homeownership	Underway	Coliseum		17	5		\$ 1,868,000
Tassafaronga Village Rental Phase I	Families	Underway	Coliseum		50			\$ 3,000,000

(1) Agency Funding includes all funding provided from Low and Moderate Income Housing Fund over the life of the project. Some funding may have been provided prior to 2004.

(2) TBD = "to be determined" – specific affordability levels have not yet been established.

**Housing Units Newly Constructed in Redevelopment Project Areas,
Assisted With Locally-Controlled Government Assistance and
No Redevelopment Agency Low & Moderate Income Housing Financing, 2004
- 2009**

Project Name	Type	Year Built	Project Area	Number of Units at Each Affordability Level			
				Very Low	Low	Moderate	Above Moderate
Lion Creek Crossings, Phase II	Families	2007	Coliseum	63	29		
Nathan A. Miley Senior Housing Community	Senior	2007	Central City East	50	19		
Uptown Project – Parcel 1	Families	2008	Central District	55		15	185
Uptown Project – Parcel 2	Families	2007	Central District	44		9	140
Uptown Project – Parcel 3	Families	2008	Central District	34		9	174
Wang Scattered Site – 901 70 th St.	Homeownership	2004	Coliseum		1		
Wang Scattered Site – 1311 Campbell Street	Homeownership	2005	West Oakland		1		

* Not all of these projects received locally-controlled government assistance

Appendix G:
Description of Agency Bonds

Appendix G describes the bonds the Agency has issued to finance projects within the Project Area.

A. Statutory Requirements

CRL Section 33333.11(h)(1) requires that the Report to Council provide all the information required to be contained in the preliminary report. Therefore, per Section 33333.10(e)(9), the Report to Council must include:

A description of each bond sold by the agency to finance or refinance the redevelopment project prior to six months before the date of adoption of the proposed amendment, and listing for each bond the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.

B. Analysis

Appendix Table G-1 summarizes the amount of remaining principal and interest, total annual payments and date each bond will be paid in full. Appendix Table G-2 provides a detailed schedule of outstanding bonds including the schedule of annual payments for each issuance.

Table G-1
Summary of Bonded Indebtedness
Central District Plan Amendment 2010-11

Bond Series	Remaining Principal	Remaining Interest	Total Outstanding Indebtedness	Year of Last Payment
Senior Bonds Series 1992	\$ 24,465,000	\$ 3,466,102	\$ 27,931,102	FY 2013-14
Tribune Tower Restoration	\$ 115,000	\$ 9,875	\$ 124,875	FY 2011-12
Subordinated Bonds Series 2003	\$ 97,530,000	\$ 33,618,269	\$ 131,148,269	FY 2019-20
Subordinated Bonds Series 2005	\$ 31,970,000	\$ 17,955,500	\$ 49,925,500	FY 2022-23
Subordinated Bonds Series 2006-T	\$ 25,385,000	\$ 8,294,766	\$ 33,679,766	FY 2021-22
Subordinated Bonds Series 2009-T	\$ 38,755,000	\$ 23,363,691	\$ 62,118,691	FY 2020-21

Source: Redevelopment Agency of the City of Oakland, Seifel Consulting Inc.

**Table G-2
Detailed Schedule of Outstanding Bonded Indebtedness
Central District Plan Amendment 2010-11**

Fiscal Year	Senior Bonds Series 1992-9611			Irbane Lower Restoration-9617			Subordinated Bonds Series 2003-9632			Subordinated Bonds Series 2005-9634			Subord Bonds Series 2006-1-9635			Subord Bonds Series 2009-1-9636			Total Outstanding Indebtedness		
	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total
FY 2010-11	\$ 5,565,000	\$ 1,345,576	\$ 6,910,576	\$ 55,000	\$ 6,489	\$ 61,489	\$ 4,720,000	\$ 5,197,826	\$ 9,917,826		\$ 1,598,500	\$ 1,598,500	\$ 2,325,000	\$ 1,289,147	\$ 3,614,147	\$ 685,000	\$ 3,051,378	\$ 3,736,378	\$ 13,350,000	\$ 12,488,916	\$ 25,838,916
FY 2011-12	\$ 5,925,000	\$ 1,039,500	\$ 6,964,500	\$ 60,000	\$ 3,386	\$ 63,386	\$ 4,945,000	\$ 4,956,201	\$ 9,901,201		\$ 1,598,500	\$ 1,598,500	\$ 2,450,000	\$ 1,163,755	\$ 3,613,755	\$ 700,000	\$ 3,013,538	\$ 3,713,538	\$ 14,080,000	\$ 11,774,880	\$ 25,854,880
FY 2012-13	\$ 6,295,000	\$ 713,626	\$ 7,008,626				\$ 5,045,000	\$ 4,690,086	\$ 9,735,086		\$ 1,598,500	\$ 1,598,500	\$ 2,625,000	\$ 1,091,294	\$ 3,616,294	\$ 1,000,000	\$ 2,963,850	\$ 3,963,850	\$ 15,025,000	\$ 12,998,338	\$ 26,993,338
FY 2013-14	\$ 6,680,000	\$ 367,400	\$ 7,047,400				\$ 5,395,000	\$ 4,401,238	\$ 9,796,238		\$ 1,598,500	\$ 1,598,500	\$ 2,740,000	\$ 891,177	\$ 3,631,177	\$ 1,820,000	\$ 2,874,700	\$ 4,694,700	\$ 16,635,000	\$ 10,133,015	\$ 26,768,015
FY 2014-15							\$ 5,665,000	\$ 4,097,088	\$ 9,762,088		\$ 1,598,500	\$ 1,598,500	\$ 2,890,000	\$ 743,333	\$ 3,633,333	\$ 2,300,000	\$ 2,735,050	\$ 5,035,050	\$ 10,855,000	\$ 9,173,971	\$ 20,028,971
FY 2015-16							\$ 12,840,000	\$ 3,588,200	\$ 16,428,200		\$ 1,598,500	\$ 1,598,500	\$ 830,000	\$ 645,646	\$ 1,475,646	\$ 4,000,000	\$ 2,509,550	\$ 6,509,550	\$ 17,670,000	\$ 8,341,896	\$ 26,011,896
FY 2016-17							\$ 13,545,000	\$ 2,862,613	\$ 16,407,613		\$ 1,598,500	\$ 1,598,500	\$ 875,000	\$ 600,872	\$ 1,475,872	\$ 5,400,000	\$ 2,148,550	\$ 7,548,550	\$ 19,820,000	\$ 7,210,535	\$ 27,030,535
FY 2017-18							\$ 14,290,000	\$ 2,097,151	\$ 16,387,151		\$ 1,598,500	\$ 1,598,500	\$ 920,000	\$ 553,004	\$ 1,473,004	\$ 4,850,000	\$ 1,731,275	\$ 6,581,275	\$ 30,060,000	\$ 5,979,910	\$ 26,039,930
FY 2018-19							\$ 15,080,000	\$ 1,289,476	\$ 16,369,476		\$ 1,598,500	\$ 1,598,500	\$ 965,000	\$ 502,006	\$ 1,467,006	\$ 5,760,000	\$ 1,285,200	\$ 7,045,200	\$ 21,805,000	\$ 4,675,182	\$ 26,480,182
FY 2019-20							\$ 15,905,000	\$ 437,388	\$ 16,342,388		\$ 1,598,500	\$ 1,598,500	\$ 1,030,000	\$ 448,301	\$ 1,468,301	\$ 6,000,000	\$ 785,400	\$ 6,785,400	\$ 22,925,000	\$ 3,269,589	\$ 26,194,589
FY 2020-21										\$ 12,870,000	\$ 1,276,750	\$ 14,146,750	\$ 3,785,000	\$ 318,302	\$ 4,103,302	\$ 6,240,000	\$ 365,200	\$ 6,505,200	\$ 22,895,000	\$ 1,860,252	\$ 24,755,252
FY 2021-22										\$ 14,775,000	\$ 585,625	\$ 15,360,625	\$ 3,990,000	\$ 107,949	\$ 4,097,949				\$ 18,765,000	\$ 693,574	\$ 19,458,574
FY 2023-23										\$ 4,325,000	\$ 108,125	\$ 4,433,125							\$ 4,325,000	\$ 108,125	\$ 4,433,125
FY 2024-25																					
Total	\$ 24,465,000	\$ 3,466,102	\$ 27,931,102	\$ 115,000	\$ 9,875	\$ 124,875	\$ 97,530,000	\$ 33,618,269	\$ 131,148,269	\$ 31,970,000	\$ 17,955,500	\$ 49,925,500	\$ 25,385,000	\$ 8,294,766	\$ 33,679,766	\$ 38,755,000	\$ 23,363,691	\$ 62,118,691	\$ 218,220,000	\$ 86,708,203	\$ 304,928,203

Source: Redevelopment Agency of the City of Oakland and Seifell Consulting Inc

**Appendix H:
Community Participation**

Central District Plan Amendment 2011
 Resident and Community Organizations Mailing List
 Dated as of June 17, 2011

Name	contact	title	street
AC Transit	Coy LaVigne	Director of Planning and Service Development	1600 Franklin Street
Alameda County Transportation Commission (ACTC)	Beth Walukas	Manager of Planning	1333 Broadway
Asian Health Services	Song W. Suh	Associate Director	Asian Medical Center, 816 Webster Street
Asian Pacific Environmental Network (APEN)	Mimi Ho	Program Director	310 8th Street, Suite 309
Association of Bay Area Governments (ABAG)	Ezra Rapport	Executive Director	101 8th Street
Bay Area Christian Connection			810 Clay Street
Bay Area Rapid Transit (BART)	Robert Raburn	District 4 Director	P.O. Box 12688
Bay Localize	Aaron Lehmer		436 14th Street #1127
Beat 14X NCPC (Adams Point Action Council)	Iris Winogron	Chair	245 Perkins Street, #41
Beat 1X NCPC	Annie Sloan	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 2X NCPC (Lowell/Acom & Five on the West Side)	Sandra Sanders-West	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 3X NCPC (Cantonese-Speaking)	Sun-Kwong (Michael) Sze	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 3X NCPC (Chinatown)	Sun-Kwong (Michael) Sze	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 3Y NCPC (Old Oakland Neighbors)	Hoang Banh	Chair	PO Box 71644
Beat 4X NCPC (Uptown/Gold Coast NCPC)	Sun-Kwong (Michael) Sze	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 5X NCPC (Lowell/Acom & Five on the West Side)	Sandra Sanders-West	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 6X NCPC (Beat 6 Advocates)	Annie Sloan	Neighborhood Services Coordinator	250 Frank H. Ogawa Plaza, Ste. 6303
Beat 8X NCPC (8X Neighborhood Council)	Barbara Cock	Executive Director, Co-Chair	540-23rd Street (Providence House)
Buddhist Church of Oakland	Steve Terusaki		825 Jackson Street
Cathedral of Christ the Light	Mary Cwalina	Parish Business Manager	2121 Harrison Street, Suite 130
Chinatown Oakland Salvation Army		379 12th Street	377 12th Street
Chinese Christian Truth			380 8th Street
Chinese Community United Methodist Church			321 8th Street
Chinese Family Associations	Milton Fong		936 Webster Street
Chinese Independent Baptist Church	Alan K. Yee		280 6th Street
Chinese Presbyterian Church of Oakland			265 8th Street
Christian Science Church			1701 Franklin Street
City Team Ministries			722 Washington Street
Coalition of Advocates for Lake Merritt (CALM)	Allen Dreyfuss		1735 6th Avenue
Convergence Covenant Church			100 Franklin Street, Suite 205
Corinthian Baptist Church			928 Castro Street
Downtown Lake Merritt Neighborhood Group	Zach Seal		421 Perkins Street, Apt 101
Downtown Oakland Business Improvement District (BID)	Marco LiMandri	Executive Director	388 19th Street
East Bay Alliance for a Sustainable Economy (EBASE)	Brooke Anderson	Organizing Director	1814 Franklin Street, Suite 325
East Bay Bicycle Coalition	Rick Rickard	Acting Executive Director	PO Box 1736
East Bay Housing Organizations (EBHO)	Amie Fishman	Executive Director	536 9th Street, Suite 200
Fa Yuan Temple			439 8th Street
Faith Chinese Alliance Church			316 12th Street
Faith Jireh Christian Church			212 9th street, Suite 207
Family Bridges	Corinne Jan		168 11th Street
Fellowship of Reconciliation			436 14th Street, Suite 409
First Baptist Church - Oakland			534 22nd Street
First Unitarian Church of Oakland			685 14th Street
Friends of Oakland Parks and Recreation	Paula Ramsey	Executive Director	PO Box 13627
Fu Hui Buddhist Society			318 7th Street
Greater St Paul Missionary Baptist Church			1827 Martin Luther King Junior Way
Islamic Center of Northern California			1433 Madison Street
Jack London District Association	Ben Delaney	Director	655 3rd Street, PMB 21
Korean American Chamber of Commerce, East Bay	Rosemary 'Cho' Miyounp	President, Board of Directors	1409 Webster Street

Central District Plan Amendment 2011
 Resident and Community Organizations Mailing List
 Dated as of June 17, 2011

Name	contact	title	street
KoreaTown-Northgate Community Benefit District (CBD)	Darlene Rios Drapkin	Executive Director	2633 Telegraph Ave. #107
Lake Merritt-Uptown Association (CBD)	Marco LiMandri	Executive Director	388 19th Street
Loney College	Dr. Frank Chong	President	900 Fallon Street
League of Women Voter of Oakland	Katharine Gavzy/ Suzanne Loosen	President	1305 Franklin Street, Suite 311
Metropolitan Transportation Commission	Steve Heminger	Executive Director	101 Eighth Street
New St. Paul Missionary Church			1011 Martin Luther King Junior Way
Oakland African American Chamber of Commerce	Bishop Bob Jackson	Chair S Founder	449 15th Street, Suite 410
Oakland Burmese Msn Baptist Church			534 22nd Street
Oakland Business Development Corporation	Bevcrty Correa	Managing Director	825 Washington Street, Suite 200
Oakland Chinatown Chamber of Commerce	Jennie Ong	Executive Director	388 9th St # 258
Oakland Heritage Alliance	Rachel Force	Administrative Director	446 17th Street, Suite 301
Oakland Hispanic Chamber of Commerce of Alameda County	Felix Galaviz	Chief Executive Officer	1840 Embarcadero # 101
Oakland Housing Authority (OHA)	Eric Johnson	Executive Director	1619 Harrison Street
Oakland Marchants Leadership Forum (OMLF)	Shari Godinez	Program Manager	829 27th Avenue
Oakland Metropolitan Chamber of Commerce	Joseph Haraburda	President & CEO	475 14th Street
Oakland Museum of Califomia	Adam Reed Rozan		1000 Oak Street
Oakland Park Coalition	Susan Monteuk	Chair	Garden Center, 666 Bellevue Avenue
Our Savior Episcopal Church			1011 Harrison Street
Pilgrim Rest Baptist Church			659 16th Street
Radiance Oak			276 4th Street
Self-Realization Fellowship			1587 Franklin Street
St. George Serbian Orthodox Church			94 9th Street
St. Patrick's Episcopal Church			1011 Harrison Street
Telegraph/Northgate Merehant & Building Owners Grp	Tina Suk		2510 Telegraph Ave.
The Church of God in Oakland			77 8th Street, Floor 2
TransForm (formerly Transportation and Land Use Coalition, TALC)	Stuart Cohen	Executive Director	436 14th Street, Suite 600
True Faith Baptist Church			826 West Grand Avenue
Truo Fellowship Church Inc.			1587 Franklin Street
Vietnamese Chamber of Commerce	Phuc Tran		412 8th street, Suite D
Walk Oakland - Bike Oakland (WOBO)	Kassie Rohrbach	Executive Director	436 14th Street, Suite 1216
Word Assembly Multipurpose Center			410 14th Street

Central District Plan Amendment 2011
 Resident and Community Organizations Mailing List
 Dated as of June 17, 2011

Name	City, State, Zip Code			
AC Transit	Oakland, CA 94612	510.891.4874	clavigne@actransit	
Alameda County Transportation Commission (ACTC)	Oakland, CA 94612	510.893.3347	bwalukas@accma.ca.gov	
Asian Health Services	Oakland, CA 94607	510.986.6833		
Asian Pacific Environmental Network (APEN)	Oakland, CA 94607	510.834.8920 x310	mimi@apen4ei.org	
Association of Bay Area Governments (ABAG)	Oakland, CA 94607	510.464.7900	ezrar@sbaa.ca.gov	
Bay Area Christian Gonnection	Oakland, CA 94607	510.268.4990		
Bay Area Rapid Transit (BART)	Oakland, CA 94604	510.464.6095	roberirabum@covad.net	
Bay Localize	Oakland, CA 94612			
Beat 14X NCPC (Adams Point Action Council)	Oakland, CA 94610		hbahn@oaklandnet.com	
Beat 1X NCPC	Oakland, CA 94612	510.238.2340	asloan@oaklandnet.com	
Beat 2X NCPC (Lowell/Acorn & Five on the West Side)	Oakland, CA 94612	510.238.6577	ssanders-west@oaklandnet.com	
Beat 3X NCPC (Cantonese-Speaking)	Oakland, CA 94612	510.238.7957	ssze@oaklandnet.com	
Beat 3X NCPC (Chinatown)	Oakland, CA 94612	510.238.7957	ssze@oaklandnet.com	
Beat 3Y NCPC (Old Oakland Neighbors)	Oakland, CA 94612	510.238.6566	hbahn@oaklandnet.com	
Beat 4X NCPC (Uptown/Gold Coast NCPC)	Oakland, CA 94612	510.238.7957	ssze@oaklandnet.com	
Beat 5X NCPC (Lowell/Acorn & Five on the West Side)	Oakland, CA 94612	510.238.6577	ssandere-west@oaklandnet.com	
Beat 6X NCPC (Beat 6 Advocates)	Oakland, CA 94612	510.238.2340	asloan@oaklandnet.com	
Beat 8X NCPC (8X Neighborhood Council)	Oakland, CA 94612	510.238.6566	hbahn@oaklandnet.com	Hoang Banh, co-chair
Buddhist Church of Oakland	Oakland, CA 94607	510.525.3077		
Cathedral of Christ the Light	Oakland, CA 94612	510.271.1928		
Chinatown Oakland Salvation Army	Oakland, CA 94607	510.645.9710		
Chinese Christian Truth	Oakland, CA 94607	510.832.1032		
Chinese Community United Methodist Church	Oakland, CA 94607	510.452.1020		
Chinese Family Associations	Oakland, CA 94607			
Chinese Independent Baptist Church	Oakland, CA 94607	510.452.1772		
Chinese Presbyterian Church of Oakland	Oakland, CA 94607	510.452.4963		
Christian Science Church	Oakland, CA 94612	510.832.2364		
City Team Ministries	Oakland, CA 94607	510.452.3756		
Coalition of Advocates for Lake Merritt (CALM)	Oakland, CA 94606	510.206.3052	adreyfuss@wle.net	
Convergence Covenant Church	Oakland, CA 94607	510.463.1011		
Corinthian Baptist Church	Oakland, CA 94607	510.893.5065		
Downtown Lake Merritt Neighborhood Group	Oakland, CA 94612	510.219.1541	dimg@downtownlakemerritt.org	
Downtown Oakland Business Improvement District (BID)	Oakland, CA 94612	510.238.1122	marco@downtownoakland.org	newcityamerica@aol.com
East Bay Alliance for a Sustainable Economy (EBASE)	Oakland, CA 94612	510.893.7106, x318		
East Bay Bicycle Coalition	Oakland, CA 94604			
East Bay Housing Organizations (EBHO)	Oakland, CA 94607	510.663.3830	staff@ebho.org	
Fa Yuan Temple	Oakland, CA 94607	510.452.8982		
Faith Chinese Alliance Church	Oakland, CA 94507	510.835.3222		
Faith Jireh Christian Church	Oakland, CA 94607	510.452.0700		
Family Bridges	Oakland, CA 94607	510.839.2022		
Fellowship of Reconciliation	Oakland, CA 94612	510.763.1403		
First Baptist Church - Oakland	Oakland, CA 94612	510.834.4314		
First Unitarian Church of Oakland	Oakland, CA 94612	510.893.6129		
Friends of Oakland Parks and Recreation	Oakland, CA 94661			
Fu Hui Buddhist Society	Oakland, CA 94607	510.633.0856		
Greater St Paul Missionary Baptist Church	Oakland, CA 94612	510.452.0803		
Islamic Center of Northern California	Oakland, CA 94612	510.832.7600		
Jack London District Association	Oakland, CA 94607	510.473.5532	info@jlda.org	
Korean American Chamber of Commerce, East Bay	Oakland, CA 94612	510.636.1004	510.465.8861	

Central District Plan Amendment 2011
 Resident and Community Organizations Mailing List
 Dated as of June 17, 2011

Name	City, State, Zip Code			
KoreaTown-Northgate Community Benefit District (CBD)	Oakland, CA 94612	510.343.5439	info@KoreatownNorthgate.org	
Lake Merritt-Uptown Association (CBD)	Oakland, CA 94612	510.238.1122	marco@kowntownoakland.org	
Laney College	Oakland, CA 94607	510.464.3237	ichong@peralta.edu	
League of Women Voter of Oakland	Oakland, CA 94612-3222	510.834.7640		
Metropolitan Transportation Commission	Oakland, CA 94607	510.817.5810	sheminaer@mtc.ca.gov	
New SL Paul Missionary Church	Oakland, CA 94607	510.444.6440		
Oakland African American Chamber of Commerce	Oakland, CA 94612	510.268.1600	info@oaacc.org	
Oakland Burmese Msn Baptist Church	Oakland, CA 94612	510.451.6262		
Oakland Business Development Corporation	Oakland, CA 94607	510.763.4297		
Oakland Chinatown Chamber of Commerce	Oakland, CA 94607-4295		OaklandCTchamber@aol.com	4/29 - emailed request and called to present at their mtg; presented at board meeting on 6/14/11.
Oakland Heritage Alliance	Oakland, CA 94612	510.763.9218	info@oaklandheritage.org	
Oakland Hispanic Chamber of Commerce of Alameda County	Oakland, CA 94606	510.536.4477	info@hccac.com	
Oakland Housing Authority (OHA)	Oakland, CA 94612	510.574.1500		
Oakland Merchants Leadership Forum (OMLF)	Oakland, CA 94601		shari@omlf.ccsend.com , info@omlf.org	4/29 - emailed request to present at their mtg; phone on website disconnected.
Oakland Metropolitan Chamber of Commerce	Oakland, CA 94612	510.674.4810	haraburda@oaklandchamber.com	4/29 - emailed request to present at their mtg; no callback.
Oakland Museum of California	Oakland, CA 94607			
Oakland Park Coalition	Oakland, CA 94610		oaklandparkscoalition@gmail.com	
Our Savior Episcopal Church	Oakland, CA 94607	510.634.6447		
Pilgrim Rest Baptist Church	Oakland, CA 94612	510.893.9245		
Radiance Oak	Oakland, CA 94607	415.305.9275		
Self-Realization Fellowship	Oakland, CA 94612	510.232.6652		
St. George Serbian Orthodox Church	Oakland, CA 94607	510.836.0591		
St. Patrick's Episcopal Church	Oakland, CA 94607	510.213.8855		
Telegraph/Northgate Merchant & Building Owners Grp	Oakland, CA 94612			
The Church of God in Oakland	Oakland, CA 94607	510.839.4838		
TransForm (formerly Transportation and Land Use Coalition, TALC)	Oakland, CA 94612	510.740.3150, x311	stuart@TransFormCA.org	
True Faith Baptist Church	Oakland, CA 94612	510.636.0909		
True Fellowship Church Inc.	Oakland, CA 94612	510.632.4646		
Vietnamese Chamber of Commerce	Oakland, CA 94607	510.499.6278	tranphuocakland@yahoo.com	
Walk Oakland - Bike Oakland (WOBO)	Oakland, CA 94612	510.269.4034		
Word Assembly Multipurpose Center	Oakland, CA 94612	510.433.0404		

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Redevelopment Division

(510) 238-3015
FAX (510) 238-3691
TDD (510) 839-6451

To: Oakland Residents and Community Organizations

From: The Redevelopment Agency of the City of Oakland

Date: March 28, 2011

RE: **THE PRELIMINARY REPORT FOR THE SEVENTEENTH AMENDMENT
TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN**

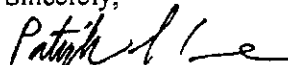
The Redevelopment Agency of the City of Oakland (the "Agency") is pleased to inform you of the release of the Preliminary Report and related draft legislation for the proposed Seventeenth Amendment to the Central District Urban Renewal Plan, prepared in accordance with Health and Safety Code Sections 33333.11(e), 33451.5(b) and (c), and 33344.5. The review period for all documents associated with the redevelopment plan amendment adoption process is underway. The City of Oakland and the Agency are seeking adoption of the proposed amendment by October 7, 2011 with an initial public hearing tentatively scheduled for September 20, 2011.

