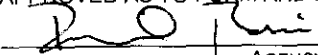


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OAKLAND

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APPROVED AS TO FORM AND LEGALITY

  
AGENCY COUNSEL

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND  
2006-0082  
RESOLUTION NO. \_\_\_\_\_ C.M.S.**

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**A RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF THE SECOND AMENDMENT TO THE OAK KNOLL REDEVELOPMENT PLAN TO (1) MERGE THE OAK KNOLL REDEVELOPMENT PROJECT AREA WITH THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA FOR FISCAL PURPOSES, (2) MERGE THE AFFORDABLE HOUSING PRODUCTION REQUIREMENTS FOR THE TWO PROJECT AREAS SUBJECT TO LIMITATIONS AND CONDITIONS, (3) RAISE THE LIMITS ON RECEIPT OF TAX INCREMENT REVENUES AND BONDED INDEBTEDNESS, (4) REPLACE THE LAND USE MAP WITH THE CURRENT GENERAL PLAN LAND USE MAP, (5) EXPAND THE LIST OF AUTHORIZED PUBLIC IMPROVEMENTS, AND (6) MAKE OTHER TEXT CHANGES**

**WHEREAS**, the City Council of the City of Oakland adopted the Redevelopment Plan for the Oak Knoll Redevelopment Project (the "Oak Knoll Redevelopment Plan") on July 14, 1998, pursuant to the California Community Redevelopment Law (California Health and Safety Code Sections 33000, et seq.); and

**WHEREAS**, the City Council adopted the Redevelopment Plan for the Central City East Redevelopment Project (the "Central City East Redevelopment Plan") on July 29, 2003, pursuant to the California Community Redevelopment Law; and

**WHEREAS**, Sections 33485 through 33489 of the California Health and Safety Code authorize a legislative body through plan amendment to merge redevelopment project areas; and

**WHEREAS**, the Redevelopment Agency has prepared a proposed Second Amendment to the Oak Knoll Redevelopment Plan (the "Second Amendment" or the "Amendment"), which would merge (1) merge the Central City East Redevelopment

Project Area with the Oak Knoll Redevelopment Project Area for fiscal purposes, (2) merge the affordable housing production requirements for the two Project Areas, in that the Agency would be authorized to allocate surplus affordable housing units produced in the Central City East Project Area to meet the Oak Knoll affordable housing production requirements under certain conditions and subject to certain limitations, (3) raise the limitation on the number of tax increment dollars that may be allocated to the Agency from \$87 million to \$1.5 billion, (4) raise the limitation on the amount of bonded indebtedness that may be outstanding from \$21.5 million to \$400 million, (5) replace the redevelopment land use map now attached to the Plan with the land use map set forth in the General Plan, (6) replace the list of authorized public improvements with an expanded list consistent with the Central City East Plan, and (7) make other text changes; and

**WHEREAS**, the City of Oakland, as the Lead Agency for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"), prepared and certified an Environmental Impact Report for the Oak Knoll Redevelopment Project (the "EIR") in connection with the adoption of the Oak Knoll Redevelopment Project, in accordance with the California Environmental Quality Act, Public Resources Code § 21000, et seq.; 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 Agency has submitted to the City Council a Report of the Agency on the proposed amendments to the Central City East Redevelopment Plan and Oak Knoll Redevelopment Plan (the "Report to Council") pursuant to Section 33352 of the Community Redevelopment Law, which includes, among other things, a description of the remaining blight in the Central City East and Oak Knoll Project Areas, the projects that are planned to eradicate the remaining blight, and the relationship of the cost of those projects to the amount of increase in the tax increment limit for Oak Knoll; and

**WHEREAS**, the Planning Commission has submitted to the Council its report and recommendations for approval of the Amendment and its certification that the Amendment conforms to the General Plan of the City of Oakland; and

**WHEREAS**, the Agency and the Council held a joint public hearing on October 31, 2006, on adoption of the 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 Oak Knoll Redevelopment Project Area; 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 Oak Knoll Redevelopment Project Area; and

**WHEREAS**, the Agency has notified the California Department of Housing and Community Development of its intention to merge the Oak Knoll Redevelopment Project Area with the Central City East Redevelopment Project Area at least 30 days prior to the adoption of this Resolution; and

**WHEREAS**, it is necessary and desirable that the Amendment and the merger be adopted for the reasons set forth in the Report to Council; now, therefore, be it

**RESOLVED**: That the Agency hereby approves and recommends adoption of the Second Amendment to the Oak Knoll Redevelopment Plan merging the Oak Knoll Redevelopment Project Area with the Central City East Redevelopment Project Area and making the other Plan changes; and be it further

**RESOLVED**: That the Agency finds that the limited merger of the affordable housing production requirements of the Oak Knoll Project Area with the Central City East Project Area as set forth in the Amendment is necessary and desirable in order to provide needed flexibility to comply with the affordable housing production requirements of the two Project Areas, and that such limited merger will not cause or exacerbate racial, ethnic, or economic segregation in the Oak Knoll Project Area; and be it further

**RESOLVED**: That the Agency finds that the other amendments to the Oak Knoll Redevelopment Plan as set forth in the Amendment are necessary and desirable in order to update the Plan and make it consistent with the terms of the General Plan and the Central City East Redevelopment Plan; 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 Second Amendment; and be it further

**RESOLVED**: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines, based on the information provided in the report accompanying this Resolution, that this action complies with CEQA because the Amendment is exempt from CEQA pursuant to Section 15061(b)(3) (general rule), Section 15301 (alterations to existing facilities), and Section 15378(b)(4) (government fiscal activities) of the CEQA Guidelines; and be it further.

**RESOLVED**: That the Agency further finds and determines on the basis of substantial evidence in the record that none of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the Oak Knoll Redevelopment Project or the circumstances under which the Project is

undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects, and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3).

IN AGENCY, OAKLAND, CALIFORNIA, DEC 5 2006, 2006


**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

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

Introduction Date: DEC 5 2006