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OFFICE OF THE CITY CLERK  
OAKLAND

2009 OCT 29 PM 3:49

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND  
2009 - 0095

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**AN AGENCY RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 5844 BANCROFT AVENUE, IN THE CENTRAL CITY EAST REDEVELOPMENT PROJECT AREA, FROM ROBERT FIELDS FOR \$240,000, LESS THE COST OF ANY ENVIRONMENTAL SITE REMEDIATION, AND AUTHORIZING UP TO \$85,000 FOR DEMOLITION, REMOVAL AND DISPOSAL OF ANY DEMOLITION RELATED HAZARDOUS MATERIALS, AND REAL ESTATE CLOSING COSTS**

**WHEREAS**, the Central City East Redevelopment Plan adopted by the City Council on July 29, 2003, includes alleviation of general blight and unsafe conditions as a goal for the Central City East area; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland (the "Agency") is implementing projects in the Central City East Redevelopment Project Area as part of the Redevelopment Plan to improve the Redevelopment Area; and

**WHEREAS**, Section 33391 of the California Community Redevelopment Law (Health & Safety Code Sections 33000, et seq.) authorizes a redevelopment agency to purchase real property in a project area for purposes of redevelopment; and

**WHEREAS**, real property located at 5844 Bancroft Avenue (Assessor's Parcel Number 038-3182-005), depicted on Exhibit A attached hereto (the "Property"), is within the Central City East Redevelopment Project Area in Oakland; and

**WHEREAS**, the Property, encompassing a total of approximately 3,238 square feet, is currently vacant, blighted and underutilized; and

**WHEREAS**, the Agency desires to acquire and hold the Property for future development, to rid the property of blight, and to redevelop the property in the future; and

**WHEREAS**, Robert Fields, the owner, offered to sell the Property to the Agency at fair market value of \$240,000 minus the cost of site remediation, to assist the Agency in its redevelopment efforts in the Central City East Redevelopment Project Area; and

**WHEREAS**, the sale by the owner was not induced, the sale price is at fair market value as established by an appraisal, and no federal funds will be used for acquisition of the Property; and

**WHEREAS**, the Property has been appraised, a Phase I environmental investigation has been completed and the Agency has executed an option contract to enter into a purchase and sale agreement with the owner of the Property, to acquire the Property rights for \$240,000, less any site remediation costs; and

**WHEREAS**, the cost of demolition, removal and disposal of demolition related hazardous materials and real estate closing is estimated to be \$85,000; and

**WHEREAS**, the Agency issued and received Series 2006-T bonds for the Central City East and Coliseum Redevelopment Project Areas to be used for, among other things, the acquisition of vacant, blighted, obsolete and/or underutilized properties; and

**WHEREAS**, the funding for the acquisition of the property is available from Central City East Tax Allocation Bond Series 2006A-T (Taxable) Bonds Fund (9543), Central City East Organization (88699), Central City East Land Acquisition Project (S233351); and

**WHEREAS**, the Central City East Redevelopment Project Area Committee has made a recommendation to the Agency to acquire the Property; 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; now, therefore, be it

**RESOLVED:** That the Agency hereby authorizes the Agency Administrator to negotiate and execute an Agreement for the purchase of Property located at 5844 Bancroft Avenue for an amount not exceed \$240,000, and authorizes \$85,000 for costs of demolition, removal and disposal of any demolition related hazardous materials and real estate closing, and be it

**FURTHER RESOLVED:** That the Agency hereby finds and determines as follows:

1. That the funding of the acquisition of 5844 Bancroft Avenue from redevelopment funds will benefit the Central City East Redevelopment Project Area by creating future development opportunities to better serve area residents and businesses and improve physical conditions in the Central City East Redevelopment Project Area;
2. That the use of tax increment funds from the Central City East Redevelopment Project Area for the purchase is consistent with the implementation plan adopted for the Central City East Project Area and will assist in the elimination of blight in the Project Area by redeveloping underutilized parcels; and be it

**FURTHER RESOLVED:** That funds will be allocated from Central City East Tax Allocation Bond Series 2006A-T (Taxable) Bonds Fund (9543), Central City East Organization (88699), Central City East Land Acquisition Project (S233351); and be it

**FURTHER RESOLVED:** That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with CEQA because this action on the part of the Agency is exempt from CEQA under Section 15061(b)(3) (activity covered by the general rule, no significant effect on the environment) and Section 15183 (projects consistent with the General Plan), of the CEQA Guidelines, and directs the Agency Administrator to file a Notice of Exemption and an Environmental Declaration (under California Fish and Game Code section 711.4) with the County of Alameda; and be it

**FURTHER RESOLVED:** That the Agency Administrator or his designee is hereby authorized to negotiate and execute all agreements and to take whatever other action is necessary with respect to the Agency funding of the acquisition, consistent with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED:** That Agency Counsel shall review and approve all agreements and other documents related to this acquisition as to form and legality, and a copy shall be placed on file in the Office of the Agency Secretary.