The Preliminary Report as well as the related legislation is available for public viewing at the following locations: (1) the City Clerk's Office at One Frank H. Ogawa Plaza, first floor, Oakland, CA 94612, (2) the Redevelopment Agency office at 250 Frank H. Ogawa Plaza, Suite 5313, Oakland, CA 94612, and (3) the Redevelopment Agency Website, Central District Section at <http://www2.oaklandnet.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>

We will be holding an informational session to address any questions or comments regarding the Preliminary Report and the proposed amendment. A notice on the website for this session will be posted soon. If you do not have access to the website and would like to be informed by letter, or if you have any other questions, please contact Esther Tam via email (etam@oaklandnet.com) or by phone (510) 238-6169.

Thank you for your time and contribution to this community.

Sincerely,



PATRICK LANE
Area Project Manager

Informational Session to the Central District Plan Amendment Process
Wednesday, April 27, 2011
5:30PM to 7:00PM

AGENDA

1. Introductions
2. Overview of the Central District Redevelopment Area
3. Overview of the Plan Amendment
 - a. Summary of the Amendment
 - b. Reason for Amendment
 - c. Purpose of Amendment
4. Preliminary Report
5. Plan Amendment Process and Current Schedule
6. Questions and Answers
7. Closing

Central District Plan Amendment Process
Meeting with Chinatown Chamber of Commerce
Tuesday, June 14, 2011
6:00pm

AGENDA

1. Introductions
2. Overview of the Central District Redevelopment Area
3. Plan Amendment & Current Schedule
4. Program:
 - Past Projects – What has Agency accomplished so far?
 - Current/Future Program – What remains to be done?
5. Q & A Session

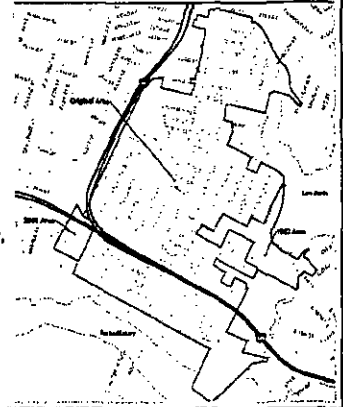
Central District Plan Amendment Meeting with Chinatown Chamber of Commerce: Sign-Up Sheet

Name	Representing	Contact Phone	Email	Resident in the project area?	Are you a Business owner in the project area? (If so, please state your business)
Arlene Kern	AT&T	925-901-4116	arlene.kern@att.com	No	No
Jean Dunn	Chase	510-821-1012	jean.dunn@chase	No	No
Frances Chow	Gateway Bank	510-268-8108	frances.balange@gateway.com	No	Yes
Wayne Weidte	Levy Restaurants	510-383-4824	wweidte@LevyRestaurant.com	No	No
Karen Kambrom	CCC	510-208-3688	Kambrom@ccc.com		
Jamara Wong	CPA	510-832-5334	SEWCPA8@aol	No	CCC BD - VP
Shirley Lee	Executive Director Chinatown Chamber				
Patty Lee	Honey Kee Market	(510) 225-8939	Patty.Sung@honeykeemkt.com	Yes	grocery store
Gerrie Chui	Kerry's Office Supplies	444-3576	gsc-consulting@	No	Yes
Judy Chu	Goldenland Investment	(510) 836-6666	JChu8888@AOL.com	No	Yes.
Greg Chan	EBMUD	287-0135	gchan@ebmud.com	No	EBMUD
Suzen Kiang	Metropolitan Bank	415-518-6010	skiang@yahoo.com	No	Yes, METROPOLITAN BANK
Rosina Ko	New York Life	510-601-3361	rosinakoz@yahoo.com	No	
Tsu-Wei Weng		510-367-6688	tsugm-store@yahoo.com	Yes	Yes
Francis Lan	Allstate	510-835-8581	francislan@allstate.com	No	Yes
Ted Lum	Lum Global Financial	925-323-0822	ted_lum@yahoo.com	No	No
Alice Hon	AAA	510-350-2105	Alice.Hon@AAA.com	No	No
CARL CHAN	CHAMBER	510-604-9091	CHANICARL@SBCGLOBAL.NET	No	
Robert Raburn	BART	510-530-3444	robertraburn@aol.com	No	No

Agenda

- Introductions
- Overview of the Central District Redevelopment Area
- Plan Amendment & Current Schedule
- Program:
 - ⇒ Past Projects
 - ⇒ Current/Future Program
- Questions and Answers

- Adopted in 1969
- Amended in 1982 and 2011
- 250 city blocks
- Bounded by I-980, Lake Merritt, 27th Street and the Embarcadero



Summary of the Amendment

1. Extend the duration of the plan by ten years.
2. Extend the time limit for property tax increment collection from the Project Area.
3. Increase the limit on the amount of property tax increment revenue that the Agency may claim from the project area
4. Extend the time limit for eminent domain authority.

Summary of the Amendment

5. Update various text provisions to conform to the requirements of the California Redevelopment Law (CRL) in connection with the time extension amendment (includes extending the affordable housing area production obligation to the entire Project Area, increasing the set-aside to the Agency's Low and Moderate income Fund to 30%)

Current Schedule

Begin Blight Study, Environmental Impact Report (EIR)	October 2010
Preliminary Report completed	March 2011
Consultations with community organizations and taxing entities	April to June 2011
Final EIR published	June 2011
Planning Commission (EIR certification, Adoption of report and recommendation on Plan Amendment)	July 6, 2011
Report to Council completed	July 2011
CED Committee	September 13, 2011
Council Meeting - Joint Public Hearing (1 st reading of ordinances)	September 20, 2011
Council Meeting - Joint Public Hearing (2 nd reading, ordinance adoption)	October 4, 2011

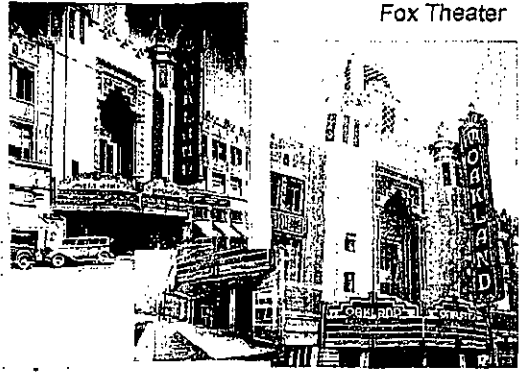
Past Projects and Programs

1. Real estate development
2. Commercial attraction, retention and expansion programs
3. Business rehabilitation and modernization programs
4. Community enhancements (public improvements, circulation, street improvements and streetscapes, recreational, entertainment, cultural and art facilities and programs)

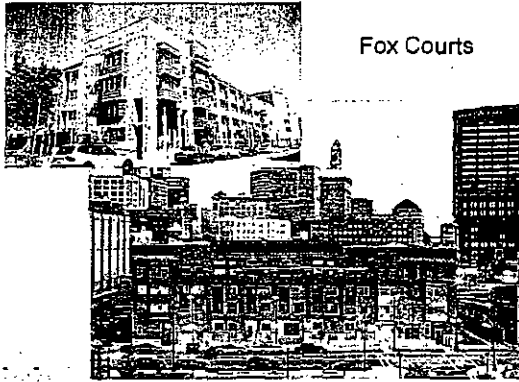
Uptown Project



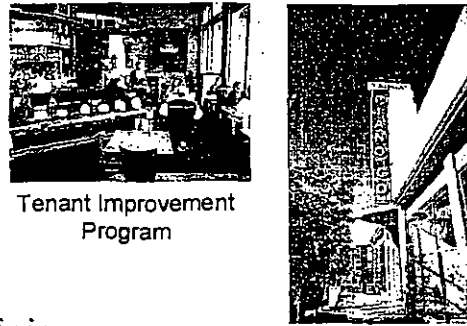
Fox Theater



Fox Courts

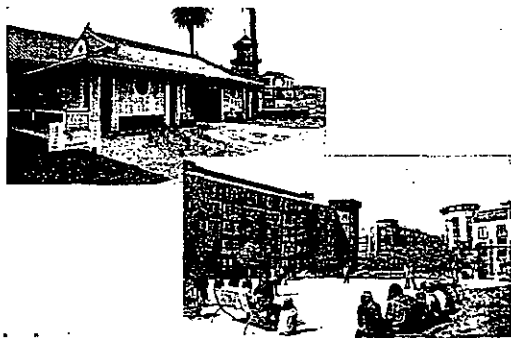


Facade Improvement Program

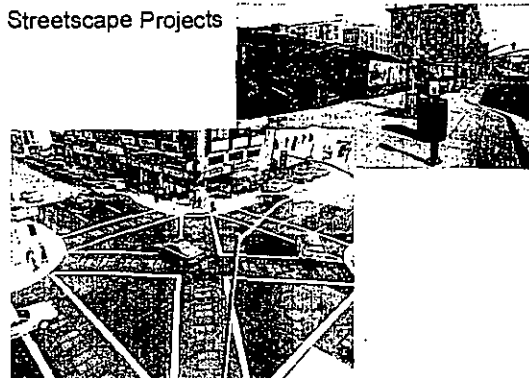


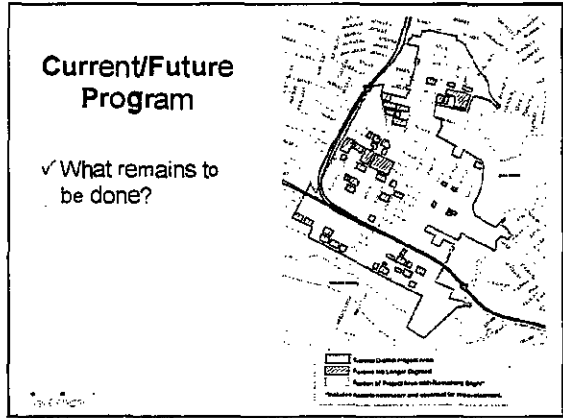
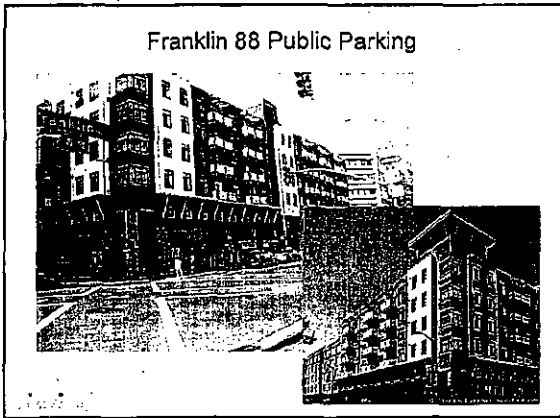
Tenant Improvement Program

Public Parks



Streetscape Projects





Real Estate Development

1. Property Acquisition, Site Preparation and Disposition
2. Planning
3. Commercial Attraction, Retention and Expansion
4. Business Rehabilitation and Modernization

- Façade and Tenant Improvement Program
- Broadway/Valdez District Specific Plan
- Downtown Office Strategy
- Sustainable Strategy
- Marketing and Special Events Program
- Lake Merritt BART Station Development

Community Enhancement

1. Public Improvements
2. Circulation, Street Improvements and Streetscape
3. Cultural Arts and Recreational Facilities Improvements

- Downtown Streetscape Master Plan
- Public Parking Facilities, City Parks & Recreation Facilities
- Baseball Stadium

Affordable Housing

1. Development of new housing
2. Rehabilitation and preservation of existing rental and ownership units
3. Infill development
4. Mixed income development

Report Locations:

City Clerk's Office (One Frank H. Ogawa Plaza, first floor)
 Redevelopment Agency Office
 (250 Frank H. Ogawa Plaza, Suite 5313)
 Website <http://www2.oaklandnet.com/Government/CEDA/Redevelopment/Central-District/index.htm>

Contact Information:

Esther Tam, (510) 238-6169, etam@oaklandnet.com
 Jens Hillmer, (510) 238-3317, jhillmer@oaklandnet.com

Appendix I:
Taxing Entities Consultations

Central District Plan Amendment 2011
 Taxing Entities Mailing List and Consultation Log Sheet
 Dated as of June 17, 2011

		Company	Contact Name	Title	street	city	state	zip
1	Officials responsible for collection of property taxes	State Board of Equalization, Tax Area Services Section	Ralph Davis	Research Manager	450 N Street Mic: 59	Sacramento	CA	94814
2	Officials responsible for collection of property taxes	Alameda County Assessor	John Thomson	Mapping Supervisor	1221 Oak Street, Room 145	Oakland	CA	94612
3	Officials responsible for collection of property taxes	Alameda County Auditor Controller's Agency	Patrick O'Connell	Auditor Controller	1221 Oak Street, Room 249	Oakland	CA	94612
4	Officials responsible for collection of property taxes	Alameda County Treasurer/Tax Collector	Donald R. White	Country Treasurer-Tax Collector	1221 Oak Street, Room 131	Oakland	CA	94612
1	Taxing Entities	Alameda County Transit Special District 1 (AC Transit)	Mary V. King	Interim General Manager	1600 Franklin Street, 10th Floor	Oakland	CA	94607
2	Taxing Entities	Alameda County Flood Control & Water Conservation District	Dr. Daniel Woicesenbet	Director of Public Works, General Manager, Flood Control District	399 Elmhurst Street	Hayward	CA	94544
3	Taxing Entities	Alameda County Flood Control & Water Conservation District, Flood Control Zone 12	Dr. Daniel Woicesenbet	ONE SEND IS SUFFICIENT FOR Both District and Flood Control zone 12				
4	Taxing Entities	Alameda County General Fund	Susan Muranishi	County Administrator	1221 Oak Street, #555	Oakland	CA	94612
5	Taxing Entities	Alameda County Mosquito Abatement District	John R. Rusmisl	District Manager	23187 Connecticut	Hayward	CA	94545
6	Taxing Entities	Alameda County Superintendent of Schools	Damon Smith	Associate Superintendent, Business Services	313 West Winton Avenue	Hayward	CA	94544
	Taxing Entities	Alameda County Office of Education	County Superintendent Capital	Send to DAMON SMITH with Alameda County Superintendent of Schools, which is same entity.	313 West Winton Avenue	Hayward	CA	94544
	Taxing Entities	Alameda County Office of Education	County Superintendent Institution Pupil		313 West Winton Avenue	Hayward	CA	94544
	Taxing Entities	Alameda County Office of Education	County Superintendent Juvenile Hall Education		313 West Winton Avenue	Hayward	CA	94544
	Taxing Entities	Alameda County Office of Education	County Superintendent Service		313 West Winton Avenue	Hayward	CA	94544
7	Taxing Entities	Bay Area Air Quality Management District	Mr. Jack Broadbent, CEO/Air Pollution Control Officer		939 Ellis Street	San Francisco	CA	94109

Central District Plan Amendment 2011
 Taxing Entities Mailing List and Consultation Log Sheet
 Dated as of June 17, 2011

	Company	Contact Name	Title	street	city	state	zip
8	Taxing Entities	Bay Area Rapid Transit District	Scott Schroeder	Controller-Treasurer	300 Lakeside Drive, 23rd Floor	Oakland	CA 94612
9	Taxing Entities	City of Oakland	Katano Kasaine	Treasury Manager	150 Frank H. Ogawa Plaza, Suite 5330	Oakland	CA 94612-2093
10	Taxing Entities	East Bay Municipal Utility District	Wanda Hendrix-Talley	Trsasury Manager	P.O. Box 24055, Mail Slot 801	Oakland	CA 94623-1055
11	Taxing Entities	East Bay Municipal Utility District Special District 1	Only one set required for EBMUD to Wanda Hendrix- Talley			Oakland	CA 94623
12	Taxing Entities	East Bay Regional Parks District	Robert Dayle	General Manager	P.O. BOX 5381	Oakland	CA 94605
13	Taxing Entities	Oakland Knowland Zoo District	Joel Parroti	Executive Director	P.O. Box 5238	Oakland	CA 94605
14	Taxing Entities	Oakland Unified School District	Mr. Anthony Smith	Superintendent	1025 Second Avenue	Oakland	CA 94605
15	Taxing Entities	Peralta Community College District	Dr. Allen Wise	Chancellor	333 East 8th Street	Oakland	CA 94605
1	California Department of Finance	California Department of Finance, BT & H Unit	Chris Hill	Principal Program Budget Analyst	915 L Street	Sacramento	CA 95814
2	California Housing and Community Development	California Housing and Community Development	Cathy E. Creswell	Director (Acting)	1800 Third Street	Sacramento	CA 95811-6942
3	Planning Commission (City)	Planning Commission (City)	Vien Truong	Chair, Oakland City Planning Commission	1611 Telegraph Avenue, Suite 600, Oakland, CA 94612	Oakland	CA 94612

Central District Plan Amendment 2011
 Taxing Entities Mailing List and Consultation Log Sheet
 Dated as of June 17, 2011

Company	phone	comments	Preliminary Rpt Outreach
State Board of Equalization, Tax Area Services Section	916.274.3257	Contact Errol Daklamco with Tax Area Services (916.274.3262)	4/26 - called and left a message; 4/27 - Spoke with Errol, they have no comments.
Alameda County Assessor	510.208.4878 or 510.272.3811	Kathy Vaquilar, Executive Secretary to Ron Thomsen, Assessor, 510.272.3755	4/21 - received pkg; no comment (John is main contact on agency matters)
Alameda County Auditor Controller's Agency	510.272.6565	Carol Orth, 510.272.6548 (Div chief over tax division)	4/26 - left message for Carol Orth; 4/27 - Carol Orth asked for follow-up in 2 weeks; 5/11 - phone call to Carol Orth; 5/17 - reviewed, concerned of increase on TI limits; defers comments to Richard Conway with Alameda County.
Alameda County Treasurer/Tax Collector	510.272.6804	Secretary Beverly (beverly.russell@acgov.org)	4/26 - Beverly to call me back and confirm receipt; 4/28 - Beverly still locating it, sent her letter over email; 5/6 Mr. White out of town all next week, Beverly to follow... forwarded ltr to Mr. White and no reply; assumes ok, but will call to confirm; 5/17 - LM; 5/19 - LM, assume no comment if no reply by 5/20
Alameda County Transit Special District 1 (AC Transit)	510.891.4875	Assistant Christine Thomas with Ms. King (510.891.4793; cthomas@actransit.org); Forwarded it to Chief Financial Officer, Louis Clinton (lclinton@actransit.org), 510.891.4752; copy assistant Barbara Daniels (Bdaniels@aclransil.org), 510.891.7114	4/26 - Report received. Left number with Louis Clinton's assistant; follow-up to make sure no questions; 5/17 - LM with Louis Clinton; 5/19 - Assistant confirmed Clinton wants mtg.; emailed mtg reminder 5/24 and 6/3; did not show up for meeting on 6/10
Alameda County Flood Control & Water Conservation District	510.670.5480	Assistant Leslie Robertson, 510.670.5455, leslie@acpwa.org; Hank Ackennan (Floor Control Program Manager), 510.670.5553, hank@acpwa.org	4/26 - spoke with Leslie; she will confirm if it was received; 4/27 - Hank Ackerman reviewing, will get back to me. Follow-up if no response.; 5/17 - LM with assistant.; 5/19 - LM with assistant to return call if want mtg.; Ackerman emailed to confirm no comments.
Alameda County Flood Control & Water Conservation District, Flood Control Zone 12			
Alameda County General Fund	510.272.3862	Contact Richard Conway (richard.conway@acgov.org), 510.272.3857; Book meetings to include Assistant County Administrator Donna Linton through secretary Ms. Delta Harris (delta.harris@acgov.org) at 510.272.6438	4/26 Secretary will check; 4/27 - Spoke with Richard Conway, he will want mtg with us to ask questions. Would like Donna Linton to join. Call Donna's secretary Delta Harris when ready to schedule.; 5/17 - LM on meeting dates; emailed mtg reminder 5/24 and 6/3; Richard Conway & Donna Linton showed up for meeting on 6/10
Alameda County Mosquito Abatement District	510.783.7744		4/26 - Spoke with John Rusmisl, no comments, just interested in what happens to ORA
Alameda County Superintendent of Schools	510.670.4270	Assistant at 510.670.4271 Or Vicky Chang, Controller (510.670.4172),	4/26 - Sent copy to Public Economics Consultant Will call back next week to let us know when consultants will reply.; 5/17 - LM on Damon Smith's VM; 5/19 LM on Damon Smith's VM; 5/20 Assistant called to say Damon is not available week of 6/6 and will confirm on Monday if he has comments.; no phone calls received
Alameda County Office of Education			Only need to send one copy to Damon Smith (Sheila Jordan is elected official).
Alameda County Office of Education			
Alameda County Office of Education			
Alameda County Office of Education			
Bay Area Air Quality Management District	415.749.5192	Jack Colburn is at 415.749.5192, Dave Glasser (Finance Manager, dglasser@baaqmd.gov) is at 415.749.4771, Henry Hilken, Director of Planning, Rules and Research at 415.749.4642	4/26 - Called and left message for Jack Colburn; 4/27 - Dave Glasser to try to locate package and call back.; 5/2 - left VM and emailed ltr; 5/17 D. Glasser said Planning Director received it; will call ping and get back to me.; 5/22 LM for Glasser telling last call this morning.; 5/22 LM for Henry Hilken Director of Planning.

