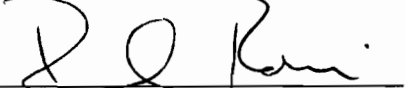


OFFICE OF THE CITY CLERK
2011 JUN -9 PM 5:45

APPROVED AS TO FORM AND LEGALITY:

BY: 
Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 8 3 4 4 5 C. M. S

RESOLUTION CONSENTING TO THE USE OF CENTRAL DISTRICT AND CENTRAL CITY EAST REDEVELOPMENT FUNDS FOR THE PURCHASE OF THE HENRY J. KAISER CONVENTION CENTER PROPERTY

WHEREAS, the City of Oakland owns or will own real property located at 1000 Oak Street in the Central District Redevelopment Project Area and adjacent to the Central City East Redevelopment Project Area now occupied by the Henry J. Kaiser Auditorium and Convention Center (the "Kaiser Convention Center property"); and

WHEREAS, the Henry J. Kaiser Auditorium and Convention Center has been vacant since 2005, is not code compliant, suffers from serious deterioration, and requires significant upgrades and replacements of its major systems and other improvements to return the facility to productive use; and

WHEREAS, the Henry J. Kaiser Auditorium and Convention Center is an underutilized, substandard and inadequate public improvement and constitutes blight within the meaning of redevelopment law; and

WHEREAS, given the size and prominence of the facility, the Henry J. Kaiser Auditorium and Convention Center in its current state is a major blighting influence on nearby properties and businesses in both the Central District and Central City East and negatively impairs the value of those properties and the economic viability of those businesses; and

WHEREAS, on March 3, 2011, the City Council authorized the sale of the Kaiser Convention Center property, among other City properties, to the Redevelopment Agency (Ordinance No. 13062 C.M.S.); and

WHEREAS, the City and the Redevelopment Agency subsequently entered into a Purchase and Sale Agreement with Leaseback Option on March 3, 2011, for the purchase of the Kaiser Convention Center property, as well as other City properties, by the Redevelopment Agency for its rehabilitation and reuse; and

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

WHEREAS, Health and Safety Code Section 33391 authorizes a redevelopment agency to purchase any real property within a survey (project) area or for purposes of redevelopment; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay all or a part of the value of real property that is publicly owned and is located inside or contiguous to a project area, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the proposed biennial budget of the Redevelopment Agency for Fiscal Years 2011-2013 has identified funding from both the Central District Redevelopment Project and the Central City East Redevelopment Project to fund the Agency's purchase of the Kaiser Convention Center property; now, therefore, be it

RESOLVED: That the City Council hereby consents to the use of funding from both the Central District Redevelopment Project and the Central City East Redevelopment Project to fund the Agency's purchase of the Kaiser Convention Center property; and be it further

RESOLVED: That the City Council hereby finds and determines as follows:

- 1) That the acquisition of the Kaiser Convention Center property by the Redevelopment Agency will benefit the Central District Redevelopment Project Area by helping to eliminate blight in the Central District by (1) facilitating the rehabilitation and reuse of a vacant, underutilized, and inadequate public improvement within the Central District, and (2) enhancing neighboring property values and the viability of businesses in the Central District and thus encouraging greater investment in and redevelopment of other properties located in the Central District; and
- 2) That the acquisition of the Kaiser Convention Center property by the Redevelopment Agency will benefit the Central City East Redevelopment Project Area by helping to eliminate blight in Central City East by (1) facilitating the rehabilitation and reuse of a large and prominent vacant, underutilized, and inadequate public improvement located contiguous to Central City East, and thereby (2) enhancing neighboring property values and the viability of businesses in Central City East and thus encouraging greater investment in and redevelopment of other properties located in Central City East; and
- 3) That, given the scale of the transaction and the limited and decreasing revenues available to redevelopment project areas in Oakland including the Central District and Central City East, no one Oakland project area has the capacity to finance the purchase of the Kaiser Convention Center property, and therefore no other reasonable means of financing the purchase of the Kaiser Convention Center property are available to the City or the Redevelopment Agency other than a combination of funding from both the Central District and Central City East; and

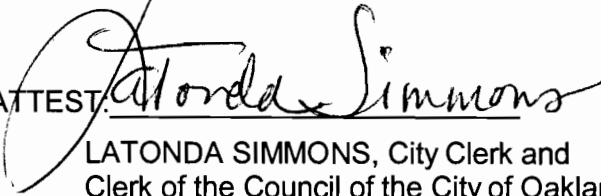
- 4) That the transaction is consistent with the implementation plans adopted for the Central District Redevelopment Project and the Central City East Redevelopment Project.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 30 2011, 2011

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, KERNIGHAN, NADEL, SCHAAF, DE LA FUENTE, ~~BRUNNER~~,
KAPLAN, AND PRESIDENT REID - 7
NOES- 0
ABSENT- 0
ABSTENTION- Brooks - 1

ATTEST.



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