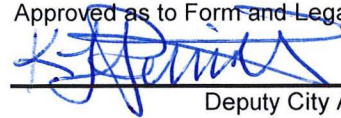


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 MAR 30 AM 11:06

Approved as to Form and Legality:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86127 C.M.S.

**A Resolution Authorizing The City Administrator or Designee to (1) Accept and Appropriate \$188,750 in Historic Mitigation Fees from Three Developers to the Façade Improvement Program; And (2) Accept and Appropriate any Historic Mitigation Funds which May Be Received by the City of Oakland in Fiscal Year 2015/2016 through Fiscal Year 2024/2025 to the Façade Improvement Program Relying on an Exemption from California Environmental Quality Act ("CEQA") Review Pursuant to Section 15061(b)(3) of the CEQA Guidelines**

**WHEREAS**, the Oakland Planning Commission has, in the past, required developers that propose to demolish historic buildings for new development to mitigate the adverse impacts to historic resources by making financial contributions to a historic preservation program, such as the City of Oakland's ("City") Façade Improvement Program ("FIP"); and

**WHEREAS**, the Planning Commission has received \$188,750 in historic mitigation fees from developers; and

**WHEREAS**, the Planning Commission assigned the historic mitigation fees to the Façade Improvement Program, and earmarked said fees for the façade restoration of Historic or Potentially Designated Historic Properties ("PDHP") in the downtown or other areas affected by the demolition of historic buildings and

**WHEREAS**, the Planning Commission may require developers to pay historic mitigation fees in the future; and

**RESOLVED:** That the City Council hereby authorizes the City Administrator or designee to accept and appropriate historic mitigation fees in the amount of \$188,750 from developers to partially fund the Façade Improvement Program; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized to appropriate the following funds in the following accounts:

- \$42,500 from the Miscellaneous Grant Fund (2999), Central District Redevelopment (Organization 02445, now 85245), City Oakland Grant: Project related (Account 46111), Undetermined Project (Project 0000000), Downtown Redevelopment (Program SC13); and

- \$77,500 from Miscellaneous Grant Fund (2999), CIP Broadway/MacArthur San Pablo (Organization 94869), City Oakland Grant: Project Related (Account 46419), (Project P494111), Broadway/San Pablo/MacArthur (Program SC05); and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to appropriate future historic mitigation fees in Fiscal Year 2015/2016 through Fiscal Year 2024/2025 required by the Planning Commission to the Miscellaneous Grant Fund (2999), CIP Central District (Organization 94889) or CIP Broadway/MacArthur San Pablo (Organization 94869) or CIP West Oakland (Organization 94859) or CIP Coliseum (CIP (94859) or CIP Central City East (Organization 94899) in new projects to be established, depending on the area adversely impacted by the demolition of any historic buildings; and be it further

**FURTHER RESOLVED:** That should additional historic mitigation fees be required by the Planning Commission, the City Administrator or designee is hereby authorized to accept and appropriate the same for the purposes described above; and be it

**FURTHER RESOLVED:** That the City Council finds and determines, after independent review and consideration, that the acceptance and appropriation of historic mitigation funds in the amount of \$188,750 to the Façade Improvement Program is exempt from CEQA pursuant to Section 15061(b)(3) (general rule) of the CEQA Guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee shall cause a Notice of Exemption from CEQA requirements to be filed with the County of Alameda; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to take any other action consistent with this Resolution and its basic purposes.

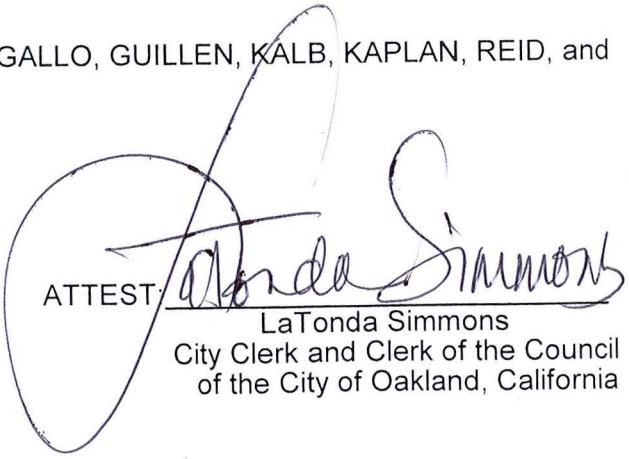
APR 19 2016

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2016

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON McELHANEY - 8

NOES - 0  
 ABSENT - 0  
 ABSTENTION - 0

ATTEST:   
 LaTonda Simmons  
 City Clerk and Clerk of the Council  
 of the City of Oakland, California