Central District Plan Amendment 2011
 Taxing Entities Mailing List and Consultation Log Sheet
 Dated as of June 17, 2011

Company	phone	comments	Preliminary Rpt Outreach
Bay Area Rapid Transit District	510.464.6070	Assistant - Mickey Morales, 510.464.6075, 510.464.6069 fax; Treasurer's Office receives Redevelopment docs: Roberta Collier 510.464.6910	4/26 - Spoke with Roberta; no comments or questions
City of Oakland	510.238.2989	Copy Dawn Hort on future infonnation.	4/27 - Left message; 5/3 - Emailed Katano, Dawn Hort called and will follow up. Emailed her letter with links; Confirmed receipt and no comments.
East Bay Municipal Utility District	510.287.0231	Alternate contact - Theresa Edwards	4/27 - Spoke with Wanda; just got document, will review in next few weeks. Call in mid-May to check.; 5/17 LM with Wanda's VM; 5/19 LM, to return if want meeting or comments by 5/20
East Bay Municipal Utility District Special District 1			
East Bay Regional Parks District	510.544.2000	Assistant to GM Office - Sue Rogers 510.544.2000 (Robert's assistant is Mary Mattingly, same number, mmattingly@ebparks.org); Interagency Ping Manager Larry Tong (ltong@ebparks.org), 510.544.2621	4/26 - Spoke with Sue Rogers; she will get Robert's assistant to call me back. 4/27 - Report forwarded to interagency planning Manager Lany Tong; follow-up for comments.; 5/17 LM with Mr. Tong and emailed him (out of town until 5/23); 5/23 LM with Mr. Tong and asked for callback if there were comments.
Oakland Knowland Zoo District	510.632.9525, x172		4/26 - Left message on Joel Parrott's voice message; 5/2 - Left message on Parrott's VM; 5/17 - LM on Parrott's VM and asked for callback by 5/20 if comments; no comments received.
Oakland Unified School District	510.879.8200	Main number: 510.879.8200 (Carol); Passed to facilities manager at diff site, Mr. Timothy White (879.8302). Robin Morris Assistant; may have been given to director of facilities	4/26 - Carol, his assistant recalls receiving it, will confirm. 5/4 - Rpt received & will get back to tell if need mtg.; 5/17 Carol to speak with Mr. Smith and contact ; 5/23 Carol said rpt was passed to Mr. Timothy White for review.; LM on Robin Morris' phone; spoke with Robin who said will callback; no callbacks.
Peralta Community College District	510.466.7231	General Counsel: Thuy Thi Nguyen, 510.466.7218; ttnguyen@peralta.edu. Assistant to Thuy: Lisa Harris 510.466.7240; lharris@peralta.edu	4/27 - Called and it is being reviewed with managers this week. Will call me back. 5/4 - Thuy emailed to set up call or meeting.; 5/17 Emailed Lisa Harris for meeting dates; 5/19 LM for Lisa on Thuy's availability; 5/23 LM for Lisa and email; emailed mtg reminder 5/24 and 6/3; showed up for meeting on 6/10
California Department of Finance, BT & H Unit	916.445.4141	Chris Hill (chris.hill@dof.ca.gov), 916.327.0110, Mark Hill, Program budget Manager (mark.hill@dof.ca.gov), 916.322.2263 and Pedro Reyes (pedro.reyes@dof.ca.gov), 916.445.4141 are the contact people. Same number. Send future correspondence to Chris Hill, instead of Ana J. Matosantos (Director). Diane Cummins not approp contact.	4/27 - Left message for Diane Cummins; 5/3 - LM for Cummins; 5/17 - Cummins forwarded contact to Pedro Reyes; left VM for Reyes; 5/18 - spoke to Pedro, emailed link and letter to him and Mark Hill; LM for Pedro and Mark Hill's assistant separately. 5/24 - Chris Hill called to confirm no comments.
California Housing and Community Development	916.445.4775	Hsg & Policy Development - 916.323.3176; Creswells Scheduler Therese Weathers-Reyes; Gien Campora (Dept. of Housing & Policy Dev't, Assistant Deputy Director) - 916.327.2642, gcampora@hcd.ca.gov	4/27 - Left message with assistant Sierra, who will call me back to confirm receipt and comments.; 5/2 - left message for Sierra; 5/17 - Spoke to Glen Campora (handles Agency material, Assitant Deputy Director); they saw it as courtesy copy.
Planning Commision (City)	510.967.7783	vienv.truong@aiaail.com	4/27 - She will check her mail. Emailed her the letter with link.; 4/29 - Hand delivered copy of report; 5/17 - Emailed on meeting dates; emailed mtg reminder 5/23 and 6/3; showed up for meeting on 6/10

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Redevelopment Division

(510) 238-3015
FAX (510) 238-3691
TDD (510) 839-6451

To: Auditor, Assessor, and Tax Collector of the County of Alameda; all other affected taxing entities; and the California Department of Finance, California Department of Housing and Community Development, and the State Board of Equalization

From: The Redevelopment Agency of the City of Oakland

Date: March 28, 2011

RE: **THE PRELIMINARY REPORT FOR THE SEVENTEENTH AMENDMENT TO
THE CENTRAL DISTRICT URBAN RENEWAL PLAN**

The Redevelopment Agency of the City of Oakland (the "Agency") is pleased to submit to you the Preliminary Report and related draft legislation for the proposed Seventeenth Amendment to the Central District Urban Renewal Plan, prepared in accordance with Health and Safety Code Sections 33333.11(e), 33451.5(b) and (c), and 33344.5.

The review period for all documents associated with the redevelopment plan amendment adoption process is underway. The City of Oakland and the Agency are seeking adoption of the proposed amendment by October 7, 2011 with an initial public hearing tentatively scheduled for September 20, 2011.

The Preliminary Report as well as the related legislation is also available on the Redevelopment Agency Website, Central District Section, at
<http://www2.oaklandnet.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>

We are looking forward to discussing the Preliminary Report and the proposed amendment with each affected taxing entity and other interested agencies, and will contact your office very soon to arrange such a meeting. In the meantime, if you have any questions or comments regarding the Preliminary Report or the proposed amendment, please contact Esther Tam via email (etam@oaklandnet.com) or by phone (510) 238-6169. We are looking forward to working with you on this important endeavor.

Sincerely,

PATRICK LANE
Area Project Manager

Attachments:

Central District Plan Amendment 2010-11 Preliminary Report
City Council draft ordinance
Redevelopment Agency draft resolution

Central District Plan Amendment Process – Meeting with Taxing Agencies
Friday, June 10, 2011
2:30pm

AGENDA

1. Introductions
2. Overview of the Central District Redevelopment Area
3. Plan Amendment & Current Schedule
4. Program:
 - Past Projects – What has Agency accomplished so far?
 - Current/Future Program – What remains to be done?
5. Q & A Session
6. Closing

Tam, Esther

From: Thuy Thi Nguyen [ttnguyen@peralta.edu]
Sent: Thursday, June 16, 2011 1:34 PM
To: Tam, Esther
Cc: Sadiq Bello Ikharo; Atheria Smith
Subject: Peralta and Redevelopment Agency

Greetings Ms. Tam:

Thank you for the opportunity to provide comments on the Renewal. See below.

"All projects by the Redevelopment Agency must align with the Peralta Community College District's Facilities Master Plan, including the college district's desire to close part of East 8th Street to allow the parking lot and District Administrative Office to be contiguous with Laney College. Furthermore, Peralta Community College District's comments and participation in planning meetings do not serve as a waiver of any rights it may have to defend against eminent domain."

I am not aware of any efforts by the city or the agency to seek eminent domain against Peralta's property, though I want to make sure that is communicated.

Thank you for a good meeting. Please send me the revised chart with the 2010 date in the total line, per our previous conversation. I need it for our record.

Best wishes in your efforts.
Thuy

"It's time to reform our community colleges so that they provide Americans of all ages a chance to learn the skills and knowledge necessary to compete for the jobs of the future."
- President Obama

Thuy Thi Nguyen
General Counsel

PERALTA COMMUNITY COLLEGE DISTRICT
OFFICE OF THE GENERAL COUNSEL
333 E. 8th Street Oakland, CA 94606
Telephone: (510) 466-7218 Facsimile: (510) 587-7844
ttnguyen@peralta.edu <http://www.peralta.edu>

This email message and any attachments are for the sole use of the intended recipient(s) and may contain confidential and/or privileged information protected by law. Any unauthorized review, use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by replying to this email or calling 510-466-7218 and destroy all copies of the original message and any attachments. Thank you for your cooperation.

6/16/2011

Tam, Esther

From: Tam, Esther
Sent: Tuesday, June 28, 2011 3:56 PM
To: 'Thuy Thi Nguyen'
Subject: RE: Peralta and Redevelopment Agency
Attachments: CD Tax Increment-Pass Through for Taxing Entities 6-28-11.pdf

Dear Thuy,

Thank you for your comments and for attending the meeting on the proposed Central District's Plan Amendment.

We understand your concerns regarding the alignment of Agency projects with the Peralta Community College District's Facilities Master Plan. The Agency will make every effort to coordinate its redevelopment plans and projects with all affected entities and their existing plans for a given area. We will continue to communicate with Peralta on projects that will affect its campus or the area surrounding the college, especially in the case of Victory Court and the Lake Merritt Bart Station Area Plan.

Attached please find an updated chart on the taxing increment. The total pass-throughs to the taxing agencies shown in the chart reflect the amount taxing agencies collect after the current TI limit has been reached. Therefore, this shows the amount of "new tax increment" should the plan be amended. We project that we will reach our current TI cap during FY2018-19. Please feel free to contact me should you have any questions.

Sincerely,
 Esther Tam

Esther Tam, Urban Economic Analyst
 CITY OF OAKLAND, CEDA - Redevelopment

250 Frank H. Ogawa Plaza, Ste. 5313, Oakland CA 94612
 Tel: 510.238.6169 Fax: 510.238.3691
 Email: etam@oaklandnet.com
 Website: www.business2oakland.com/redevelopment

 Please consider the environment before printing this e-mail

From: Thuy Thi Nguyen [mailto:ttnguyen@peralta.edu]
Sent: Thursday, June 16, 2011 1:34 PM
To: Tam, Esther
Cc: Sadiq Bello Ikharo; Atheria Smith
Subject: Peralta and Redevelopment Agency

Greetings Ms. Tam:

Thank you for the opportunity to provide comments on the Renewal. See below.

"All projects by the Redevelopment Agency must align with the Peralta Community College District's Facilities Master Plan, including the college district's desire to close part of East 8th Street to allow the parking lot and District Administrative Office to be contiguous with Laney College. Furthermore, Peralta Community College District's comments and participation in planning meetings do not serve as a waiver of any rights it may have to defend against eminent domain."

I am not aware of any efforts by the city or the agency to seek eminent domain against Peralta's property, though I want to make sure that is communicated.

Thank you for a good meeting. Please send me the revised chart with the 2010 date in the total line, per our previous conversation. I need it for our record.

6/29/2011



COUNTY ADMINISTRATOR

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

DONNA LINTON
ASSISTANT COUNTY ADMINISTRATOR

June 24, 2011

Mr. Walter Cohen, Director
Redevelopment Agency
City of Oakland
250 Frank H. Ogawa Plaza
Suite 5313
Oakland, CA 94612-2034

Dear Mr. Cohen:

SUBJECT: ALAMEDA COUNTY COMMENT OF THE PROPOSED CITY OF OAKLAND SEVENTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN

Thank you for the opportunity to comment on the proposed amendment to the Central District Urban Renewal Plan. The County of Alameda is very much interested in this plan amendment due to the amount of tax increment that the County will lose as a result of the extension and additionally, because significant County properties are included within its boundaries.

The Central District Project Area was originally formed in 1969 and there was no pass-through agreement between the City and the County. The project area was amended and increased in 1982 and again in 2001. The project area currently covers 250 city blocks and is generally bounded by 1-980, Lake Merritt, 27th Street, and the Embarcadero. For the original project area and the area added in 1982, the time limit to incur debt expired in 2004 while the ability to receive tax increment funding will expire in 2022. The ability to use eminent domain has expired for the two areas and the plan effectiveness for both will expire in June 2012. For the area added in 2001, the time limit to incur debt is 2021, the ability to receive tax increment expires in 2047, eminent domain authority expires in 2013 and the plan effectiveness expires in 2032. Since its creation, the Project Area Plan has been amended 16 times and currently has a cap on the amount of tax increment that it can receive of slightly more than \$1.3 billion.

The proposed amendment would increase the amount of tax increment that could be collected to \$3 billion and extend the time limit for plan effectiveness and the ability to collect tax increment by ten years in the 1969 and 1982 portions of the project area. It would also extend the authority to use eminent domain by the lesser of 12 years or the plan effectiveness limits, increase the low- and moderate- income housing obligation to 30 percent of funds collected and make various technical changes to the plan in order to bring it into conformance with current State redevelopment law.

Mr. Walter Cohen
June 24, 2011
Page 2

My staff has reviewed the preliminary report and met with City Redevelopment staff on June 10, 2011 as part of your staff's presentation to the taxing entities affected by this proposed amendment. Based upon calculations presented at that meeting, the County is projected to lose an additional \$273.5 million as a result of the proposed changes. We are conducting our own fiscal analysis of your plan amendment and should have results prior to adoption of the proposed amendment. The County is concerned about this loss. As you are aware, revenues for all governmental jurisdictions are eroding while demands for service delivery are increasing. This year alone, the County has had to close a \$138 million funding gap in our FY 2011-12 budget resulting in the loss of positions and services throughout the County.

The County has additional concerns regarding the target areas for use of these funds. The plan lists four major redevelopment activity areas: City Center, Chinatown, Old Oakland, and Uptown. Many of the parcels in the area between the Lake Merritt BART station, Peralta College and the Scottish Rite Center are listed in your report as having significant blight. However, the presentation and subsequent discussions with your staff seemed to indicate that this area has a low priority for blight removal. This is especially disconcerting because, in addition to Peralta College, the area includes the Oakland Museum, the Rene C. Davidson Courthouse, the County Government Center, a City library building and two theaters. As a result, the area receives a large number of visitors, including local, state and foreign dignitaries.

The blighted conditions of the roads and buildings in this area are documented in your study and are used as part of the rationale for extending the time limits and the amount of tax increment you wish to receive. The poor condition of the roadways in the area results in continuously damaged vehicles. The Rene C. Davidson Courthouse is a registered historical site and its need for repairs is also documented in your study. In addition, both the County Government Center plaza area and parking facility are in need of extensive repairs. The overall blighted condition of the neighborhood does not present Oakland in a favorable light to the multitude of litigants, businesses and visitors seeking services and entertainment in the area. This scenario will only be compounded with the completion of the renovations to Lakeshore Drive on the southern end of Lake Merritt. That project will draw even more visitors to the area causing the blighted conditions to deteriorate even further.

The County has attempted to find funding to address some of these concerns. However, the loss of tax dollars to the project area has impeded our ability to do so. The County requests that greater priority be given to the Lake Merritt BART Station Area and that the elimination of these conditions be explicitly addressed in section III.C of the Plan. We believe that the roads surrounding the County Government Center should be improved immediately and that County buildings in the area should be specifically listed for improvement in the plan. I ask that our staffs continue to meet to explore mutually acceptable solutions to the County's concerns regarding the elimination of blight in the neighborhood and identify specific projects that will improve our citizen's ability to access the legal, governmental, educational and entertainment services in the area. Please have your staff contact Donna Linton or Richard Conway of my staff at (510) 272-3862 so that additional meetings can be scheduled.

Mr. Walter Cohen
June 24, 2011
Page 3

Again, thank you for the opportunity to comment on the City's Redevelopment Plan amendment.

Very truly yours,



Susan S. Muranishi
County Administrator

SSM:DL:RC:djh

V:\Rich C\Redevelopment\City of Oakland\Centnl District Plan Amendment\City of Oakland Central District Plan Amendment Letter of Concern.doc

-
- c. Each Member, Board of Supervisors
 - Pat O'Connell, Auditor-Controller
 - Richard R. Karlsson, Interim County Counsel
 - Lamont Ewell, Interim City Director, Oakland
 - Jens Hillmer, Urban Economic Coordinator, Oakland ✓
 - Patrick Lane, Area Project Manager, Oakland

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Redevelopment Division

(510) 238-3015
FAX (510) 238-3691
TDD (510) 839-6451

July 6, 2011

Ms. Susan S. Muranishi
County of Alameda, California
County Administrator
1221 Oak Street, Suite 555
Oakland, CA 94612

Dear Ms. Muranishi:

Thank you for submitting comments on the proposed amendment to the Central District Urban Renewal Plan on June 24, 2011. The Redevelopment Agency of the City of Oakland ("Agency") appreciates your feedback and participation in the consultation process.

The Agency would like to assure you that the area between the Lake Merritt BART station, Peralta College, and the Scottish Rite Center is not a low priority for blight removal. At this time, the Agency is funding and participating in the preparation of the Lake Merritt Station Area Plan. The work on the Area Plan is well underway, and it includes all of the roads, County buildings, and the area of concern mentioned in your letter to us. The Agency's current Downtown Streetscape Master Plan also identifies Oak Street as a major downtown street and identifies this street as a gateway to Downtown and Lake Merritt from I-880. The Streetscape Master Plan also targets 8th Street, 9th Street, Oak Street and Jefferson Street as City-designated pedestrian routes and targets Oak Street, Madison Street, 7th Street, 8th Street and 14th Street as City-designated bicycle routes.

In response to your concerns, we have also made changes to our draft update to the Five-Year Implementation Plan (2009-2014), to be adopted along with the Plan amendment, to add the following paragraph under the Downtown Streetscape Master Plan category:

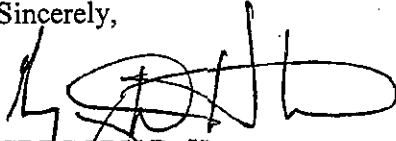
"The Agency will investigate the need for additional streetscape projects throughout the Project Area based on an evaluation of existing conditions, planned projects and intensity of use of the streets in any given area. Priority will be given to heavily utilized streets around important public and private buildings, such as, for example, the Alameda County Superior Court building, Broadway/Valdez Retail Area or the Victory Court area. It is the Agency's goal to coordinate its work with Alameda County, the Peralta Community College District and BART to provide streetscapes that are safe, clean and attractive to businesses and the general public."

July 6, 2011

Agency staff will be happy to meet with your staff to discuss and identify mutually beneficial solutions to the County's concerns regarding the elimination of blight in the neighborhood. We will contact your staff soon.

We appreciate you sharing your concerns with us and look forward to working with you in making Oakland a better place!

Sincerely,



GREGORY D. HUNTER

Deputy Director of Community and Economic Development Agency

- c. Each Member, Board of Supervisors
 - Pat O' Connell, Auditor-Controller
 - Richard R. Karlsson, Interim County Counsel
 - P. Lamont Ewell, Interim City Administrator, Oakland
 - Walter Cohen, Director of Community and Economic Development Agency
 - Patrick Lane, Area Project Manager, Oakland
 - Jens Hillmer, Urban Economic Coordinator, Oakland

Appendix J:
HCD Correspondence

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



June 22, 2011

Ms. Esther Tam
Oakland Redevelopment Agency
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612

Dear Ms. Tam:

The Department of Housing and Community Development (Department) received from the City of Oakland's Redevelopment Agency (Agency) and its independent auditor the information requested via e-mail on March 8, 2011. The information provided satisfies the requirement of Health and Safety Code (H&SC) Section 33333.10(h)(3) to submit information to enable the Department to verify the status of excess surplus before the Agency proceeds in finalizing an amendment to its redevelopment plan pursuant to Section 33333.10.

The Department confirms the Agency did not accumulate excess surplus in its Low and Moderate Income Housing Fund when it began the new fiscal year on July 1, 2010. The Department's confirmation is based on review of the Independent Auditor's Report on Supplemental Schedule of Excess Surplus Determination, dated November 23, 2010, and supporting documentation.

The Department thanks the Agency's auditor for providing this information. If you and/or the Agency's auditor would like to discuss the matter further, please contact Jeff Newbury, Housing Policy Analyst, at (916) 445-7507.

Sincerely,

A handwritten signature in black ink that reads "Glen A. Campora". The signature is written in a cursive, flowing style.