NOV 17 2009

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2009

**PASSED BY THE FOLLOWING VOTE:**

AYES-KERNIGHAN, NADEL, QUAN, DE LA FUENTE, BROOKS, REID, KAPLAN, AND  
~~CHAIRPERSON BRUNNER~~ - 7

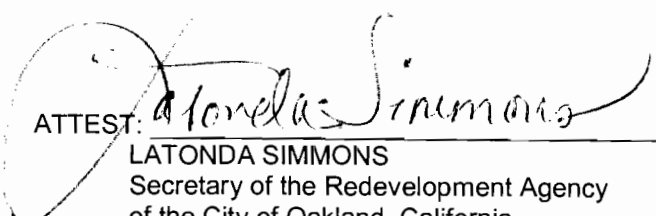
NOES- 0

ABSENT- 0

ABSTENTION- 0

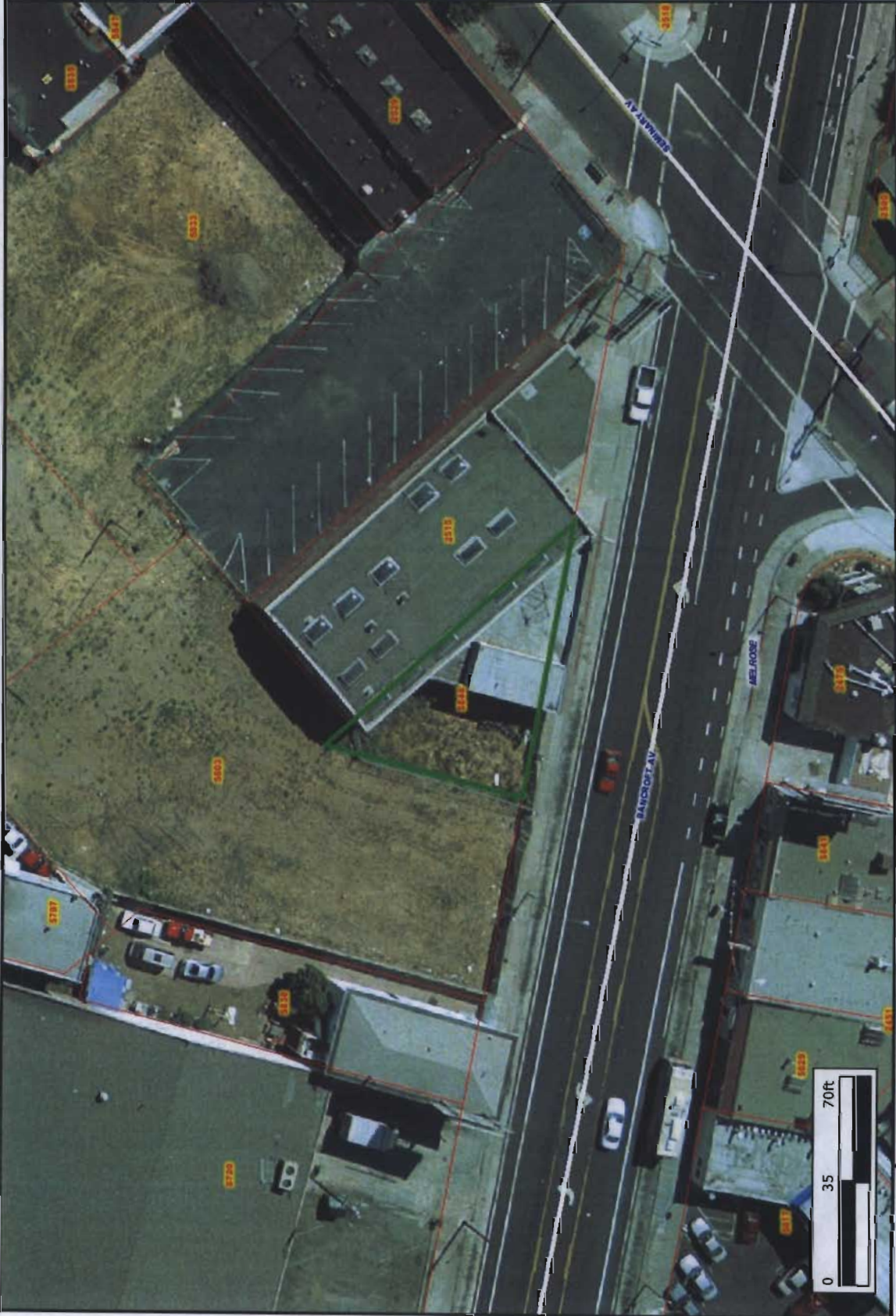
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ATTEST:

  
LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California

# Exhibit "A"

5844 Bancroft Avenue



## Legend

- Selected Features
- City Limits
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- Land

It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

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