

INTRODUCED BY COUNCILMEMBER _____

FILED
OFFICE OF THE CITY CLERK APPROVED AS TO FORM AND LEGALITY
OAKLAND

2004 MAR 11 PM 12:38

[Signature]
CITY ATTORNEY

ORDINANCE NO. 12594 C.M.S.

ORDINANCE AUTHORIZING THE SALE OF TWO LOTS ON DOVER STREET AT 57TH STREET TO THE ROTARY CLUB OF OAKLAND, INC., AT NO COST FOR DEVELOPMENT WITH AFFORDABLE HOUSING BY THE PERALTA COMMUNITY COLLEGE DISTRICT

WHEREAS, the City of Oakland is the owner of the two lots (the "Properties") in the City of Oakland, Alameda County, State of California, on Dover Street opposite the end of 57th Street, and more particularly known as lots 12 and 13 of Tract Number 7226, filed November 26, 2001 in Alameda County Records; and

WHEREAS, the City desires to transfer ownership of the Properties to the Rotary Club of Oakland, Inc., or an affiliated entity ("Developer") pursuant to Resolution No. 76207 C.M.S., passed January 9, 2001; and

WHEREAS, Developer proposes to develop on the Properties two homes affordable to low- and moderate-income households; and

WHEREAS, this development will be done through the Laney College Building Trades Program, pursuant to the August 24, 2001 "Agreement Between Redevelopment Agency of the City of Oakland, Peralta Community College District, and the Rotary Club of Oakland," which provides for City-assisted development and sale of residential property by the Rotary Club in conjunction with housing construction by Laney College students; and

WHEREAS, the City is the Lead Agency for this project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, the City Council has adopted Ordinance No. 11602 C.M.S., which established procedures for the sale and lease of City-owned property which is surplus; now, therefore

The Council of the City of Oakland does ordain as follows:

SECTION 1. The City authorizes the sale of the Properties to the Developer at no cost, in return for the commitment to develop two homes affordable to low- and moderate-income households.

SECTION 2. The City Manager is authorized to negotiate and execute agreements and execute grant deeds as needed to convey the Properties to the Developer.

SECTION 3. That upon completion of homes on the Properties, they shall be sold to low- and moderate-income households at a price affordable to low- and moderate-income households.

SECTION 4. Pursuant to Section 6 of Ordinance No. 11602 C.M.S., it is determined to be in the best interest of the City to sell the Properties by negotiated sale due to the intended use of the Properties for the development and sale of affordable housing units under the Laney College program.

SECTION 5. The City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines that this action complies with CEQA because the sale and development of the Properties is exempt from CEQA pursuant to Sections 15303 (new construction of small structures), 15312 (surplus government property sales), 15280 (lower-income housing projects), and 15332 (infill housing development) of the CEQA Guidelines.

SECTION 6. The City Manager or his or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this project.

SECTION 7. All documents shall be approved as to form and legality by the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 20 2004, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
 PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
CEDA FLOYD

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

Introduction Date: **APR 6 2004**

NOTICE AND DIGEST

ORDINANCE AUTHORIZING THE SALE OF TWO LOTS ON DOVER STREET AT 57TH STREET TO THE ROTARY CLUB OF OAKLAND, INC., AT NO COST FOR DEVELOPMENT WITH AFFORDABLE HOUSING BY THE PERALTA COMMUNITY COLLEGE DISTRICT

This ordinance authorizes transfer of two lots on Dover Street to the Rotary Club of Oakland for development and sale of two affordable homes. Laney College students will do the construction.

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Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening April 6, 2004, and passed to print 8 Ayes. Hearing on final adoption has been scheduled for the City Council meeting Tuesday evening April 20, 2004, 8:00 p.m., at One Frank H. Ogawa Plaza, Council Chambers, on the third floor in Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

CEDA FLOYD, City Clerk

The Oakland Tribune, #285088
April 17, 2004