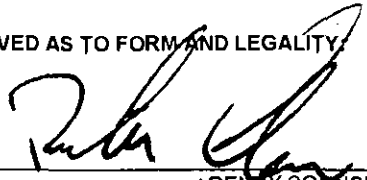
Glen A. Campora
Assistant Deputy Director

Attachment B
Proposed Plan Amendment Legislation

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 AUG 29 PM 2:05

APPROVED AS TO FORM AND LEGALITY

BY: 
AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

AN AGENCY RESOLUTION CERTIFYING AND MAKING FINDINGS AS TO THE FINAL ENVIRONMENTAL IMPACT REPORT ON PROPOSED AMENDMENTS TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN, AND ADOPTING MITIGATION MEASURES AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, an Environmental Impact Report (the "EIR") on proposed 17th and 18th Amendments to the Central District Urban Renewal Plan (the "Redevelopment Plan") was prepared by the City of Oakland (the "City") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq., hereinafter the "State CEQA Guidelines"), and the City's Environmental Review Regulations adopted pursuant thereto; and

WHEREAS, copies of the Draft EIR were distributed to the State Clearinghouse and to those public agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and the comments of such persons and agencies were sought; and

WHEREAS, the Draft EIR was thereafter revised and supplemented to adopt changes suggested and to incorporate comments received and the City's response to said comments, and as so revised and supplemented, a Final EIR was prepared and submitted to the Redevelopment Agency of the City of Oakland (the "Council") for review and consideration in conjunction with consideration of approval and adoption of the proposed amendments to the Redevelopment Plan; and

Final EIR relating thereto, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto having been heard, and said Final EIR and all comments and responses thereto having been considered; and

WHEREAS, the Final EIR consists of the Draft EIR, as revised and supplemented, made a part of the Agency's Report to Council on the Redevelopment Plan amendments, incorporating all comments received and the response of the Agency and the City thereto as of the date hereof; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby certifies that the Final EIR for the proposed 17th and 18th Amendments to the Central District Urban Renewal Plan has been completed in compliance with CEQA, the State CEQA Guidelines and the City's Environmental Review Regulations; and be it further

RESOLVED: That the Redevelopment Agency hereby finds that the Final EIR reflects the independent judgment of the Agency, as required by Public Resources Code Section 21082.1; and be it further

RESOLVED: That the Agency has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received at the public hearing on the Final EIR prior to approving this resolution and acting on the proposed amendments; and be it further

RESOLVED: That the Redevelopment Agency hereby adopts the CEQA Findings and the Statement of Overriding Considerations attached as Exhibit A, which are incorporated herein by reference; and be it further

RESOLVED: That upon approval and adoption of the proposed amendments to the Redevelopment Plan by the Redevelopment Agency, the Agency Secretary is hereby directed to file a Notice of Determination with the County Clerk of Alameda County and the Office of Planning and Research pursuant to the provisions of Section 15094 of the State CEQA Guidelines.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland, California

EXHIBIT A**CENTRAL DISTRICT URBAN RENEWAL PLAN
17TH AND 18TH AMENDMENTS
CEQA FINDINGS****I. INTRODUCTION**

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland Planning Commission in connection with the EIR prepared for proposed amendments to the Central District Urban Renewal Plan Project ("the Project"), SCH #2010102024.
2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.
3. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The Project, which is the subject of the EIR, consists of two amendments ("Proposed Amendments") to the Central District Urban Renewal Plan. The proposed 17th Amendment would amend the Plan in three ways. First, it would extend the duration of the Redevelopment Plan from 2012 to 2022 and extend the time period that the Redevelopment Agency can receive tax increment funds from 2022 to 2032, as allowed by Senate Bill 211 (codified at Health and Safety Code Section 33333.10 et seq.). Second, it would increase the cap on the receipt of tax increment revenue to account for the proposed time extensions, as the Redevelopment Agency is anticipated to exceed its existing cap if the time extension is adopted. Third, it would renew the Redevelopment Agency's authority to use eminent domain in the Project Area. The proposed 18th Amendment would further amend the Plan to extend the duration of the Redevelopment Plan and the time period that the Redevelopment Agency can receive tax increment funds by an additional one year.

The Project Area covers approximately 250 city blocks (828 acres) generally bounded by 1-980, Lake Merritt, 27th Street and the Embarcadero [See attached Map on page 2 of the Planning Commission staff report]. Within the Project Area, there are four major redevelopment activity areas: City Center, Chinatown, Victorian Row/Old Oakland and the Uptown Retail area.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

5. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (NOP) of a Draft EIR (DEIR) was published on October 14, 2010. An Initial Study was not prepared for the Project, as permitted by Section 15060(d) of the CEQA Guidelines. The NOP was distributed to state and local agencies, and posted at 15 locations around the Central District. On, November 3, 2010 the Planning Commission conducted a duly noticed EIR scoping session concerning the scope of the EIR, and a further scoping session was held at the November 8, 2010 meeting of the Landmarks Preservation Advisory Board. The public comment period on the NOP ended on November 15, 2010.
6. A DEIR was prepared for the Project to analyze its environmental impacts. The Notice of Availability/Notice of Release of the DEIR was distributed to appropriate state and local agencies, posted at 15 locations around the Central District, and mailed to individuals who have requested to specifically be notified of official City actions on the project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315) and on the City's website. The DEIR was properly circulated for a 45-day public review period on August 23, 2010. A duly noticed Public Hearing on the DEIR was held at the April 6, 2011 meeting of the Planning Commission and the April 11, 2011 meeting of the Landmarks Preservation Advisory Board.
7. The City received written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in a Response to Comments and Final EIR (RTC/EIR) on June 17, 2011. The DEIR, the RTC/EIR and all appendices thereto constitute the "EIR" referenced in these findings. The RTC/EIR was made available for public review on June 17, 2011, nineteen days prior to the duly noticed July 6, 2011 public hearing. The Notice of Availability/Notice of Release of the FEIR was distributed to those state and local agencies who commented on the DEIR, and posted at 15 locations in the Central District. Copies of the DEIR and RTC/EIR were also distributed to those state and local agencies who commented on the DEIR, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315), and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies at least 10 days prior to hearing. The Planning Commission has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed project.

IV. THE ADMINISTRATIVE RECORD

8. The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:
 - a. The EIR and all documents referenced in or relied upon by the EIR.
 - b. All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the approvals, and the Project.
 - c. All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the Planning Commission.
 - d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
 - e. All final applications, letters, testimony and presentations presented by the project sponsor and its consultants to the City in connection with the Project.
 - f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
 - g. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
 - h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project (SCAMMRP).
 - i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).
9. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Community and Economic Development Agency, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

10. In accordance with CEQA, the Redevelopment Agency, acting as the Lead Agency under CEQA, certifies that the EIR has been completed in compliance with CEQA. The Redevelopment Agency has independently reviewed the record and the EIR prior to

certifying the EIR and approving the Project. By these findings, the Redevelopment Agency confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the Redevelopment Agency.

11. The Redevelopment Agency recognizes that the EIR may contain clerical errors. The Redevelopment Agency reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.
12. The Redevelopment Agency certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the Report to Council. The Redevelopment Agency certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

13. The Redevelopment Agency recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains additions, clarifications, and modifications. The Redevelopment Agency has reviewed and considered the FEIR and all of this information. The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.
14. The Redevelopment Agency finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

15. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

(SCAMMRP) is attached and incorporated by reference into the July 6, 2011 Planning Commission staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Redevelopment Agency. The SCAMMRP satisfies the requirements of CEQA.

16. The standard conditions of approval (SCA) and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval and mitigation measures define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval and mitigation measures.
17. The Redevelopment Agency will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.
18. The standard conditions of approval and mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a standard condition of approval or mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval or mitigation measure is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

19. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091, 15092 and 15093, the Redevelopment Agency adopts the findings and conclusions regarding impacts, standard conditions of approval and mitigation measures that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The Redevelopment Agency ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Redevelopment Agency adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the project sponsor as may be modified by these findings.
20. The Redevelopment Agency recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Redevelopment Agency acknowledges that there are differing and potentially conflicting expert and other opinions regarding

the Project. The Redevelopment Agency has, through review of the evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the Redevelopment Agency to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

21. As a separate and independent basis from the other CEQA findings, pursuant to CEQA section 21083.3 and Guidelines section 15183, the Redevelopment Agency finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan, for which an EIR was certified in March 1998; (b) feasible mitigation measures identified in the LUTE EIR were adopted and have been, or will be, undertaken; (c) this EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the Redevelopment Agency hereby finds and determines that the Standard Conditions of Approval (SCA) substantially mitigate environmental impacts (as detailed below); and (e) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate the project and cumulative impacts.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE IMPACTS

22. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval (SCA), the Redevelopment Agency finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated, through the implementation of Standard Conditions of Approval, referenced in the DEIR (which are an integral part of the SCAMMRP):
23. Aesthetics, Shadow and Wind. AES-3: Development facilitated by the Proposed Amendments would facilitate the creation of new sources of light or glare which could substantially and adversely affect day or nighttime views in the area. Any potential impact of new lighting will be reduced to a less than significant level through implementation of SCA 40, Lighting Plan, which requires approval of plans to adequately shield lighting to a point below the light bulb and reflector to prevent

unnecessary glare onto adjacent properties and minimize mirrored or reflective façade surfaces.

24. Air Quality and Green House Gases: Development facilitated by the Proposed Amendments would not fundamentally conflict with the CAP because the plan demonstrates reasonable efforts to implement control measures contained in the CAP. The project could include residential developments that expose occupants to substantial health risk from diesel particulate matter (Air-2, 3). Implementation of Standard Conditions of Approval 25, Parking and Transportation Demand Management, and 95, Air Pollution Buffering for Private Open Space would reduce these impacts to a less-than-significant level in most cases.
25. Biological Resources: Development facilitated by the Proposed Amendments could adversely affect species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, could have substantial adverse effect on federally protected wetlands, could substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors and native wildlife nursery sites, and could fundamentally conflict with the City of Oakland Tree and Creek Protection Ordinances (Bio-1, 3, 4, 6, 7, 8). Implementation of Standard Conditions of Approval for Hazards Best Management Practices, Tree Removal During Breeding Season, Tree Removal Permit, Tree Replacement Plantings, Tree Protection During Construction, Erosion and Sedimentation Control Plan, Vibrations Adjacent Historic Structures, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, and Creek Protection Plan (SCA 35, 44, 45, 46, 47, 55, 57, 75, 80, 83, and A), would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse biological impacts.
26. Cultural Resources: Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources, could result in significant impacts to both known and unknown archaeological resources, could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, could disturb human remains and combined with cumulative development in the Project Area and citywide, would contribute considerably to a significant adverse cumulative impact to cultural resources (CUL-1, 2, 3, 4, 5). Through application of Mitigation Measure CUL-1 that addresses any future redevelopment project that would occur on or immediately adjacent to buildings 50 years old or older, and would occur between 2012 and 2023, the City shall require specific surveys and evaluations of such properties to determine their potential historical significance at the federal, state, and local levels. Intensive-level surveys and evaluations shall be completed by a qualified architectural historian who meets the Secretary of the Interior's Standards

for architectural history. For all historical resources identified as a result of site-specific surveys and evaluations, the City shall ensure that future redevelopment activities, including demolition, alteration, and new construction, would avoid, adaptively reuse and/or appropriately relocate such historical resources in accordance with measure "a". Additionally, application of Standard Conditions of Approval for Archaeological Resources, Human Remains, Paleontological Resources, Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demolition), and Vibrations Adjacent Historic Structures (SCA 52, 53, 54, 56, 57), would reduce impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse cultural resource impacts.

27. Geology and Soils: Development facilitated by the Proposed Amendments could expose people or structures to seismic hazards and could be subjected to geologic hazards (GEO-1, 2). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval 58, 59 (Soils Report, Geotechnical Report), which require soils reports and geotechnical investigations and reports to be prepared, best management practices for soil and groundwater hazards. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements, including compliance with all applicable building codes, would ensure there would not be significant adverse geology and soils impacts.
28. Greenhouse Gases: Development facilitated by the Proposed Amendments would produce greenhouse gas emissions and would not conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions (GHG-1, 2). Implementation of Standard Conditions of Approval for Required Landscape Plan for New Construction and Certain Additions to Residential Facilities, Landscape Requirements for Street Frontages., Landscape Maintenance., Landscape Requirements for Street Frontages., Landscape Maintenance, Parking and Transportation Demand Management, Dust Control, Construction Emissions, Waste Reduction and Recycling, Asbestos Removal in Structures, Tree Replacement Plantings, Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), and Creek Protection Plan (SCA 12, 13, 15, 17, 18, 25, 26, 27, 36, 41, 46, 55, 75, 83, B) would reduce the impacts to a less than significant level.
29. Hazards and Hazardous Materials: Development facilitated by the Proposed Amendments would result in an increase in the routine transportation, use, and storage of hazardous chemicals, in the accidental release of hazardous materials used during construction through improper handling or storage, in the exposure of hazardous materials in soil and ground water, in the exposure of hazardous building materials during building demolition, require use of hazardous materials within 0.25 mile of a school, and when combined with other past, present, existing, approved, pending and reasonably foreseeable development in the vicinity, would result in cumulative hazards

(HAZ-1 through 6). This impact will be reduced to a less than significant level through implementation of Standard Conditions of Approval for Hazards Best Management Practices, Asbestos Removal in Structures, Site Review by the Fire Services Division, Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment, Other Materials Classified as Hazardous Waste, Best Management Practices for Soil and Groundwater Hazards, Radon or Vapor Intrusion from Soil or Groundwater Sources, Hazardous Materials Business Plan (SCA 35, 41, 61, 63, 66, 68, 69, 74), which impose best management practices to protect groundwater and soils from new impacts and appropriate handling of existing impacted groundwater and soils, proper removal of asbestos containing materials and soils, and requirements for lead, asbestos, radon, preparation of a health and safety plan, and other vapor intrusion assessment and remediation, as well as Fire Services review and preparation of a Hazardous Materials Business Plan for the project. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hazards and hazardous materials impacts.

30. Hydrology/Water Quality: Development facilitated by the Proposed Amendments would alter drainage patterns and increase the volume of stormwater, level of contamination or siltation in stormwater flowing from the Project Area could be susceptible to flooding hazards as a result of being placed in a 100-year flood zone as mapped by FEMA (HYD-1 and 2). Implementation of the Standard Conditions of Approval for Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, Maintenance Agreement for Stormwater Treatment Measures, Creek Protection Plan, and Structures within a Floodplain, Stormwater and Sewer (SCA 55, 75, 80, 81, 83, 90, 91), would ensure that project would have a less than significant impact on hydrology and water quality. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hydrology and water quality impacts.
31. Noise: Development facilitated by the Proposed Amendments would result in substantial temporary or periodic increases in ambient noise levels in the Project Area above levels existing without the Amendment and in excess of standards established in the local general plan or Noise Ordinance and Planning Code, or applicable standards of other agencies, construction pile driving for the Victory Court ballpark could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment, and operational noise generated by the Victory Court ballpark would generate special event noise level, and in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects and could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments (NOI-1, 2, 3, 4, 7). Implementation of Standard Conditions of Approval for Days/Hours of Construction Operation, Noise Control, Noise Complaint Procedures, Interior Noise, Operational

Noise-General, Vibration, Pile Driving and Other Extreme Noise Generators (SCA 28, 29, 30, 31, 32, 38, 39) and Mitigation Measures for noise (NOI-4 a and b) and traffic (TRA 1.1 and 4.1) would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse noise impacts.

32. Traffic and Transportation: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments; baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network; traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses, would increase traffic volumes on area roadway segments, potentially causing conflicts among motor vehicles, bicycles, or pedestrians; may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings, generate demand for alternative transportation services, and generate temporary increases in traffic volume and temporary effects on transportation conditions (TRA-1, 2, 3, 4, 5, 7, 8, 10, 11). Implementation of Standard Conditions of Approval for Improvements in the Public Right-of-Way (General and Specific), Parking and Transportation Demand Management, Construction Traffic and Parking (SCA 20, 21, 25, 33) and Mitigation Measures TRA-1, 1.1, 1.2, 2, 3, 4, 5, and 8 would reduce these impacts to a less than significant level.
33. Utilities/Service Systems: Development facilitated by the Proposed Amendments would not require or result in construction of new stormwater drainage facilities or expansion of existing facilities, would not generate solid waste that would exceed the permitted capacity of the landfills serving the area, but, in combination with other past, present, existing, approved, pending, and reasonably foreseeable future projects within and around the Project Area, would result in an increased demand for utilities services (UTIL-3, 4, 6). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval for Waste Reduction and Recycling, Stormwater Pollution Prevention Plan (SWPPP), and Post-Construction Stormwater Management Plan, and Stormwater and Sewer (SCA 36, 75, 80, 91). Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse utilities/service systems impacts.

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

34. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the Redevelopment Agency finds that the following impacts of the Project

remain significant and unavoidable, notwithstanding the imposition of all feasible Standard Conditions of Approval and mitigation measures, as set forth below.

AIR QUALITY IMPACTS

35. **Impact AIR-3:** Development facilitated by the Proposed Amendments could include residential developments that expose occupants to substantial health risk from diesel particulate matter (DPM) from mobile and stationary sources. Although compliance with City's Standard Conditions of Approval would provide that a site specific health risk assessment (HRA) be prepared, and would reduce exposures to DPM sources to less than significant, there is no assurance that exposure to gaseous TACs could be reduced to a less-than-significant level at every site. (Significant)

CULTURAL RESOURCES IMPACTS

36. **Impact CUL-1:** Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in or may be eligible for listing in the federal, state, or local registers of historical resources.
37. **Impact CUL-5:** Development facilitated by the Proposed Amendments, combined with cumulative development in the defined geographic area, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute considerably to a significant adverse cumulative impacts to cultural resources.

NOISE IMPACTS

38. **Impact NOI -2:** Construction pile driving for the Victory Court ballpark that could be facilitated by the Proposed Amendments could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment.
39. **Impact NOI-4:** Operational noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments would generate special event noise levels in the Project Area to levels in excess of standards established in the Oakland Noise Ordinance and Planning Code.
40. **Impact NOI-7:** Noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments, in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments; and could substantially increase construction noise and operational noise in the Project Area.

TRANSPORTATION AND CIRCULATION IMPACTS

41. Impact TRA-1: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Existing Plus Project conditions.
42. Impact TRA-2: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2015 Baseline Plus Project conditions.
43. Impact TRA-3: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2035 Baseline Plus Project conditions.
44. Impact TRA-4: Baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network.
45. Impact TRA-5: Traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses.
46. Impact TRA-8: Development facilitated by the Proposed Amendments may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings.

XL FINDINGS REGARDING ALTERNATIVES

47. The Redevelopment Agency finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project as described in the EIR despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below.
48. The EIR evaluated a reasonable range of alternatives to the project that was described in the DEIR. The four potentially feasible alternatives analyzed in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project. These alternatives include: the No Project Alternative, the Reduced Growth Alternative, the Aggressive Growth Alternative, and the Other Victory Court Alternative. As presented in the EIR, the alternatives were described and compared with each other and with the proposed project. The Reduced Growth Alternative is identified as the CEQA-required environmentally superior alternative.
49. The Redevelopment Agency certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the Redevelopment Agency's independent judgment as to alternatives. The Redevelopment Agency finds that the Project provides the best balance between the project sponsor's objectives, the City's goals and objectives, and the Project's benefits as

described in the Staff Report and in the Statement of Overriding Considerations below. While the Project does predict some significant and unavoidable environmental impacts, the EIR and City's SCAs mitigate these impacts to the extent feasible. The four alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.

50. **No Project Alternative:** Under this alternative, the Proposed Amendments to the Redevelopment Plan (the Project) would not be adopted, therefore the development and programs described for the Project would not occur. However, the No Project Alternative does include development that could occur even without the Project. This includes certain already approved but not built residential developments in the Broadway/Valdez area (Broadway/West Grand and 2300 Broadway), a smaller entertainment/retail development at 1800 San Pablo compared to what would occur at that location with the Project, and other potential development on City Center parcels (T-5/6 and T-12) and at 1100 Broadway.
51. **Reduced Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, except that the Broadway/Valdez Triangle development and the Victory Court-associated development would be developed at a reduced intensity (approximately 50 percent less floor area and fewer residential units).
52. **Aggressive Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, and an additional 15 percent of affordable housing units, which would receive funding as a result of the Proposed Amendments to the Redevelopment Plan, are assumed.
53. **Other Victory Court Use Alternative:** Under this alternative, the Victory Court area would be developed with other land uses instead of the 39,000-seat ballpark and associated development, as described for the Project.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

54. The Redevelopment Agency finds that each of the following specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts identified above are acceptable in light of each of these overriding considerations that follow. Each individual benefit/reason presented below constitutes a separate and independent basis to override each and every significant unavoidable environmental impact, and, when the benefits/reasons are viewed collectively, provide an overall basis to override each and every significant unavoidable environmental impact.

The Proposed Amendments Would Foster Growth and Revitalization in the Central District Redevelopment Project Area

55. The Proposed Amendments would enable continuation of projects, programs, investments, and other activities of the Redevelopment Agency that would eliminate blight remaining in the Project Area and facilitate downtown revhalization and growth. The Proposed Amendments would directly facilitate the following development in the Project Area:
- a) Major retail development as desired for the Valdez Triangle area of the Broadway/Valdez District. New comparison goods shopping downtown would increase shopping opportunities in Oakland and stem the leakage of retail spending to other areas.
 - b) A new baseball park with surrounding commercial and residential development. The development would provide a viable option for retaining the A's in Oakland, and would strengthen the downtown's role for entertainment and mixed-use development.
 - c) Additional entertainment/retail development in the Uptown district.
 - d) Additional low- and moderate-income housing to expand housing choices in the Project Area.
56. These developments would support Project Area growth of business activity with 4,240 additional jobs and growth of 2,090 households with 3,530 additional residents. This growth would not otherwise occur in downtown Oakland without the Proposed Amendments. The facilitation of these developments would be beneticial as they satisfy several of the goals and objectives of the Central District Redevelopment Plan and the Oakland General Plan.
57. Compared to growth anticipated citywide, the Proposed Amendments would contribute about four percent of the employment growth and about three percent of the population growth anticipated by the ABAG projections, 2010-2035. Without the Proposed Amendments and the redevelopment activities and funding that they would enable, future growth in Oakland is likely to be below the ABAG projections by those percentages

**A) THE PROPOSED AMENDMENTS ARE UNLIKELY TO INDUCE
SUBSTANTIAL ADDITIONAL GROWTH OUTSIDE THE PROJECT AREA**

(1)

(2) NO INFRASTRUCTURE-INDUCED GROWTH

58. Typical examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and the development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. In this case, the Proposed Amendments would facilitate redevelopment of already developed areas in a central, downtown/CBD location well-served by existing transportation/transit systems and other infrastructure and utilities. Unlike development on vacant land in an outlying part of the region, the development facilitated by the Proposed Amendments would occur in an already developed urban area and would not require construction or extension of new roads, utilities, and other infrastructure that might stimulate population and employment growth in previously undeveloped areas.

**(3) LIMITED SUPPORT FOR NEW HOUSING GROWTH ELSEWHERE IN
OAKLAND**

59. The Proposed Amendments would result in affordable housing development. Under California redevelopment law, 15 percent of total new housing units built in the Project Area during the extension period must be affordable to households of low- or moderate-income. In addition, with the Proposed Amendments, the Agency also would be required to allocate 30 percent of gross tax increment revenues from the Project Area to affordable housing (the housing "set-aside"). However, it is likely that most of the housing set-aside during the extension period could be required to provide financial assistance for meeting the Agency's 15 percent affordable housing production obligation in the Project Area. If some of the housing set-aside were available for other affordable housing beyond the 15 percent obligation in the Project Area, such funds could be used for additional affordable housing either inside or outside the Project Area. Thus, it is possible that some additional affordable housing could be built elsewhere in Oakland as a result of the Proposed Amendment. If so, the additional affordable housing could be built in residential areas and locations identified for housing in the City's General Plan Land Use and Housing Elements.

