


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88233 C.M.S.

RESOLUTION DECLARING SIXTEEN PROPERTIES, INCLUDING, (1) THIRTEEN PROPERTIES DESIGNATED IN THE LONG-RANGE MANAGEMENT PLAN FOR DISPOSITION OR FUTURE DEVELOPMENT; AND (2) THREE CITY-OWNED PROPERTIES LOCATED AT 98TH AVENUE AND STEARNS AVENUE (APN 48-5617-9-1, 48-5617-10-4), 1449 MILLER AVENUE (APN 20-153-6), AND 6226 MORAGA AVENUE (APN 048F-7361-11, 048F-7361-12), AS "SURPLUS LAND" PURSUANT TO GOVERNMENT CODE SECTION 54220(B)(1).

WHEREAS, under the Surplus Land Act The ("SLA"), Government Code Section 54220-54233, surplus property is defined as land owned by any local agency no longer necessary for the agency's use; and

WHEREAS, effective January 1, 2020, the SLA was amended to require local agencies to formally declare agency-owned properties as surplus land prior to taking actions to dispose of such properties and to issue Notices of Availability to eligible entities; and

WHEREAS, the City of Oakland ("City") owns 16 properties located throughout the City, totaling approximately 46 acres, that are suitable for future disposition and development (the "Surplus Properties"); and

WHEREAS, the City Administrator has made findings that the Surplus Properties are no longer necessary for the City's use, which findings are set forth in Exhibit A to this Resolution; and

WHEREAS, the City intends to follow the provisions of the SLA in the disposition of public lands; and

WHEREAS, it is the City's policy, as well as State law, to prioritize affordable housing in the disposition of public lands; and

WHEREAS, a declaration of surplus land, and the issuing of notices pursuant to the SLA, is a process adopted in State law, with the intent of ensuring proper process and the prioritization of affordable housing, including noticing and opportunity to respond, for affordable housing developers; and

WHEREAS, the process described in the SLA should take place prior to taking any further actions regarding the disposition of the Surplus Properties; and

WHEREAS, this declaration of surplus land does not obligate the City to subsequently dispose of the land and, depending on the response to the notices and other factors, the City could still decide not to move forward with disposition of specific properties; and now, therefore, be it

RESOLVED: that the above recitals and the findings in Exhibit A are integral to this Resolution and are incorporated herein; and be it

FURTHER RESOLVED: that the City Council has independently reviewed the findings for the Surplus Properties and hereby formally declares the Surplus Properties as "surplus land" pursuant to Government Code Section 54221(b)(1); and be it

FURTHER RESOLVED: that the City Council finds and determines, after independent review and consideration, that this action results in no binding commitment by the City to authorize or advance the disposition of any of the Surplus Properties; will not result in a direct or indirect physical change in the environment; and does not constitute an "approval" of a "project" pursuant to CEQA Guidelines Sections 15004 and 15352; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator to issue Notices of Availability for the Surplus Properties that are compliant with the State SLA.

IN COUNCIL, OAKLAND, CALIFORNIA,

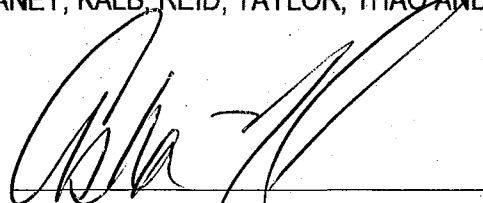
JUL 21 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:



ASHA REED

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

EXHIBIT A

Findings for Surplus Properties
[Attached]

Surplus Land Site List

#	Phase	Property/Site Name	Council District	APN(s)	Site Address	Lot Sq Ft	Zoning	Written findings for Surplus Land determination
1	1	1911 Telegraph		3 8-716-58	1911 Telegraph Ave	45,121	CBD-R, CBD-P	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan. The site is currently under a license agreement until August 31, 2020 for an interim use and activation of the vacant land, which may be extended to subject to future City Council authorization. In any event, this temporary use will terminate prior to the commencement of development on the site.
2	1	Oak Knoll - Barcelona Parcel		7 48-6870-2	Barcelona St	205,337	RH-3	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
3	1	73rd & Foothill		6 39-3291-20	Foothill Blvd	53,160	CC-1	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan. The site is currently under a license agreement until January 31, 2021 for an interim use and activation of the vacant land. This temporary use will terminate prior to the commencement of development on the site.
4	1	36th & Foothill		5 32-2084-50 32-2084-51 32-2115-37-1 32-2115-38-1	3614 Foothill Blvd 3600 Foothill Blvd 3566 Foothill Blvd 3550 Foothill Blvd	34,164	RU-5	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial or mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
5	2	8280 & 8296 MacArthur		7 43A-4644-26 43A-4644-28	8280 MacArthur Blvd 8296 MacArthur Blvd	12,720	RU-4	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential/commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
6	2	1800 San Pablo Lot		3 8-642-18	1800 San Pablo Ave	44,347	CBD-X	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
7	2	10451 MacArthur		7 47-5576-7-3	10451 MacArthur Blvd	23,000	CN-3	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential or mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
8	2	27th & Foothill		5 25-733-8-2 25-733-8-3	2777 Foothill Blvd 2759 Foothill Blvd	22,581	RU-5	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
9	3	Clara & Edes		7 44-5014-5 44-5014-6-3	9418 Edes Ave 606 Clara St	26,311	RM-4	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential/commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
10	3	98th & Stearns		7 48-5617-9-1 48-5617-10-4	2656 98th Ave 2660 98th Ave	20,614	RD-1	Subject property is a remnant surplus parcel remaining from the 98th Avenue street widening project. The property is not being utilized by the City for any governmental purpose and is suitable for future development.
11	3	Rotunda Garage Remainder		3 8-620-9-3	524 16th St	6,699	CBD-C	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
12	3	Miller Library Site		5 20-153-6	1449 Miller Ave	11,969	RM-2	Subject property was the former site of the historic Carnegie Miller Branch Library. The former Miller library had fallen into disrepair for many years and subsequently had been a constant source for illegal activities and squatters. Library was recently completely devastated by a fire and was subsequently razed and cleared. The site is in current temporary use, however not necessary for the City's long-term use and is suitable for affordable housing.
13	4	73rd & International		7 40-3317-32	7318 International Blvd	5,435	CC-2	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
14	4	1443 Derby		5 25-719-7-1 25-720-2-1	3050 International Blvd Derby St	9,000	RM-4	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential/commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.

15	4	Montclair Firehouse	4	48F-7361-11 48F-7361-12	6226 Moraga Ave 6226 Moraga Ave	15,651	RH-4	Subject property was the former site of the Montclair Firehouse. Following the 1989 Loma Prieta earthquake, the building was closed due to seismic safety concerns. Cost of seismic retrofitting and its location near the Hayward Fault prevented the firehouse's reopening as well as the likely possibility of future residential development on the site.
16	4	Coliseum City	7	41-3901-4 41-3902-21 41-4170-1-2 41-4170-5-4 41-4173-1-3 41-4173-2-2 41-4173-3-6 41-4173-3-6 42-4328-1-16 42-4328-1-24 41-3901-10 41-3902-13-5 41-3902-13-6	796 66th Ave 6775 (7001) Oakport St 711 71st Ave 7001 Snell St 73rd Ave 728 73rd Ave 710 73rd Ave 633 Hegenberger Rd 8000 S Coliseum Wy 66th Ave Edgewater Dr Edgewater Dr	1,504,670	D-CO-1, D-CO-2, OS, IO, CIX-2	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.