**(4) JOB-INDUCED POPULATION GROWTH LIKELY TO BE ACCOMMODATED
BY ANTICIPATED CUMULATIVE GROWTH**

60. Employment growth in development facilitated by the Proposed Amendments would support the growth of households and population to provide additional workers. The housing development facilitated by the Proposed Amendments, however, would

accommodate additional workers, equivalent to about 50 to 60 percent of the additional jobs. Cumulatively, city growth of housing and employed residents in Oakland is projected to exceed the growth of jobs over time (thereby improving the relationship of jobs and housing in Oakland). Thus, cumulatively, the substantial growth of housing and population already anticipated to occur throughout the city could accommodate the number of additional workers due to the Proposed Amendments as well as the number of additional workers associated with other cumulative job growth. Housing in downtown and the Project Area will represent a large share of the housing to be built in Oakland in the future, and would support the growth of business activities and jobs in the Project Area.

(5) GROWTH SUPPORTED BY ADDITIONAL SPENDING UNLIKELY TO RESULT IN CONSTRUCTION OF ADDITIONAL NEW FACILITIES

61. The major retail and ballpark/mixed-use developments and the entertainment/retail development to be facilitated by the Proposed Amendments would bring visitors, patrons, and shoppers to the Project Area. Their spending would support the businesses and employment to be located in the new developments. There also could be some additional spending, such as for eating and drinking, that would support existing and potential new businesses in nearby parts of the Project Area and downtown. The additional spending is unlikely to result in the construction of new facilities, however, given the large amount of retail and commercial space to be developed as a result of the Proposed Amendments, and the availability of commercial space in existing buildings downtown.

(6) SHIFTS OF SOME EXISTING COMMERCIAL AND INDUSTRIAL ACTIVITY TO OTHER AREAS

62. Development in the Project Area that is facilitated by the Proposed Amendments is anticipated to require the demolition of some existing commercial and industrial buildings/facilities. The loss of existing space would result in some shifts of existing business activity to other areas of Oakland, and increased occupancy of commercial and industrial space in those areas. There are commercial corridors and industrial areas in Oakland that contain vacant and underutilized facilities and sites that would benefit from increased market interest and shifts in demand from other areas. The magnitude of shifts would not be large in the context of business activity citywide, and would not be expected to lead to construction of new facilities in most cases.

63. The loss of space in the Valdez Triangle area could shift auto dealership activity to the north along Broadway and/or to locations along I-880 in the vicinity of the Coliseum. It could shift auto service and other commercial activities to the west toward Telegraph Avenue, as well as to parts of downtown, North Oakland, and West Oakland. The loss of industrial and industrial/commercial space for new development in the Victory Court area could shift business activity to other locations, such as along the San Leandro Street industrial corridor in East Oakland, in areas between I-880 and the Estuary, and in parts

of West Oakland. There also could be some shifts of business activity outside of Oakland to locations along the I-880 and/or I-80 corridors.

B) FROM A REGIONAL PERSPECTIVE, THE PROPOSED AMENDMENTS WOULD ACCOMMODATE MORE GROWTH IN DOWNTOWN OAKLAND, THEREBY REDUCING GROWTH PRESSURES ELSEWHERE

64. From a regional perspective, the Proposed Amendments would affect the distribution and location of growth within the East Bay and Bay Area region. It would result in more growth in Oakland and downtown Oakland, at the center of the region, and less growth in other areas.
65. Major retail shopping, entertainment/retail, and ballpark/commercial developments in the Project Area as a result of the Proposed Amendments, would capture activity that would otherwise locate elsewhere in the East Bay and/or Bay Area. For example, other locations for a new ballpark have included Fremont and downtown San José. Development of major retail shopping in the Project Area would increase shopping opportunities in Oakland and stem the leakage of retail spending to areas outside of Oakland in the East Bay and San Francisco. Thus, the Proposed Amendments would facilitate ballpark and associated commercial development in a central, regional location with good transportation/transit accessibility from throughout the region. It would facilitate retail development in closer proximity to Oakland consumers thereby reducing their travel distances for shopping trips.
66. The Proposed Amendments also would accommodate more housing and population growth in the Project Area, thereby reducing demand for housing in more outlying locations. The project would support additional housing in a central Bay Area location with strong housing demand. Higher-density housing in the Project Area attracts households with a high proportion of working adults who value good accessibility to workplaces nearby and elsewhere in the Inner East Bay and San Francisco. Over the long term, with the Proposed Amendments, more higher-density housing in downtown Oakland at the center of the region is likely to result in a larger total regional housing supply than would a more dispersed, lower-density pattern of regional development, and it would result in more housing in close proximity to employment centers in the Central Bay Area.


C) SUMMARY

67. Overall, the effects of the Proposed Amendments on growth would be largely beneficial and not considered substantial and adverse.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 AUG 29 PM 2: 05

APPROVED AS TO FORM AND LEGALITY:

BY: 
DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION CERTIFYING AND MAKING FINDINGS AS TO THE FINAL ENVIRONMENTAL IMPACT REPORT ON PROPOSED AMENDMENTS TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN, AND ADOPTING MITIGATION MEASURES AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, an Environmental Impact Report (the "EIR") on proposed 17th and 18th Amendments to the Central District Urban Renewal Plan (the "Redevelopment Plan") was prepared by the City pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq., hereinafter the "State CEQA Guidelines"), and the City's Environmental Review Regulations adopted pursuant thereto; and

WHEREAS, copies of the Draft EIR were distributed to the State Clearinghouse and to those public agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and the comments of such persons and agencies were sought; and

WHEREAS, the Draft EIR was thereafter revised and supplemented to adopt changes suggested and to incorporate comments received and the City's response to said comments, and as so revised and supplemented, a Final EIR was prepared and submitted to the City Council for review and consideration in conjunction with consideration of approval and adoption of the proposed amendments to the Redevelopment Plan; and

WHEREAS, the Planning Commission has certified and made findings as to the Final EIR; and

WHEREAS, a joint public hearing was held by the Redevelopment Agency of the City of Oakland (the "Agency") and the Council on September 20, 2011, on the proposed

amendments to the Redevelopment Plan and the Final EIR relating thereto, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto having been heard, and said Final EIR and all comments and responses thereto having been considered; and

WHEREAS, the Final EIR consists of the Draft EIR, as revised and supplemented, made a part of the Agency's Report to Council on the Redevelopment Plan amendments, incorporating all comments received and the response of the Agency and the City thereto as of the date hereof; now, therefore, be it

RESOLVED: That the City Council hereby certifies that the Final EIR for the proposed 17th and 18th Amendments to the Central District Urban Renewal Plan has been completed in compliance with CEQA, the State CEQA Guidelines and the City's Environmental Review Regulations; and be it further

RESOLVED: That the City Council hereby finds that the Final EIR reflects the independent judgment of the City, as required by Public Resources Code Section 21082.1; and be it further

RESOLVED: That the City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received at the public hearing on the Final EIR prior to approving this resolution and acting on the proposed amendments; and be it further

RESOLVED: That the City Council hereby adopts the CEQA Findings and the Statement of Overriding Considerations attached as Exhibit A, which are incorporated herein by reference; and be it further

RESOLVED: That upon approval and adoption of the proposed amendments to the Redevelopment Plan by the City Council, the City Clerk is hereby directed to file a Notice of Determination with the County Clerk of Alameda County and the Office of Planning and Research pursuant to the provisions of Section 15094 of the State CEQA Guidelines.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A**CENTRAL DISTRICT URBAN RENEWAL PLAN
17TH AND 18TH AMENDMENTS
CEQA FINDINGS****I. INTRODUCTION**

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland Planning Commission in connection with the EIR prepared for proposed amendments to the Central District Urban Renewal Plan Project ("the Project"), SCH #2010102024.
2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.
3. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The Project, which is the subject of the EIR, consists of two amendments ("Proposed Amendments") to the Central District Urban Renewal Plan. The proposed 17th Amendment would amend the Plan in three ways. First, it would extend the duration of the Redevelopment Plan from 2012 to 2022 and extend the time period that the Redevelopment Agency can receive tax increment funds from 2022 to 2032, as allowed by Senate Bill 211 (codified at Health and Safety Code Section 33333.10 et seq.). Second, it would increase the cap on the receipt of tax increment revenue to account for the proposed time extensions, as the Redevelopment Agency is anticipated to exceed its existing cap if the time extension is adopted. Third, it would renew the Redevelopment Agency's authority to use eminent domain in the Project Area. The proposed 18th Amendment would further amend the Plan to extend the duration of the Redevelopment Plan and the time period that the Redevelopment Agency can receive tax increment funds by an additional one year.

The Project Area covers approximately 250 city blocks (828 acres) generally bounded by 1-980, Lake Merritt, 27th Street and the Embarcadero [See attached Map on page 2 of the Planning Commission staff report]. Within the Project Area, there are four major redevelopment activity areas: City Center, Chinatown, Victorian Row/Old Oakland and the Uptown Retail area.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

5. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (NOP) of a Draft EIR (DEIR) was published on October 14, 2010. An Initial Study was not prepared for the Project, as permitted by Section 15060(d) of the CEQA Guidelines. The NOP was distributed to state and local agencies, and posted at 15 locations around the Central District. On, November 3, 2010 the Planning Commission conducted a duly noticed EIR scoping session concerning the scope of the EIR, and a further scoping session was held at the November 8, 2010 meeting of the Landmarks Preservation Advisory Board. The public comment period on the NOP ended on November 15, 2010.
6. A DEIR was prepared for the Project to analyze its environmental impacts. The Notice of Availability/Notice of Release of the DEIR was distributed to appropriate state and local agencies, posted at 15 locations around the Central District, and mailed to individuals who have requested to specifically be notified of official City actions on the project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315) and on the City's website. The DEIR was properly circulated for a 45-day public review period on August 23, 2010. A duly noticed Public Hearing on the DEIR was held at the April 6, 2011 meeting of the Planning Commission and the April 11, 2011 meeting of the Landmarks Preservation Advisory Board.
7. The City received written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in a Response to Comments and Final EIR (RTC/EIR) on June 17, 2011. The DEIR, the RTC/EIR and all appendices thereto constitute the "EIR" referenced in these findings. The RTC/EIR was made available for public review on June 17, 2011, nineteen days prior to the duly noticed July 6, 2011 public hearing. The Notice of Availability/Notice of Release of the FEIR was distributed to those state and local agencies who commented on the DEIR, and posted at 15 locations in the Central District. Copies of the DEIR and RTC/EIR were also distributed to those state and local agencies who commented on the DEIR, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315), and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies at least 10 days prior to hearing. The Planning Commission has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed project.

IV. THE ADMINISTRATIVE RECORD

8. The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

- a. The EIR and all documents referenced in or relied upon by the EIR.
 - b. All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the approvals, and the Project.
 - c. All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the Planning Commission.
 - d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
 - e. All final applications, letters, testimony and presentations presented by the project sponsor and its consultants to the City in connection with the Project.
 - f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
 - g. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
 - h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project (SCAMMRP).
 - i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).
9. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Community and Economic Development Agency, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

10. In accordance with CEQA, the City Council, acting as the Lead Agency under CEQA, certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City Council.

11. The City Council recognizes that the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.
12. The City Council certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the Report to Council. The City Council certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

13. The City Council recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains additions, clarifications, and modifications. The City Council has reviewed and considered the FEIR and all of this information. The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.
14. The City Council finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

15. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is attached and incorporated by reference into the July 6, 2011 Planning Commission staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the City Council. The SCAMMRP satisfies the requirements of CEQA.
16. The standard conditions of approval (SCA) and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by

the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval and mitigation measures define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval and mitigation measures.

17. The City Council will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.
18. The standard conditions of approval and mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a standard condition of approval or mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval or mitigation measure is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

19. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091, 15092 and 15093, the City Council adopts the findings and conclusions regarding impacts, standard conditions of approval and mitigation measures that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The City Council ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The City Council adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the project sponsor as may be modified by these findings.
20. The City Council recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The City Council acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The City Council has, through review of the evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the City Council to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

21. As a separate and independent basis from the other CEQA findings, pursuant to CEQA section 21083.3 and Guidelines section 15183, the City Council finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan, for which an EIR was certified in March 1998; (b) feasible mitigation measures identified in the LUTE EIR were adopted and have been, or will be, undertaken; (c) this EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Council hereby finds and determines that the Standard Conditions of Approval (SCA) substantially mitigate environmental impacts (as detailed below); and (e) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate the project and cumulative impacts.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE IMPACTS

22. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval (SCA), the City Council finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated, through the implementation of Standard Conditions of Approval, referenced in the DEIR (which are an integral part of the SCAMMRP):
23. Aesthetics, Shadow and Wind, AES-3: Development facilitated by the Proposed Amendments would facilitate the creation of new sources of light or glare which could substantially and adversely affect day or nighttime views in the area. Any potential impact of new lighting will be reduced to a less than significant level through implementation of SCA 40, Lighting Plan, which requires approval of plans to adequately shield lighting to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties and minimize mirrored or reflective façade surfaces.
24. Air Quality and Green House Gases: Development facilitated by the Proposed Amendments would not fundamentally conflict with the CAP because the plan demonstrates reasonable efforts to implement control measures contained in the CAP. The project could include residential developments that expose occupants to substantial health risk from diesel particulate matter (Air-2, 3). Implementation of Standard Conditions of Approval 25, Parking and Transportation Demand Management, and 95, Air Pollution Buffering for Private Open Space would reduce these impacts to a less-than-significant level in most cases.

25. Biological Resources: Development facilitated by the Proposed Amendments could adversely affect species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, could have substantial adverse effect on federally protected wetlands, could substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors and native wildlife nursery sites, and could fundamentally conflict with the City of Oakland Tree and Creek Protection Ordinances (Bio-1, 3, 4, 6, 7, 8). Implementation of Standard Conditions of Approval for Hazards Best Management Practices, Tree Removal During Breeding Season, Tree Removal Permit, Tree Replacement Plantings, Tree Protection During Construction, Erosion and Sedimentation Control Plan, Vibrations Adjacent Historic Structures, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, and Creek Protection Plan (SCA 35, 44, 45, 46, 47, 55, 57, 75, 80, 83, and A), would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse biological impacts.
26. Cultural Resources: Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or aherafion of historical resources, could result in significant impacts to both known and unknown archaeological resources, could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, could disturb human remains and combined with cumulative development in the Project Area and citywide, would contribute considerably to a significant adverse cumulative impact to cultural resources (CUL-1, 2, 3, 4, 5). Through application of Mitigafion Measure CUL-1 that addresses any future redevelopment project that would occur on or immediately adjacent to buildings 50 years old or older, and would occur between 2012 and 2023, the City shall require specific surveys and evaluafions of such properties to determine their potential historical significance at the federal, state, and local levels. Intensive-level surveys and evaluations shall be completed by a qualified architectural historian who meets the Secretary of the Interior's Standards for architectural history. For all historical resources identified as a resuh of site-specific surveys and evaluations, the City shall ensure that future redevelopment activities, including demolition, aheration, and new construction, would avoid, adaptively reuse and/or appropriately relocate such historical resources in accordance with measure "a". Addifionally, applicafion of Standard Conditions of Approval for Archaeological Resources, Human Remains, Paleontological Resources, Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demohtion), and Vibrations Adjacent Historic Structures (SCA 52, 53, 54, 56, 57), would reduce impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse cultural resource impacts.
27. Geology and Soils: Development facilitated by the Proposed Amendments could expose people or structures to seismic hazards and could be subjected to geologic hazards

(GEO-1, 2). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval 58, 59 (Soils Report, Geotechnical Report), which require soils reports and geotechnical investigations and reports to be prepared, best management practices for soil and groundwater hazards. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements, including compliance with all applicable building codes, would ensure there would not be significant adverse geology and soils impacts.

28. Greenhouse Gases: Development facilitated by the Proposed Amendments would produce greenhouse gas emissions and would not conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions (GHG-1, 2). Implementation of Standard Conditions of Approval for Required Landscape Plan for New Construction and Certain Additions to Residential Facilities, Landscape Requirements for Street Frontages., Landscape Maintenance., Landscape Requirements for Street Frontages., Landscape Maintenance, Parking and Transportation Demand Management, Dust Control, Construction Emissions, Waste Reduction and Recycling, Asbestos Removal in Structures, Tree Replacement Plantings, Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), and Creek Protection Plan (SCA 12, 13, 15, 17, 18, 25, 26, 27, 36, 41, 46, 55, 75, 83, B) would reduce the impacts to a less than significant level.
29. Hazards and Hazardous Materials: Development facilitated by the Proposed Amendments would result in an increase in the routine transportation, use, and storage of hazardous chemicals, in the accidental release of hazardous materials used during construction through improper handling or storage, in the exposure of hazardous materials in soil and ground water, in the exposure of hazardous building materials during building demolition, require use of hazardous materials within 0.25 mile of a school, and when combined with other past, present, existing, approved, pending and reasonably foreseeable development in the vicinity, would result in cumulative hazards (HAZ-1 through 6). This impact will be reduced to a less than significant level through implementation of Standard Conditions of Approval for Hazards Best Management Practices, Asbestos Removal in Structures, Site Review by the Fire Services Division, Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment, Other Materials Classified as Hazardous Waste, Best Management Practices for Soil and Groundwater Hazards, Radon or Vapor Intrusion from Soil or Groundwater Sources, Hazardous Materials Business Plan (SCA 35, 41, 61, 63, 66, 68, 69, 74), which impose best management practices to protect groundwater and soils from new impacts and appropriate handling of existing impacted groundwater and soils, proper removal of asbestos containing materials and soils, and requirements for lead, asbestos, radon, preparation of a health and safety plan, and other vapor intrusion assessment and remediation, as well as Fire Services review and preparation of a Hazardous Materials Business Plan for the project. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hazards and hazardous materials impacts.

30. Hydrology/Water Quality: Development facilitated by the Proposed Amendments would alter drainage patterns and increase the volume of stormwater, level of contamination or siltation in stormwater flowing from the Project Area could be susceptible to flooding hazards as a result of being placed in a 100-year flood zone as mapped by FEMA (HYD-1 and 2). Implementation of the Standard Conditions of Approval for Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, Maintenance Agreement for Stormwater Treatment Measures, Creek Protection Plan, and Structures within a Floodplain, Stormwater and Sewer (SCA 55, 75, 80, 81, 83, 90, 91), would ensure that project would have a less than significant impact on hydrology and water quality. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hydrology and water quality impacts.
31. Noise: Development facilitated by the Proposed Amendments would result in substantial temporary or periodic increases in ambient noise levels in the Project Area above levels existing without the Amendment and in excess of standards established in the local general plan or Noise Ordinance and Planning Code, or applicable standards of other agencies, construction pile driving for the Victory Court ballpark could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment, and operational noise generated by the Victory Court ballpark would generate special event noise level, and in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects and could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments (NOI-1, 2, 3, 4, 7). Implementation of Standard Conditions of Approval for Days/Hours of Construction Operation, Noise Control, Noise Complaint Procedures, Interior Noise, Operational Noise-General, Vibration, Pile Driving and Other Extreme Noise Generators (SCA 28, 29, 30, 31, 32, 38, 39) and Mitigation Measures for noise (NOI-4 a and b) and traffic (TRA 1.1 and 4.1) would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse noise impacts.
32. Traffic and Transportation: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments; baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network; traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses, would increase traffic volumes on area roadway segments, potentially causing conflicts among motor vehicles, bicycles, or pedestrians; may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings, generate demand for alternative transportation services, and generate temporary increases in traffic volume and temporary effects on transportation conditions (TRA-1, 2, 3, 4, 5, 7, 8, 10, 11).

Implementation of Standard Conditions of Approval for Improvements in the Public Right-of-Way (General and Specific), Parking and Transportation Demand Management, Construction Traffic and Parking (SCA 20, 21, 25, 33) and Mitigation Measures TRA-1, 1.1, 1.2, 2, 3, 4, 5, and 8 would reduce these impacts to a less than significant level.

33. Utilities/Service Systems: Development facilitated by the Proposed Amendments would not require or result in construction of new stormwater drainage facilities or expansion of existing facilities, would not generate solid waste that would exceed the permitted capacity of the landfills serving the area, but, in combination with other past, present, existing, approved, pending, and reasonably foreseeable future projects within and around the Project Area, would result in an increased demand for utilities services (UTIL-3, 4, 6). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval for Waste Reduction and Recycling, Stormwater Pollution Prevention Plan (SWPPP), and Post-Construction Stormwater Management Plan, and Stormwater and Sewer (SCA 36, 75, 80, 91). Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse utilities/service systems impacts.

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

34. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the City Council finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible Standard Conditions of Approval and mitigation measures, as set forth below.

AIR QUALITY IMPACTS

35. **Impact AIR-3**: Development facilitated by the Proposed Amendments could include residential developments that expose occupants to substantial health risk from diesel particulate matter (DPM) from mobile and stationary sources. Although compliance with City's Standard Conditions of Approval would provide that a site specific health risk assessment (HRA) be prepared, and would reduce exposures to DPM sources to less than significant, there is no assurance that exposure to gaseous TACs could be reduced to a less-than-significant level at every site. (Significant)

CULTURAL RESOURCES IMPACTS

36. **Impact CUL-1**: Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in or may be eligible for listing in the federal, state, or local registers of historical resources.
37. **Impact CUL-5**: Development facilitated by the Proposed Amendments, combined with cumulative development in the defined geographic area, including past, present, existing,

approved, pending, and reasonably foreseeable future development, would contribute considerably to a significant adverse cumulative impacts to cultural resources.

NOISE IMPACTS

38. **Impact NOI -2:** Construction pile driving for the Victory Court ballpark that could be facilitated by the Proposed Amendments could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment.
39. **Impact NOI-4:** Operational noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments would generate special event noise levels in the Project Area to levels in excess of standards established in the Oakland Noise Ordinance and Planning Code.
40. **Impact NOI-7:** Noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments, in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments; and could substantially increase construction noise and operational noise in the Project Area.

TRANSPORTATION AND CIRCULATION IMPACTS

41. **Impact TRA-1:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Existing Plus Project conditions.
42. **Impact TRA-2:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2015 Baseline Plus Project conditions.
43. **Impact TRA-3:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2035 Baseline Plus Project conditions.
44. **Impact TRA-4:** Baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network.
45. **Impact TRA-5:** Traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses.
46. **Impact TRA-8:** Development facilitated by the Proposed Amendments may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings.

XI. FINDINGS REGARDING ALTERNATIVES

47. The City Council finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project as described in the EIR despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below.
48. The EIR evaluated a reasonable range of alternatives to the project that was described in the DEIR. The four potentially feasible alternatives analyzed in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project. These alternatives include: the No Project Alternative, the Reduced Growth Alternative, the Aggressive Growth Alternative, and the Other Victory Court Alternative. As presented in the EIR, the alternatives were described and compared with each other and with the proposed project. The Reduced Growth Alternative is identified as the CEQA-required environmentally superior alternative.
49. The City Council certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the City Council's independent judgment as to alternatives. The City Council finds that the Project provides the best balance between the project sponsor's objectives, the City's goals and objectives, and the Project's benefits as described in the Staff Report and in the Statement of Overriding Considerations below. While the Project does predict some significant and unavoidable environmental impacts, the EIR and City's SCAs mitigate these impacts to the extent feasible. The four alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.
50. **No Project Alternative:** Under this alternative, the Proposed Amendments to the Redevelopment Plan (the Project) would not be adopted, therefore the development and programs described for the Project would not occur. However, the No Project Alternative does include development that could occur even without the Project. This includes certain already approved but not built residential developments in the Broadway/Valdez area (Broadway/West Grand and 2300 Broadway), a smaller entertainment/retail development at 1800 San Pablo compared to what would occur at that location with the Project, and other potential development on City Center parcels (T-5/6 and T-12) and at 1100 Broadway.
51. **Reduced Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, except that the Broadway/Valdez Triangle development and the Victory Court-associated development would be developed at a reduced intensity (approximately 50 percent less floor area and fewer residential units
52. **Aggressive Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, and an additional 15 percent of affordable housing

units, which would receive funding as a result of the Proposed Amendments to the Redevelopment Plan, are assumed.

53. **Other Victory Court Use Alternative:** Under this alternative, the Victory Court area would be developed with other land uses instead of the 39,000-seat ballpark and associated development, as described for the Project.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

54. The City Council finds that each of the following specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts identified above are acceptable in light of each of these overriding considerations that follow. Each individual benefit/reason presented below constitutes a separate and independent basis to override each and every significant unavoidable environmental impact, and, when the benefits/reasons are viewed collectively, provide an overall basis to override each and every significant unavoidable environmental impact.

The Proposed Amendments Would Foster Growth and Revitalization in the Central District Redevelopment Project Area

55. The Proposed Amendments would enable continuation of projects, programs, investments, and other activities of the Redevelopment Agency that would eliminate blight remaining in the Project Area and facilitate downtown revitalization and growth. The Proposed Amendments would directly facilitate the following development in the Project Area:
- a) Major retail development as desired for the Valdez Triangle area of the Broadway/Valdez District. New comparison goods shopping downtown would increase shopping opportunities in Oakland and stem the leakage of retail spending to other areas.
 - b) A new baseball park with surrounding commercial and residential development. The development would provide a viable option for retaining the A's in Oakland, and would strengthen the downtown's role for entertainment and mixed-use development.
 - c) Additional entertainment/retail development in the Uptown district.
 - d) Additional low- and moderate-income housing to expand housing choices in the Project Area.
56. These developments would support Project Area growth of business activity with 4,240 additional jobs and growth of 2,090 households with 3,530 additional residents. This growth would not otherwise occur in downtown Oakland without the Proposed Amendments. The facilitation of these developments would be beneficial as they satisfy

several of the goals and objectives of the Central District Redevelopment Plan and the Oakland General Plan.

57. Compared to growth anticipated citywide, the Proposed Amendments would contribute about four percent of the employment growth and about three percent of the population growth anticipated by the ABAG projections, 2010-2035. Without the Proposed Amendments and the redevelopment activities and funding that they would enable, future growth in Oakland is likely to be below the ABAG projections by those percentages

A) THE PROPOSED AMENDMENTS ARE UNLIKELY TO INDUCE SUBSTANTIAL ADDITIONAL GROWTH OUTSIDE THE PROJECT AREA

(1)

(2) NO INFRASTRUCTURE-INDUCED GROWTH

58. Typical examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and the development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. In this case, the Proposed Amendments would facilitate redevelopment of already developed areas in a central, downtown/CBD location well-served by existing transportation/transit systems and other infrastructure and utilities. Unlike development on vacant land in an outlying part of the region, the development facilitated by the Proposed Amendments would occur in an already developed urban area and would not require construction or extension of new roads, utilities, and other infrastructure that might stimulate population and employment growth in previously undeveloped areas.

(3) LIMITED SUPPORT FOR NEW HOUSING GROWTH ELSEWHERE IN OAKLAND

59. The Proposed Amendments would result in affordable housing development. Under California redevelopment law, 15 percent of total new housing units built in the Project Area during the extension period must be affordable to households of low- or moderate-income. In addition, with the Proposed Amendments, the Agency also would be required to allocate 30 percent of gross tax increment revenues from the Project Area to affordable housing (the housing "set-aside"). However, it is likely that most of the housing set-aside during the extension period could be required to provide financial assistance for meeting the Agency's 15 percent affordable housing production obligation in the Project Area. If some of the housing set-aside were available for other affordable housing beyond the 15 percent obligation in the Project Area, such funds could be used for additional affordable housing either inside or outside the Project Area. Thus, it is possible that some additional affordable housing could be built elsewhere in Oakland as a result of the Proposed Amendment. If so, the additional affordable housing could be built in residential areas and locations identified for housing in the City's General Plan Land Use and Housing Elements.

(4) JOB-INDUCED POPULATION GROWTH LIKELY TO BE ACCOMMODATED BY ANTICIPATED CUMULATIVE GROWTH

60. Employment growth in development facilitated by the Proposed Amendments would support the growth of households and population to provide additional workers. The housing development facilitated by the Proposed Amendments, however, would accommodate additional workers, equivalent to about 50 to 60 percent of the additional jobs. Cumulatively, city growth of housing and employed residents in Oakland is projected to exceed the growth of jobs over time (thereby improving the relationship of jobs and housing in Oakland). Thus, cumulatively, the substantial growth of housing and population already anticipated to occur throughout the city could accommodate the number of additional workers due to the Proposed Amendments as well as the number of additional workers associated with other cumulative job growth. Housing in downtown and the Project Area will represent a large share of the housing to be built in Oakland in the future, and would support the growth of business activities and jobs in the Project Area.

(5) GROWTH SUPPORTED BY ADDITIONAL SPENDING UNLIKELY TO RESULT IN CONSTRUCTION OF ADDITIONAL NEW FACILITIES

61. The major retail and ballpark/mixed-use developments and the entertainment/retail development to be facilitated by the Proposed Amendments would bring visitors, patrons, and shoppers to the Project Area. Their spending would support the businesses and employment to be located in the new developments. There also could be some additional spending, such as for eating and drinking, that would support existing and potential new businesses in nearby parts of the Project Area and downtown. The additional spending is unlikely to result in the construction of new facilities, however, given the large amount of retail and commercial space to be developed as a result of the Proposed Amendments, and the availability of commercial space in existing buildings downtown.

(6) SHIFTS OF SOME EXISTING COMMERCIAL AND INDUSTRIAL ACTIVITY TO OTHER AREAS

62. Development in the Project Area that is facilitated by the Proposed Amendments is anticipated to require the demolition of some existing commercial and industrial buildings/facilities. The loss of existing space would result in some shifts of existing business activity to other areas of Oakland, and increased occupancy of commercial and industrial space in those areas. There are commercial corridors and industrial areas in Oakland that contain vacant and underutilized facilities and sites that would benefit from increased market interest and shifts in demand from other areas. The magnitude of shifts would not be large in the context of business activity citywide, and would not be expected to lead to construction of new facilities in most cases.

63. The loss of space in the Valdez Triangle area could shift auto dealership activity to the north along Broadway and/or to locations along I-880 in the vicinity of the Coliseum. It could shift auto service and other commercial activities to the west toward Telegraph

Avenue, as well as to parts of downtown, North Oakland, and West Oakland. The loss of industrial and industrial/ commercial space for new development in the Victory Court area could shift business activity to other locations, such as along the San Leandro Street industrial corridor in East Oakland, in areas between I-880 and the Estuary, and in parts of West Oakland. There also could be some shifts of business activity outside of Oakland to locations along the I-880 and/or I-80 corridors.

B) FROM A REGIONAL PERSPECTIVE, THE PROPOSED AMENDMENTS WOULD ACCOMMODATE MORE GROWTH IN DOWNTOWN OAKLAND, THEREBY REDUCING GROWTH PRESSURES ELSEWHERE

64. From a regional perspective, the Proposed Amendments would affect the distribution and location of growth within the East Bay and Bay Area region. It would result in more growth in Oakland and downtown Oakland, at the center of the region, and less growth in other areas.
65. Major retail shopping, entertainment/retail, and ballpark/commercial developments in the Project Area as a result of the Proposed Amendments, would capture activity that would otherwise locate elsewhere in the East Bay and/or Bay Area. For example, other locations for a new ballpark have included Fremont and downtown San José. Development of major retail shopping in the Project Area would increase shopping opportunities in Oakland and stem the leakage of retail spending to areas outside of Oakland in the East Bay and San Francisco. Thus, the Proposed Amendments would facilitate ballpark and associated commercial development in a central, regional location with good transportation/transit accessibility from throughout the region. It would facilitate retail development in closer proximity to Oakland consumers thereby reducing their travel distances for shopping trips.
66. The Proposed Amendments also would accommodate more housing and population growth in the Project Area, thereby reducing demand for housing in more outlying locations. The project would support additional housing in a central Bay Area location with strong housing demand. Higher-density housing in the Project Area attracts households with a high proportion of working adults who value good accessibility to workplaces nearby and elsewhere in the Inner East Bay and San Francisco. Over the long term, with the Proposed Amendments, more higher-density housing in downtown Oakland at the center of the region is likely to result in a larger total regional housing supply than would a more dispersed, lower-density pattern of regional development, and it would result in more housing in close proximity to employment centers in the Central Bay Area.

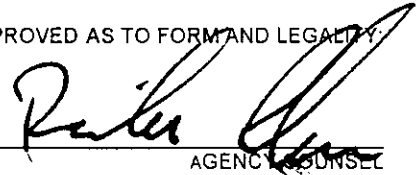
C) SUMMARY

67. Overall, the effects of the Proposed Amendments on growth would be largely beneficial and not considered substantial and adverse.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 AUG 29 PM 2:05

APPROVED AS TO FORM AND LEGALITY

BY: 
AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

A RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF THE SEVENTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN TO (1) EXTEND THE TIME LIMITS ON PLAN EFFECTIVENESS AND THE RECEIPT OF TAX INCREMENT REVENUES BY TEN YEARS, (2) INCREASE THE CAP ON TAX INCREMENT REVENUES, (3) EXTEND THE TIME LIMIT FOR USE OF EMINENT DOMAIN AND RESTRICT EMINENT DOMAIN TO NONRESIDENTIAL PROPERTIES, (4) AMEND AFFORDABLE HOUSING PROVISIONS, AND (5) MAKE OTHER REQUIRED CHANGES

WHEREAS, the City Council of the City of Oakland (the "Council") adopted the Central District Urban Renewal Plan (the "Redevelopment Plan"), as approved by the Redevelopment Agency, on June 12, 1969, as a redevelopment plan for the Central District project area (the "Central District") pursuant to the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.) as the redevelopment plan for the Central District Redevelopment Project Area (the "Central District" or "Project Area"); and

WHEREAS, the Redevelopment Plan has been amended 16 times since adoption; and

WHEREAS, on December 21, 2004, the City Council adopted Ordinance No. 12641 C.M.S., which amended the Redevelopment Plan to extend the time limit on the effectiveness of the Redevelopment Plan as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment to the Redevelopment Plan adopted in 2001) to June 12, 2012, and extend the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to the Project Area (excluding

area added to the Project Area by the Twelfth Amendment to the Redevelopment Plan adopted in 2001), to June 12, 2022; and

WHEREAS, pursuant to Section 33333.4(a)(1) of the CRL, the City Council adopted Ordinance No. 10822 C.M.S. on December 16, 1986, which among other things set the limit on the number of dollars that may be divided and allocated to the Redevelopment Agency pursuant to the Central District Redevelopment Plan at \$1,348,862,000 (the "tax increment cap"); and

WHEREAS, the Redevelopment Plan also sets a limit on the number of dollars that may be divided and allocated to the Redevelopment Agency from areas added to the Central District between 1979 and 2001 at \$75,000,000; and

WHEREAS, pursuant to Section 33333.4(a)(3) of the CRL, the City Council adopted Ordinance No. 12348 C.M.S. on July 24, 2001, which among other things set time limits on the commencement of eminent domain proceedings to acquire property in the Central District at June 12, 2009, for territory in the Central District prior to June 1, 2001, and 12 years after adoption of the plan extension amendment for territory added to the Central District after June 1, 2001; and

WHEREAS, Sections 33333.10 and 33333.11 of the CRL authorize a redevelopment agency to amend a redevelopment plan adopted prior to December 31, 1993, to extend the time limits on the effectiveness of the plan and the agency's ability to pay indebtedness and receive tax increment revenues by ten additional years, if certain findings are made and certain procedures are followed; and

WHEREAS, Sections 33451.5 and 33354.6 of the CRL authorize a redevelopment agency to amend a redevelopment plan to increase the number of dollars that may be divided and allocated to the agency pursuant to a redevelopment plan, if certain findings are made and certain procedures are followed; and

WHEREAS, Section 33333.4(a)(3) of the CRL authorizes a redevelopment agency to amend a redevelopment plan to extend the time limit for the commencement of eminent domain proceedings, if certain findings are made; and

WHEREAS, the Redevelopment Agency has prepared and submitted to the City Council a proposed Seventeenth Amendment to the Central District Redevelopment Urban Renewal Plan (the "Seventeenth Amendment" or the "Amendment"), which would: (1) extend the time limit on the effectiveness of the Redevelopment Plan (excluding the area added to the Central District in 2001) by ten years to June 12, 2022, pursuant to Section 33333.10(a)(1) of the CRL, (2) extend the time limit on the payment of indebtedness and the receipt of tax increment revenues pursuant to the Redevelopment Plan (excluding the area added to the Central District in 2001) by ten years to June 12, 2032, pursuant to Section 33333.10(a)(2) of the CRL, (3) increase the tax increment cap to a maximum of \$3 billion, pursuant to Sections 33451.5 and 33354.6 of the CRL, (4) extend the time limit for the commencement of eminent domain proceedings within

the Central District (including the area added to the Central District in 2001) to the extended Plan effectiveness date, pursuant to Section 33333.4(a)(3) of the CRL, as well as restrict eminent domain authority only to the acquisition of nonresidential properties, (5) amend affordable housing provisions as required under Sections 33333.10 and 33333.11 of the CRL, and (6) make other changes as required by the CRL in connection with the above amendments; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000, et seq., hereinafter the "State CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto, the City has completed an environmental impact report on the proposed Seventeenth Amendment dated June 2011, (the "EIR"); and

WHEREAS, the EIR was completed in compliance with CEQA and the City's CEQA implementing regulations, it reflects the Agency's independent judgment, and it has been reviewed and considered before approving the Amendment; and

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations for approval of the Amendment; and

WHEREAS, the California Department of Finance and Department of Housing and Community Development have been sent reports on the proposed Amendment and have been given an opportunity to comment on the proposed Amendment; and

WHEREAS, the California Department of Housing and Community Development has confirmed in writing on June 22, 2011, that the Redevelopment Agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund; and

WHEREAS, residents and community organizations in the Central District have been given an opportunity to review and comment on reports on the proposed Amendment; and

WHEREAS, the Agency has adopted and submitted to the City Council a Report of the Agency on the Seventeenth Amendment to the Central District Plan (the "Report to Council") pursuant to Sections 33333.11(h), 33451.5(c), and 33352 of the CRL, including: a map of the Central District that identifies those portions of the Project Area that are no longer blighted and those portions of the Project Area that are blighted or contain necessary and essential parcel for the elimination of the remaining blight; a description of the remaining blight; a description of the projects and programs proposed to eliminate the remaining blight and a description of how these projects and programs will improve the conditions of blight; the reasons why the projects and programs cannot be completed without the time extensions and other amendments, and the relationship between the costs of those programs and project and the amount of the increase in the tax

increment cap; the proposed method of financing those programs and projects; an amendment to the Agency's implementation plan for the Central District Redevelopment Project; a neighborhood impact report; a description of each bond sold by the Agency to finance or refinance the Central District Redevelopment Project; the report and recommendations of the Planning Commission on the Amendment; the EIR; a summary of consultations with affected taxing entities and the California Department of Finance and Department of Housing and Community Development, and consultations with and community participation by residents, community organizations and others in the Central District on the Amendment, along with responses to written objections and concerns; and

WHEREAS, the Council and the Agency held a joint public hearing on September 20, 2011, on adoption of the proposed Amendment; and

WHEREAS, a notice of said hearing was duly and regularly published in a newspaper of general circulation in the City of Oakland, once a week for four successive weeks prior to the date of said hearing; and

WHEREAS, copies of the notice of joint public hearing were mailed by first-class mail to property owners, residents, and businesses in the Central District; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Central District; and

WHEREAS, the Agency has considered the report and recommendations of the Planning Commission, the information contained in the Report to Council from the Agency on the Amendment, and the EIR, has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Amendment; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby finds and determines that significant blight remains in the Central District, based upon the following conditions remaining in the Central District, as set forth and documented in the Report to Council:

- (1) The existence of buildings in which it is unsafe or unhealthy for persons to live or work. These conditions include, dilapidated and deteriorated commercial, residential and industrial buildings, buildings with serious building code violations, abandoned buildings, lead paint and asbestos hazards, defective design or physical construction such as unreinforced masonry buildings and other seismically vulnerable buildings, faulty and inadequate water and sewer utilities, and other similar factors.
- (2) The existence of factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots, including

obsolete building design and elements, impeded circulation and accessibility, and other similar factors.

- (3) Depreciated or stagnant property values for industrial and residential properties.
- (4) Impaired property values due in significant part to contamination with hazardous materials.
- (5) Abnormally high business vacancies, abnormally low lease rates, and abandoned buildings.
- (6) An overconcentration of problem businesses such as liquor outlets that has resulted in significant health and safety concerns.
- (7) A high crime rate that constitutes a significant threat to the public safety and welfare.
- (8) The existence of inadequate public improvements, including poor street conditions, inadequate streetscapes, deficient sewer utilities, inadequate park and public facilities, inadequate pedestrian access, and inadequate street lighting.

and be it further

RESOLVED: That the Redevelopment Agency hereby finds and determines, based upon the information, reasoning and analysis contained in the Report to Council, that the remaining blight conditions in the Central District cannot be eliminated without (1) the extension of the effectiveness of the Redevelopment Plan and the receipt of tax increment revenues by ten years, (2) the extension of the authority to use eminent domain to acquire property in the Central District during the effectiveness of the Redevelopment Plan, and (3) the establishment of additional debt and the increase in the limitation on the number of dollars to be allocated to the Agency from the Central District; and be it further

RESOLVED: That the Redevelopment Agency hereby finds and determines, based upon that letter received by the City from the California Department of Housing and Community Development dated December 21, 2010, that the City has adopted a Housing Element to its General Plan that has been determined by the California Department of Housing and Community Development to be in substantial compliance with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code; and be it further

RESOLVED: That the Redevelopment Agency hereby finds and determines that during the three fiscal years prior to the year this Amendment is adopted, the Agency has not been included in the report sent by the Controller to the Attorney General pursuant

to subdivision (b) of Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8; and be it further

RESOLVED: That the Redevelopment Agency hereby finds and determines that, based upon that letter from the California Department of Housing and Community Development on June 22, 2011, that the Agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund; and be it further

RESOLVED: That the Agency hereby approves and recommends adoption of the following Seventeenth Amendment to the Central District Redevelopment Urban Renewal Plan:

- a. Section 402 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

Section 402. ACQUISITION AND CLEARANCE

The Agency may acquire real properties within the Central District Urban Renewal Area whenever such acquisition is, in the sole discretion of the Agency, determined to be necessary in order:

1. to remove a substandard condition inconsistent with the Redevelopment Plan which cannot otherwise be removed through rehabilitation, or
2. to remove a blighting influence on surrounding properties which prevents achievement of the objectives of the Redevelopment Plan, or
3. to provide land for public improvements or facilities, or
4. to promote historical or architectural preservation, or
5. to assemble a disposition parcel of adequate size, shape and location for redevelopment, and the achievement of other Plan objectives, or
6. to otherwise execute the Redevelopment Plan in conformity with the Community Redevelopment Law of California.

Within the Central District, except as otherwise limited under this section, the Agency may acquire real properties by purchase, gift, exchange, condemnation or any lawful manner, except that the Agency is not authorized to employ the power of eminent domain to

acquire property in the Central District on which persons legally reside.

The Agency's authority to acquire property in the Central District by eminent domain shall expire on the date that this Plan is no longer effective as set forth in the first paragraph of Section 700.E. of this Plan June 12, 2009, except as provided below. No eminent domain complaint to acquire property in the Central District may be filed after this date, ~~except as provided below.~~

~~Notwithstanding any provision of this Plan to the contrary, as to any areas added to the Project Area by amendment of this Plan adopted after June 1, 2001, the Agency may acquire, but is not required to acquire, any real property located in said additional areas by any means authorized by law, including eminent domain, except that in those additional areas the Agency is not authorized to employ the power of eminent domain to acquire property on which persons legally reside. Eminent domain proceedings for said additional areas, if used, must be commenced within twelve (12) years from the date the ordinance adopting the amendment to this Plan becomes effective.~~

- b. Subsection C of Section 600 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):
- C. Local Property Tax Increment: With the consent of the Oakland City Council, taxes, if any, levied upon the taxable property in the Project Area, hereinafter sometimes called the "redevelopment project," each year by or for the benefit of the State of California, the City of Oakland, County of Alameda, any district or other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as provided in Article 6, Chapter 6, Part I (the Community Redevelopment Law) of the Health and Safety Code of the State of California and Section 16 of Article XVI of the Constitution of the State of California, to wit:
1. that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency last equalized prior to the effective date of such ordinance shall be allocated to, and when collected, shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other

property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment role of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

2. that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (1) hereof, all of the taxes levied collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid then all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In the proceedings for the advance of monies, making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Central District Urban Renewal Project, the portion of taxes set forth in said Law and said Constitution as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances or indebtedness.

The number of dollars of the taxes referred to in Health and Safety Code Section 33670 which may be divided and allocated to the Redevelopment Agency of the City of Oakland pursuant to the Plan shall not exceed ~~One Billion, Three Hundred Forty Eight Million, Eight Hundred and Sixty Two Thousand Dollars (\$1,348,862,000.00)~~ Three Billion Dollars (\$3,000,000,000).

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, 2022

2032, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment.

~~As to tax increment generated within that portion of the Project Area added to the plan boundaries after June 12, 1979, but prior to June 1, 2001, no more than \$75 million may be divided and allocated to the Agency without further amendment of this Plan.~~

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the Project Area added to the Plan boundaries after June 12, 1979, but prior to June 1, 2001, the amount of bonded indebtedness outstanding at any one time shall not exceed \$100,000,000.

Notwithstanding any provision of this Plan to the contrary, as to that territory added to the Project Area by the Twelfth Amendment to this Plan adopted on July 24, 2001 (that territory is referred to in this Plan as the "Central District Twelfth Amendment Area"), the Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Plan within the Central District Twelfth Amendment Area after July 24, 2021, except that the Agency may incur loans, advances or indebtedness after July 24, 2021 to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law, as said provisions apply to the Central District Twelfth Amendment Area. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

As to the Central District Twelfth Amendment Area, the Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Twelfth Amendment Area.

Notwithstanding any provision of this Plan to the contrary, as to the Central District Twelfth Amendment Area, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Central District Twelfth Amendment Area after July 24, 2047.

The Agency may in any year during which it owns property in the Project Area pay directly to any city, county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes, if and to the extent such payments are authorized under the California Community Redevelopment Law.

The Agency may pay to any taxing agency with territory located within the Project Area any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the redevelopment project, if and to the extent such payments are authorized under the California Community Redevelopment Law.

Beginning in fiscal year 2004-2005 until the date the effectiveness of this Plan terminates, the Agency will comply with the requirements of Section 33607.7 of the Community Redevelopment Law, as triggered by the amendment to this Plan adopted on January 6, 2004, to eliminate the time limit on establishing debt, to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Project Area (excluding the Central District Twelfth Amendment Area). These payments shall be calculated against the amount of assessed value by which the current year assessed value exceeds the adjusted base year value for fiscal year 2003-2004 for the Project Area (excluding the Central District Twelfth Amendment Area).

Beginning on June 12, 2022, the Agency shall spend tax increment funds (except for funds deposited into the Low and Moderate Income Housing Fund) only within the portion of the Central District Project Area that has been identified in the Report to Council on the Seventeenth Amendment to this Plan as the area containing blighted parcels and necessary and essential parcels.

- c. Subsection E of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikethrough text, and additions with double underlining):

- E. Duration of Plan: The provisions of this Plan shall be filed as restrictive covenants running with land sold or leased by the Agency and shall be made part of each contract with the Agency for new development or for owner participation. The commencement date of the covenants shall be the date of approval of the Plan by the Oakland City Council. The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, until June 12, 2042 2022, except that

the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment. After this time limit on the duration and effectiveness of the Plan, the Agency shall have no authority to act pursuant to this Plan for the Project Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, except as may be otherwise be provided by Section 33333.6 of the Community Redevelopment Law, and except as provided below for areas added to the Project Area by Plan amendment.

As to the Central District Twelfth Amendment Area, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for the Central District Twelfth Amendment Area until July 24, 2032, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the Plan for the Central District Twelfth Amendment Area, the Agency shall have no authority to act pursuant to this Plan for the Central District Twelfth Amendment Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

- d. Subsection G of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikethrough text, and additions with double underlining):

- G. ~~Replacement Housing and Inclusionary Affordable Housing~~ Requirements: By law, the Agency, within four years of destruction or removal of dwelling units housing persons and families of low and moderate income as part of the redevelopment project, shall cause to be rehabilitated, developed or constructed a number of dwelling units equal to the number destroyed or removed which units shall be for sale to persons and families of low and moderate income at affordable housing costs.

In addition, ~~as to any areas added to the Project Area by amendment of this Plan adopted after January 1, 1976, prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E.,~~ at least 30 percent of all new or substantially rehabilitated dwelling units developed by the Agency in the additional areas

Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 50 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. Prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E, at least 15 percent of all new or substantially rehabilitated dwelling units developed by public or private entities or persons other than the Agency in the additional areas Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 40 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. The requirements of this section shall apply in the aggregate, and not to each individual case of rehabilitation, development, or construction of dwelling units; however, the Agency in its discretion may impose inclusionary housing requirements on particular housing projects developed by public or private entities or persons other than the Agency in the additional areas Central District, as needed in order for the Agency to comply with Section 33413 of the Community Redevelopment Law, this Plan, and the implementation plan adopted for the Project pursuant to Section 33490 of the Community Redevelopment Law. This paragraph shall only apply prospectively to new and substantially rehabilitated dwelling units for which the building permits are issued on or after the date of adoption of the Seventeenth Amendment to this Plan. To satisfy this paragraph, in whole or in part, the Agency (1) may cause, by regulation or agreement, to be available, at affordable housing cost to, and occupied by, persons and families of low or moderate income or to very low income households, as applicable, two units outside the Central District for each unit that otherwise would have been required to be available inside the Central District, or (2) may aggregate new or substantially rehabilitated dwelling units in one or more project areas, if the Agency finds, based on substantial evidence, after a public hearing, that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

Beginning in fiscal year 2012-2013, and except as otherwise provided in or allowed by the Community Redevelopment Law, not less than 30 percent of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law from that portion of the Central District existing within the project area prior to December 31, 1993, shall be used by the Agency for the purposes

of increasing, improving and preserving the City's supply of housing at affordable housing cost to persons and families of extremely low, very low, low or moderate income. For those portions of the Central District added to the project area after December 31, 1993, including the Twelfth Amendment Area, the Agency shall continue to allocate not less than 25 percent of tax increment revenues from these areas for these purposes, per CRL requirements and Agency policy. In carrying out this purpose, the Agency may exercise any or all of its powers. The funds for this purpose shall be deposited and held in the Agency's Low and Moderate Income Housing Fund. Beginning in fiscal year 2012-2013 until June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(2) of the Community Redevelopment Law. Beginning on June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(1) of the Community Redevelopment Law.

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 adoption of the Seventeenth Amendment.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

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

NOES-


ABSENT-

ABSTENTION-

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

2011 AUG 29 PM 2: 05

APPROVED AS TO FORM AND LEGALITY:

BY: 
DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE ADOPTING THE SEVENTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN TO (1) EXTEND THE TIME LIMITS ON PLAN EFFECTIVENESS AND THE RECEIPT OF TAX INCREMENT REVENUES BY TEN YEARS, (2) INCREASE THE CAP ON TAX INCREMENT REVENUES, (3) EXTEND THE TIME LIMIT FOR USE OF EMINENT DOMAIN AND RESTRICT EMINENT DOMAIN TO NONRESIDENTIAL PROPERTIES, (4) AMEND AFFORDABLE HOUSING PROVISIONS, AND (5) MAKE OTHER REQUIRED CHANGES

WHEREAS, the City Council adopted the Central District Urban Renewal Plan (the "Redevelopment Plan") on June 12, 1969, Ordinance No. 7987 C.M.S., pursuant to the California Community Redevelopment Law (the "CRL," codified at Section 33000, et seq., of the California Health and Safety Code) as the redevelopment plan for the Central District Redevelopment Project Area (the "Central District" or "Project Area"); and

WHEREAS, the Redevelopment Plan has been amended 16 times since adoption; and

WHEREAS, on December 21, 2004, the City Council adopted Ordinance No. 12641 C.M.S., which amended the Redevelopment Plan to extend the time limit on the effectiveness of the Redevelopment Plan as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment to the Redevelopment Plan adopted in 2001) to June 12, 2012, and extend the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment to the Redevelopment Plan adopted in 2001), to June 12, 2022; and

WHEREAS, pursuant to Section 33333.4(a)(1) of the CRL, the City Council adopted Ordinance No. 10822 C.M.S. on December 16, 1986, which among other things set the limit on the number of dollars that may be divided and allocated to the Redevelopment Agency of the City of Oakland pursuant to the Central District Redevelopment Plan at \$1,348,862,000 (the "tax increment cap"); and

WHEREAS, the Redevelopment Plan also sets a limit on the number of dollars that may be divided and allocated to the Redevelopment Agency from areas added to the Central District between 1979 and 2001 at \$75,000,000; and

WHEREAS, pursuant to Section 33333.4(a)(3) of the CRL, the City Council adopted Ordinance No. 12348 C.M.S. on July 24, 2001, which among other things set time limits on the commencement of eminent domain proceedings to acquire property in the Central District at June 12, 2009, for territory in the Central District prior to June 1, 2001, and 12 years after adoption of the plan extension amendment for territory added to the Central District after June 1, 2001; and

WHEREAS, Sections 33333.10 and 33333.11 of the CRL authorize a redevelopment agency to amend a redevelopment plan adopted prior to December 31, 1993, to extend the time limits on the effectiveness of the plan and the agency's ability to pay indebtedness and receive tax increment revenues by ten additional years, if certain findings are made and certain procedures are followed; and

WHEREAS, Sections 33451.5 and 33354.6 of the CRL authorize a redevelopment agency to amend a redevelopment plan to increase the number of dollars that may be divided and allocated to the agency pursuant to a redevelopment plan, if certain findings are made and certain procedures are followed; and

WHEREAS, Section 33333.4(a)(3) of the CRL authorizes a redevelopment agency to amend a redevelopment plan to extend the time limit for the commencement of eminent domain proceedings, if certain findings are made; and

WHEREAS, the Redevelopment Agency of the City of Oakland has prepared, approved and submitted to the City Council a proposed Seventeenth Amendment to the Central District Redevelopment Urban Renewal Plan (the "Seventeenth Amendment" or the "Amendment"), which would: (1) extend the time limit on the effectiveness of the Redevelopment Plan (excluding the area added to the Central District in 2001) by ten years to June 12, 2022, pursuant to Section 33333.10(a)(1) of the CRL, (2) extend the time limit on the payment of indebtedness and the receipt of tax increment revenues pursuant to the Redevelopment Plan (excluding the area added to the Central District in 2001) by ten years to June 12, 2032, pursuant to Section 33333.10(a)(2) of the CRL, (3) increase the tax increment cap to a maximum of \$3 billion, pursuant to Sections 33451.5 and 33354.6 of the CRL, (4) extend the time limit for the commencement of eminent domain proceedings within the Central District (including the area added to the Central District in 2001) to the extended Plan effectiveness date, pursuant to Section 33333.4(a)(3) of the CRL, as well as restrict

eminent domain authority only to the acquisition of nonresidential properties, (5) amend affordable housing provisions as required under Sections 33333.10 and 33333.11 of the CRL, and (6) make other changes as required by the CRL in connection with the above amendments; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000, et seq., hereinafter the "State CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto, the City has completed an environmental impact report on the proposed Seventeenth Amendment dated June 2011, (the "EIR"); and

WHEREAS, the EIR was completed in compliance with CEQA and the City's CEQA implementing regulations, it reflects the City Council's independent judgment, and it has been reviewed and considered before approving the Amendment; and

WHEREAS, the Planning Commission has submitted to the Council its report and recommendations for approval of the Amendment; and

WHEREAS, the California Department of Finance and Department of Housing and Community Development have been sent reports on the proposed Amendment and have been given an opportunity to comment on the proposed Amendment; and

WHEREAS, the California Department of Housing and Community Development has confirmed in writing on June 22, 2011, that the Redevelopment Agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund; and

WHEREAS, residents and community organizations in the Central District have been given an opportunity to review and comment on reports on the proposed Amendment; and

WHEREAS, the City Council has also received from the Redevelopment Agency a Report of the Agency on the Seventeenth Amendment to the Central District Plan (the "Report to Council") pursuant to Sections 33333.11(h), 33451.5(c), and 33352 of the CRL, including: a map of the Central District that identifies those portions of the Project Area that are no longer blighted and those portions of the Project Area that are blighted or contain necessary and essential parcel for the elimination of the remaining blight; a description of the remaining blight; a description of the projects and programs proposed to eliminate the remaining blight and a description of how these projects and programs will improve the conditions of blight; the reasons why the projects and programs cannot be completed without the time extensions and other amendments, and the relationship between the costs of those programs and project and the amount of the increase in the tax increment cap; the proposed method of financing those programs and projects; an amendment to the Agency's implementation plan for the Central District

Redevelopment Project; a neighborhood impact report; a description of each bond sold by the Agency to finance or refinance the Central District Redevelopment Project; the report and recommendations of the Planning Commission on the Amendment; the EIR; a summary of consultations with affected taxing entities and the California Department of Finance and Department of Housing and Community Development, and consultations with and community participation by residents, community organizations and others in the Central District on the Amendment, along with responses to written objections and concerns; and

WHEREAS, the Council and the Agency held a joint public hearing on September 20, 2011, on adoption of the proposed Amendment; and

WHEREAS, a notice of said hearing was duly and regularly published in a newspaper of general circulation in the City of Oakland, once a week for four successive weeks prior to the date of said hearing; and

WHEREAS, copies of the notice of joint public hearing were mailed by first-class mail to property owners, residents, and businesses in the Central District; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Central District; and

WHEREAS, the Council has considered the report and recommendations of the Planning Commission, the Report to the Council from the Agency on the Amendment, and the EIR, has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Amendment;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The Council hereby finds and determines that:

- a.** Significant blight remains in the Central District. This finding is based upon the following conditions remaining in the Central District, as set forth and documented in the Report to Council:
 - (1) The existence of buildings in which it is unsafe or unhealthy for persons to live or work. These conditions include, dilapidated and deteriorated commercial, residential and industrial buildings, buildings with serious building code violations, abandoned buildings, lead paint and asbestos hazards, defective design or physical construction such as unreinforced masonry buildings and other seismically vulnerable buildings, faulty and inadequate water and sewer utilities, and other similar factors.

- (2) The existence of factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots, including obsolete building design and elements, impeded circulation and accessibility, and other similar factors.
- (3) Depreciated or stagnant property values for industrial and residential properties.
- (4) Impaired property values due in significant part to contamination with hazardous materials.
- (5) Abnormally high business vacancies, abnormally low lease rates, and abandoned buildings.
- (6) An overconcentration of problem businesses such as liquor outlets that has resulted in significant health and safety concerns.
- (7) A high crime rate that constitutes a significant threat to the public safety and welfare.
- (8) The existence of inadequate public improvements, including poor street conditions, inadequate streetscapes, deficient sewer utilities, inadequate park and public facilities, inadequate pedestrian access, and inadequate street lighting.

b. The remaining blight conditions in the Central District cannot be eliminated without (1) the extension of the effectiveness of the Redevelopment Plan and the receipt of tax increment revenues by ten years, (2) the extension of the authority to use eminent domain to acquire property in the Central District during the effectiveness of the Redevelopment Plan, and (3) the establishment of additional debt and the increase in the limitation on the number of dollars to be allocated to the Agency from the Central District. These findings are based upon the information, reasoning and analysis contained in the Report to Council.

Section 2. The Council hereby further finds and determines that:

- a. This Amendment to the Redevelopment Plan is both necessary and desirable, for the reasons set forth above and in the Report to Council.
- b. The remaining blight conditions are causing and will increasingly cause a reduction and lack of proper utilization of the Central District to such an extent that it constitutes a serious physical, social and economic burden on the City, which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone, requiring redevelopment in the interest of

the health, safety and general welfare of the people of the City and the State. This finding is based on the fact that governmental action available to the City without redevelopment would be insufficient to cause any significant correction of the blighting conditions, and that the nature and costs of the public improvements and facilities required to correct the blighting conditions are beyond the capacity of the City and cannot be undertaken or borne by private enterprise acting alone or in concert with available governmental action, as set forth and analyzed in the Report to Council.

- c. The Redevelopment Plan as amended and extended herein will redevelop the Central District in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that redevelopment of the Central District will implement the objectives of the Community Redevelopment Law by aiding in the elimination and correction of the conditions of blight, providing for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement and providing for higher economic utilization of potentially useful land.
- d. The carrying out of the Redevelopment Plan as amended and extended herein is economically sound and feasible. This finding is based on the fact that the Agency will be authorized to seek and utilize a variety of potential financing resources, including tax increment revenues; that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increment revenues generated by new investment in the Central District; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.
- e. The Redevelopment Plan as amended and extended herein conforms to the General Plan of the City of Oakland. This finding is based on the fact that the Redevelopment Plan specifically requires and provides for redevelopment in conformance with the General Plan of the City of Oakland.
- f. The carrying out of the Redevelopment Plan as amended and extended herein will promote the public peace, health, safety and welfare of the City of Oakland and will effectuate the purposes and policy of the Community Redevelopment Law. This finding is based on the fact that redevelopment will benefit the Central District by correcting conditions of blight and by coordinating public and private actions to stimulate development of the Central District.
- g. The condemnation of real property as provided for in the Redevelopment Plan as amended and extended herein is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the

payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan as amended will be carried out and to prevent the recurrence of blight, and the fact that the Redevelopment Plan provides for payments for property acquired through condemnation as required by law.

- h. The Agency has a feasible method and plan for the relocation of families and persons who might be displaced, temporarily or permanently, from housing facilities in the Central District. This finding is based on the fact that the Redevelopment Plan as well as relocation rules adopted by the Agency require and provide for relocation assistance and benefits for displacees according to law.
- i. There are, or are being provided, within the Central District or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who might be displaced from the Central District, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that under relocation laws and regulations adopted by the Agency, no person or family will be required to move from any dwelling unit until suitable replacement housing is available.
- j. Permanent housing facilities will be available within three years from the time occupants of the Central District are displaced, if any, and that pending the development of the facilities, there will be available to the displaced occupants, if any, adequate temporary housing facilities at rents comparable to those in the City of Oakland at the time of their displacement.
- k. The elimination of blight and the redevelopment of the Central District could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the existence of blighting influences, including the lack of adequate public improvements and facilities, and the inability of individual developers to economically remove these blighting influences without substantial public assistance in providing adequate public improvements and facilities, the inability of low- and moderate-income persons to finance needed improvements, and the inadequacy of other governmental programs and financing mechanisms to eliminate blight, including the provision of necessary public improvements and facilities, as analyzed in the Report to Council.
- l. The time limitations and the limit on the number of dollars to be allocated to the Agency contained in the Redevelopment Plan as amended and extended herein are reasonably related to the proposed projects and

programs to be implemented in the Central District and to the ability of the Agency to eliminate blight in the Central District. This finding is based on the program and projects for the Redevelopment Plan as extended and the fiscal analysis as set forth and analyzed in the Report to Council.

- m. The Redevelopment Plan as amended and extended herein contains adequate safeguards so that the work of redevelopment will be carried out pursuant to the Redevelopment Plan, and it provides for the retention of controls and the establishment of restrictions and covenants running with the land sold or leased for private use for periods of time and under conditions specified in the Redevelopment Plan, which this Council deems necessary to effectuate the purposes of the Community Redevelopment Law.

Section 3. The Council is satisfied that all written objections received before or at the noticed public hearing, if any, have been responded to in writing. In addition, written findings have been adopted in response to each written objection of an affected property owner or taxing entity which has been filed with the City Clerk either before or at the noticed public hearing, and all objections are hereby overruled.

Section 4. The City Council hereby amends the ordinance adopting the Central District Redevelopment Urban Renewal Plan and adopts the following Seventeenth Amendment to the Central District Redevelopment Urban Renewal Plan:

- a. Section 402 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

Section 402. ACQUISITION AND CLEARANCE

The Agency may acquire real properties within the Central District Urban Renewal Area whenever such acquisition is, in the sole discretion of the Agency, determined to be necessary in order:

1. to remove a substandard condition inconsistent with the Redevelopment Plan which cannot otherwise be removed through rehabilitation, or
2. to remove a blighting influence on surrounding properties which prevents achievement of the objectives of the Redevelopment Plan, or
3. to provide land for public improvements or facilities, or
4. to promote historical or architectural preservation, or

5. to assemble a disposition parcel of adequate size, shape and location for redevelopment, and the achievement of other Plan objectives, or
6. to otherwise execute the Redevelopment Plan in conformity with the Community Redevelopment Law of California.

Within the Central District, except as otherwise limited under this section, the Agency may acquire real properties by purchase, gift, exchange, condemnation or any lawful manner, except that the Agency is not authorized to employ the power of eminent domain to acquire property in the Central District on which persons legally reside.

The Agency's authority to acquire property in the Central District by eminent domain shall expire on the date that this Plan is no longer effective as set forth in the first paragraph of Section 700.E. of this Plan June 12, 2009, except as provided below. No eminent domain complaint to acquire property in the Central District may be filed after this date, ~~except as provided below.~~

~~Notwithstanding any provision of this Plan to the contrary, as to any areas added to the Project Area by amendment of this Plan adopted after June 1, 2001, the Agency may acquire, but is not required to acquire, any real property located in said additional areas by any means authorized by law, including eminent domain, except that in those additional areas the Agency is not authorized to employ the power of eminent domain to acquire property on which persons legally reside. Eminent domain proceedings for said additional areas, if used, must be commenced within twelve (12) years from the date the ordinance adopting the amendment to this Plan becomes effective.~~

- b. Subsection C of Section 600 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

- C. Local Property Tax Increment: With the consent of the Oakland City Council, taxes, if any, levied upon the taxable property in the Project Area, hereinafter sometimes called the "redevelopment project," each year by or for the benefit of the State of California, the City of Oakland, County of Alameda, any district or other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as provided in Article 6, Chapter 6, Part I (the Community Redevelopment Law) of the Health

and Safety Code of the State of California and Section 16 of Article XVI of the Constitution of the State of California, to wit:

1. that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency last equalized prior to the effective date of such ordinance shall be allocated to, and when collected, shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and
2. that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (1) hereof, all of the taxes levied collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid then all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In the proceedings for the advance of monies, making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Central District Urban Renewal Project, the portion of taxes set forth in said Law and said Constitution as available to the Agency for

such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances or indebtedness.

The number of dollars of the taxes referred to in Health and Safety Code Section 33670 which may be divided and allocated to the Redevelopment Agency of the City of Oakland pursuant to the Plan shall not exceed ~~One Billion, Three Hundred Forty Eight Million, Eight Hundred and Sixty Two Thousand Dollars (\$1,348,862,000.00)~~ Three Billion Dollars (\$3,000,000,000).

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, 2022 2032, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment.

~~As to tax increment generated within that portion of the Project Area added to the plan boundaries after June 12, 1979, but prior to June 1, 2001, no more than \$75 million may be divided and allocated to the Agency without further amendment of this Plan.~~

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the Project Area added to the Plan boundaries after June 12, 1979, but prior to June 1, 2001; the amount of bonded indebtedness outstanding at any one time shall not exceed \$100,000,000.

Notwithstanding any provision of this Plan to the contrary, as to that territory added to the Project Area by the Twelfth Amendment to this Plan adopted on July 24, 2001 (that territory is referred to in this Plan as the "Central District Twelfth Amendment Area"), the Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Plan within the Central District Twelfth Amendment Area after July 24, 2021, except that the Agency may incur loans, advances or indebtedness after July 24, 2021 to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law, as said provisions apply to the Central District Twelfth Amendment Area. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

As to the Central District Twelfth Amendment Area, the Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Twelfth Amendment Area.

Notwithstanding any provision of this Plan to the contrary, as to the Central District Twelfth Amendment Area, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Central District Twelfth Amendment Area after July 24, 2047.

The Agency may in any year during which it owns property in the Project Area pay directly to any city, county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes, if and to the extent such payments are authorized under the California Community Redevelopment Law.

The Agency may pay to any taxing agency with territory located within the Project Area any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the redevelopment project, if and to the extent such payments are authorized under the California Community Redevelopment Law.

Beginning in fiscal year 2004-2005 until the date the effectiveness of this Plan terminates, the Agency will comply with the requirements of Section 33607.7 of the Community Redevelopment Law, as triggered by the amendment to this Plan adopted on January 6, 2004, to eliminate the time limit on establishing debt, to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Project Area (excluding the Central District Twelfth Amendment Area). These payments shall be calculated against the amount of assessed value by which the current year assessed value exceeds the adjusted base year value for fiscal year 2003-2004 for the Project Area (excluding the Central District Twelfth Amendment Area).

Beginning on June 12, 2022, the Agency shall spend tax increment funds (except for funds deposited into the Low and Moderate Income Housing Fund) only within the portion of the Central District Project Area that has been identified in the Report to Council on the Seventeenth Amendment to this Plan as the area containing blighted parcels and necessary and essential parcels.

c. Subsection E of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

E. Duration of Plan: The provisions of this Plan shall be filed as restrictive covenants running with land sold or leased by the Agency and shall be made part of each contract with the Agency for new development or for owner participation. The commencement date of the covenants shall be the date of approval of the Plan by the Oakland City Council. The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, until June 12, 2042 2022, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment. After this time limit on the duration and effectiveness of the Plan, the Agency shall have no authority to act pursuant to this Plan for the Project Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, except as may be otherwise be provided by Section 33333.6 of the Community Redevelopment Law, and except as provided below for areas added to the Project Area by Plan amendment.

As to the Central District Twelfth Amendment Area, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for the Central District Twelfth Amendment Area until July 24, 2032, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the Plan for the Central District Twelfth Amendment Area, the Agency shall have no authority to act pursuant to this Plan for the Central District Twelfth Amendment Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

d. Subsection G of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

G. Roplaomont Housing and Inclusionary Affordable Housing Requirements: By law, the Agency, within four years of destruction

or removal of dwelling units housing persons and families of low and moderate income as part of the redevelopment project, shall cause to be rehabilitated, developed or constructed a number of dwelling units equal to the number destroyed or removed which units shall be for sale to persons and families of low and moderate income at affordable housing costs.

In addition, ~~as to any areas added to the Project Area by amendment of this Plan adopted after January 1, 1976,~~ prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E. at least 30 percent of all new or substantially rehabilitated dwelling units developed by the Agency in the ~~additional areas~~ Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 50 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. Prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E., at least 15 percent of all new or substantially rehabilitated dwelling units developed by public or private entities or persons other than the Agency in the ~~additional areas~~ Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 40 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. The requirements of this section shall apply in the aggregate, and not to each individual case of rehabilitation, development, or construction of dwelling units; however, the Agency in its discretion may impose inclusionary housing requirements on particular housing projects developed by public or private entities or persons other than the Agency in the ~~additional areas~~ Central District, as needed in order for the Agency to comply with Section 33413 of the Community Redevelopment Law, this Plan, and the implementation plan adopted for the Project pursuant to Section 33490 of the Community Redevelopment Law. This paragraph shall only apply prospectively to new and substantially rehabilitated dwelling units for which the building permits are issued on or after the date of adoption of the Seventeenth Amendment to this Plan. To satisfy this paragraph, in whole or in part, the Agency (1) may cause, by regulation or agreement, to be available, at affordable housing cost to, and occupied by, persons and families of low or moderate income or to very low income households, as applicable, two units outside the Central District for each unit that otherwise would have been

required to be available inside the Central District, or (2) may aggregate new or substantially rehabilitated dwelling units in one or more project areas, if the Agency finds, based on substantial evidence, after a public hearing, that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

Beginning in fiscal year 2012-2013, and except as otherwise provided in or allowed by the Community Redevelopment Law, not less than 30 percent of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law from that portion of the Central District existing within the project area prior to December 31, 1993, shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of housing at affordable housing cost to persons and families of extremely low, very low, low or moderate income. For those portions of the Central District added to the project area after December 31, 1993, including the Twelfth Amendment Area, the Agency shall continue to allocate not less than 25 percent of tax increment revenues from these areas for these purposes, per CRL requirements and Agency policy. In carrying out this purpose, the Agency may exercise any or all of its powers. The funds for this purpose shall be deposited and held in the Agency's Low and Moderate Income Housing Fund. Beginning in fiscal year 2012-2013 until June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(2) of the Community Redevelopment Law. Beginning on June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(1) of the Community Redevelopment Law.

Section 5. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Plan as amended.

Section 6. The City Administrator or his designee is hereby directed to record with the County Recorder of Alameda County a statement that the Redevelopment Plan has been amended.

Section 7. If any part of this Ordinance or the Amendment which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Amendment, and this Council hereby declares that it would have passed the remainder of this Ordinance and approved the remainder of the Amendment if such invalid portion thereof had been deleted.

AN ORDINANCE ADOPTING THE SEVENTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN TO (1) EXTEND THE TIME LIMITS ON PLAN EFFECTIVENESS AND THE RECEIPT OF TAX INCREMENT REVENUES BY TEN YEARS, (2) INCREASE THE CAP ON TAX INCREMENT REVENUES, (3) EXTEND THE TIME LIMIT FOR USE OF EMINENT DOMAIN AND RESTRICT EMINENT DOMAIN TO NONRESIDENTIAL PROPERTIES, (4) AMEND AFFORDABLE HOUSING PROVISIONS, AND (5) MAKE OTHER REQUIRED CHANGES

NOTICE AND DIGEST

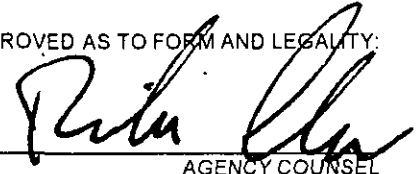
This Ordinance amends the Central District Urban Renewal Plan to (1) extend the time limit on the effectiveness of the Plan by ten years to June 12, 2022, (2) extend the time limit on the payment of indebtedness and the receipt of tax increment revenues pursuant to the Redevelopment Plan by ten years to June 12, 2032, (3) increase the cap on the amount of tax increment revenue that the Redevelopment Agency may receive to a maximum of \$3 billion, (4) extend the time limit for the commencement of eminent domain proceedings within the Central District to the extended Plan effectiveness date, as well as restrict eminent domain only to the acquisition of nonresidential properties, (5) amend various affordable housing provisions as required under the California Community Redevelopment Law, and (6) make other changes as required by the California Community Redevelopment Law in connection with the above amendments. This Ordinance also makes certain findings in support of its adoption.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 AUG 29 PM 2:05

APPROVED AS TO FORM AND LEGALITY:

BY:



AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

A RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF THE EIGHTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN TO EXTEND THE TIME LIMITS ON PLAN EFFECTIVENESS AND THE RECEIPT OF TAX INCREMENT REVENUES BY ONE YEAR

WHEREAS, the City Council of the City of Oakland adopted the Central District Urban Renewal Plan (the "Redevelopment Plan") on June 12, 1969, Ordinance No. 7987 C.M.S., pursuant to the California Community Redevelopment Law (the "CRL," codified at Section 33000, et seq., of the California Health and Safety Code) as the redevelopment plan for the Central District Redevelopment Project Area (the "Central District" or "Project Area"); and

WHEREAS, the Redevelopment Plan has been amended 17 times since adoption; and

WHEREAS, the City Council adopted the Twelfth Amendment to the Redevelopment Plan in 2001, which added territory to the Project Area and set the time limit on the effectiveness of the Redevelopment Plan as to this added territory at July 24, 2032, and the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to this added territory at July 24, 2047; and

WHEREAS, the City Council adopted the Seventeenth Amendment to the Redevelopment Plan in 2011, which extended the time limit on the effectiveness of the Redevelopment Plan as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment) to June 12, 2022, and extended the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to the

Project Area (excluding area added to the Project Area by the Twelfth Amendment), to June 12, 2032; and

WHEREAS, Health and Safety Code Section 33331.5 authorizes the legislative body to amend a redevelopment plan to extend the time limits on plan effectiveness and the agency's ability to pay indebtedness and receive tax increment revenues by one year when the agency is required to make a payment to the Supplemental Educational Revenue Augmentation Fund ("SERAF") under Health and Safety Code Section 33690 and has allocated the full amount to such payment; and

WHEREAS, the Redevelopment Agency is required to make a payment to the SERAF under Health and Safety Code Section 33690 and has allocated the full amount to such payment; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000, et seq., hereinafter the "State CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto, the City has completed an environmental impact report on the proposed Eighteenth Amendment dated June 2011, (the "EIR"); and

WHEREAS, the EIR was completed in compliance with CEQA and the City's CEQA implementing regulations, it reflects the Agency's independent judgment, and it has been reviewed and considered before approving the Amendment; and

WHEREAS, the Agency wishes to amend the Central District Urban Renewal Plan to extend the time limits applicable to the Central District Project Area by one year per Health and Safety Code Section 33331.5; now, therefore, be it

RESOLVED: That the Agency hereby approves and recommends adoption of the following Eighteenth Amendment to the Central District Redevelopment Urban Renewal Plan:

- a. Subsection C of Section 600 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):
 - C. Local Property Tax Increment: With the consent of the Oakland City Council, taxes, if any, levied upon the taxable property in the Project Area, hereinafter sometimes called the "redevelopment project," each year by or for the benefit of the State of California, the City of Oakland, County of Alameda, any district or other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as provided in Article 6, Chapter 6, Part I (the Community Redevelopment Law) of the Health

and Safety Code of the State of California and Section 16 of Article XVI of the Constitution of the State of California, to wit:

1. that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency last equalized prior to the effective date of such ordinance shall be allocated to, and when collected, shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment role of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and
2. that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (1) hereof, all of the taxes levied collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid then all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In the proceedings for the advance of monies, making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Central District Urban Renewal Project, the portion of taxes set forth in said Law and said Constitution as available to the Agency for

such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances or indebtedness.

The number of dollars of the taxes referred to in Health and Safety Code Section 33670 which may be divided and allocated to the Redevelopment Agency of the City of Oakland pursuant to the Plan shall not exceed Three Billion Dollars (\$3,000,000,000).

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, 2032 2033, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment.

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the Project Area added to the Plan boundaries after June 12, 1979, but prior to June 1, 2001, the amount of bonded indebtedness outstanding at any one time shall not exceed \$100,000,000.

Notwithstanding any provision of this Plan to the contrary, as to that territory added to the Project Area by the Twelfth Amendment to this Plan adopted on July 24, 2001 (that territory is referred to in this Plan as the "Central District Twelfth Amendment Area"), the Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Plan within the Central District Twelfth Amendment Area after July 24, 2021, except that the Agency may incur loans, advances or indebtedness after July 24, 2021 to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law, as said provisions apply to the Central District Twelfth Amendment Area. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

As to the Central District Twelfth Amendment Area, the Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Twelfth Amendment Area.

Notwithstanding any provision of this Plan to the contrary, as to the Central District Twelfth Amendment Area, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Central District Twelfth Amendment Area after July 24, 2047-~~2048~~.

The Agency may in any year during which it owns property in the Project Area pay directly to any city, county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes, if and to the extent such payments are authorized under the California Community Redevelopment Law.

The Agency may pay to any taxing agency with territory located within the Project Area any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the redevelopment project, if and to the extent such payments are authorized under the California Community Redevelopment Law.

Beginning in fiscal year 2004-2005 until the date the effectiveness of this Plan terminates, the Agency will comply with the requirements of Section 33607.7 of the Community Redevelopment Law, as triggered by the amendment to this Plan adopted on January 6, 2004, to eliminate the time limit on establishing debt, to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Project Area (excluding the Central District Twelfth Amendment Area). These payments shall be calculated against the amount of assessed value by which the current year assessed value exceeds the adjusted base year value for fiscal year 2003-2004 for the Project Area (excluding the Central District Twelfth Amendment Area).

Beginning on June 12, 2022, the Agency shall spend tax increment funds (except for funds deposited into the Low and Moderate Income Housing Fund) only within the portion of the Central District Project Area that has been identified in the Report to Council on the Seventeenth Amendment to this Plan as the area containing blighted parcels and necessary and essential parcels.

- b. Subsection E of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

- E. Duration of Plan: The provisions of this Plan shall be filed as restrictive covenants running with land sold or leased by the Agency and shall be made part of each contract with the Agency for new

development or for owner participation. The commencement date of the covenants shall be the date of approval of the Plan by the Oakland City Council. The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, until June 12, ~~2022~~ 2023, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment. After this time limit on the duration and effectiveness of the Plan, the Agency shall have no authority to act pursuant to this Plan for the Project Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, except as may be otherwise be provided by Section 33333.6 of the Community Redevelopment Law, and except as provided below for areas added to the Project Area by Plan amendment.

As to the Central District Twelfth Amendment Area, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for the Central District Twelfth Amendment Area until July 24, ~~2032~~ 2033, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the Plan for the Central District Twelfth Amendment Area, the Agency shall have no authority to act pursuant to this Plan for the Central District Twelfth Amendment Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

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 adoption of the Eighteenth Amendment.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

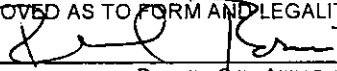
ABSTENTION-

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 AUG 29 PM 2:06

APPROVED AS TO FORM AND LEGALITY


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL
ORDINANCE NO. _____ C.M.S.

AN ORDINANCE ADOPTING THE EIGHTEENTH AMENDMENT TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN TO EXTEND THE TIME LIMITS ON PLAN EFFECTIVENESS AND THE RECEIPT OF TAX INCREMENT REVENUES BY ONE YEAR

WHEREAS, the City Council adopted the Central District Urban Renewal Plan (the "Redevelopment Plan") on June 12, 1969, Ordinance No. 7987 C.M.S., pursuant to the California Community Redevelopment Law (the "CRL," codified at Section 33000, et seq., of the California Health and Safety Code) as the redevelopment plan for the Central District Redevelopment Project Area (the "Central District" or "Project Area"); and

WHEREAS, the Redevelopment Plan has been amended 17 times since adoption; and

WHEREAS, the City Council adopted the Twelfth Amendment to the Redevelopment Plan in 2001, which added territory to the Project Area and set the time limit on the effectiveness of the Redevelopment Plan as to this added territory at July 24, 2032, and the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to this added territory at July 24, 2047; and

WHEREAS, the City Council adopted the Seventeenth Amendment to the Redevelopment Plan in 2011, which extended the time limit on the effectiveness of the Redevelopment Plan as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment) to June 12, 2022, and extended the time limit on the Agency's ability to pay indebtedness and receive tax increment revenues as to the Project Area (excluding area added to the Project Area by the Twelfth Amendment), to June 12, 2032; and

WHEREAS, Health and Safety Code Section 33331.5 authorizes the legislative body to amend a redevelopment plan to extend the time limits on plan effectiveness and the agency's ability to pay indebtedness and receive tax increment revenues by one year when the agency is required to make a payment to the Supplemental Educational Revenue Augmentation Fund ("SERAF") under Health and Safety Code Section 33690 and has allocated the full amount to such payment; and

WHEREAS, the Redevelopment Agency is required to make a payment to the SERAF under Health and Safety Code Section 33690 and has allocated the full amount to such payment; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq., hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000, et seq., hereinafter the "State CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto, the City has completed an environmental impact report on the proposed Eighteenth Amendment dated June 2011, (the "EIR"); and

WHEREAS, the EIR was completed in compliance with CEQA and the City's CEQA implementing regulations, it reflects the City Council's independent judgment, and it has been reviewed and considered before approving the Amendment; and

WHEREAS, the City Council wishes to amend the Central District Urban Renewal Plan to extend the time limits applicable to the Central District Project Area by one year per Health and Safety Code Section 33331.5; now, therefore,

The Council of the City of Oakland does ordain as follows:

Section 1. The City Council hereby amends the ordinance adopting the Central District Redevelopment Urban Renewal Plan and adopts the following Eighteenth Amendment to the Central District Redevelopment Urban Renewal Plan:

- a.** Subsection C of Section 600 of the Redevelopment Plan for the Central District Urban Renewal Project is amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):
 - C. Local Property Tax Increment:** With the consent of the Oakland City Council, taxes, if any, levied upon the taxable property in the Project Area, hereinafter sometimes called the "redevelopment project," each year by or for the benefit of the State of California, the City of Oakland, County of Alameda, any district or other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as provided in Article 6, Chapter 6, Part I (the Community Redevelopment Law) of the Health and Safety Code of the State of California and Section 16 of Article XVI of the Constitution of the State of California, to wit:
 - 1. that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the

taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency last equalized prior to the effective date of such ordinance shall be allocated to, and when collected, shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

2. that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (1) hereof, all of the taxes levied collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid then all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In the proceedings for the advance of monies, making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Central District Urban Renewal Project, the portion of taxes set forth in said Law and said Constitution as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances or indebtedness.

The number of dollars of the taxes referred to in Health and Safety Code Section 33670 which may be divided and allocated to the

Redevelopment Agency of the City of Oakland pursuant to the Plan shall not exceed Three Billion Dollars (\$3,000,000,000).

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, 2032 2033, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment.

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the Project Area added to the Plan boundaries after June 12, 1979, but prior to June 1, 2001, the amount of bonded indebtedness outstanding at any one time shall not exceed \$100,000,000.

Notwithstanding any provision of this Plan to the contrary, as to that territory added to the Project Area by the Twelfth Amendment to this Plan adopted on July 24, 2001 (that territory is referred to in this Plan as the "Central District Twelfth Amendment Area"), the Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Plan within the Central District Twelfth Amendment Area after July 24, 2021, except that the Agency may incur loans, advances or indebtedness after July 24, 2021 to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law, as said provisions apply to the Central District Twelfth Amendment Area. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

As to the Central District Twelfth Amendment Area, the Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Twelfth Amendment Area.

Notwithstanding any provision of this Plan to the contrary, as to the Central District Twelfth Amendment Area, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Central District Twelfth Amendment Area after July 24, 2047-2048.

The Agency may in any year during which it owns property in the Project Area pay directly to any city, county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes, if and to the extent such payments are authorized under the California Community Redevelopment Law.

The Agency may pay to any taxing agency with territory located within the Project Area any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the redevelopment project, if and to the extent such payments are authorized under the California Community Redevelopment Law.

Beginning in fiscal year 2004-2005 until the date the effectiveness of this Plan terminates, the Agency will comply with the requirements of Section 33607.7 of the Community Redevelopment Law, as triggered by the amendment to this Plan adopted on January 6, 2004, to eliminate the time limit on establishing debt, to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Project Area (excluding the Central District Twelfth Amendment Area). These payments shall be calculated against the amount of assessed value by which the current year assessed value exceeds the adjusted base year value for fiscal year 2003-2004 for the Project Area (excluding the Central District Twelfth Amendment Area).

Beginning on June 12, 2022, the Agency shall spend tax increment funds (except for funds deposited into the Low and Moderate Income Housing Fund) only within the portion of the Central District Project Area that has been identified in the Report to Council on the Seventeenth Amendment to this Plan as the area containing blighted parcels and necessary and essential parcels.

b. Subsection E of Section 700 of the Central District Urban Renewal Plan is hereby amended to read in its entirety as follows (deletions are indicated with strikeout text, and additions with double underlining):

E. Duration of Plan: The provisions of this Plan shall be filed as restrictive covenants running with land sold or leased by the Agency and shall be made part of each contract with the Agency for new development or for owner participation. The commencement date of the covenants shall be the date of approval of the Plan by the Oakland City Council. The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, until June 12, 2022 2023, except that

the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment. After this time limit on the duration and effectiveness of the Plan, the Agency shall have no authority to act pursuant to this Plan for the Project Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, except as may be otherwise be provided by **Section 33333.6** of the Community Redevelopment Law, and except as provided below for areas added to the Project Area by Plan amendment.

As to the Central District Twelfth Amendment Area, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for the Central District Twelfth Amendment Area until July 24, 2032-2033, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the Plan for the Central District Twelfth Amendment Area, the Agency shall have no authority to act pursuant to this Plan for the Central District Twelfth Amendment Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to **Section 33413** of the Community Redevelopment Law, it shall retain its authority to implement its requirements under **Section 33413**, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

Section 2. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Plan as amended.

Section 3. The City Administrator or his designee is hereby directed to record with the County Recorder of Alameda County a statement that the Redevelopment Plan has been amended.

Section 4. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and this Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 5. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter, if adopted by at least six members of Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

**AN ORDINANCE ADOPTING THE EIGHTEENTH
AMENDMENT TO THE CENTRAL DISTRICT URBAN
RENEWAL PLAN TO EXTEND THE TIME LIMITS ON
PLAN EFFECTIVENESS AND THE RECEIPT OF TAX
INCREMENT REVENUES BY ONE YEAR**

NOTICE AND DIGEST

This ordinance amends the Central District Urban Renewal Plan to extend the time limits in the Plan for Plan effectiveness and the ability of the Redevelopment Agency to pay indebtedness and receive tax increment revenues, as authorized under Health and Safety Code Section 33331.5, by one year.