

OFFICE OF THE CITY CLERK
CITY OF OAKLAND
2007 JUN 28 PM 2:25

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. 12825 C. M. S.

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 5818 INTERNATIONAL BOULEVARD (APN 038-3234-012-03 AND 038-3234-013-01) FROM A. ESSABHOY, TRUSTEE OF THE ESSABHOY TRUST, FOR \$790,000 PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FOR REDEVELOPMENT AS A TEEN YOUTH CENTER, AND ACCEPTING AND APPROPRIATING A CONTRIBUTION OF \$790,000 PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR THE PURCHASE OF THE PROPERTY.

WHEREAS, the City of Oakland Office of Parks and Recreation operates the Rainbow Recreation Center at 5800 International Boulevard, adjacent to two parcels (APN 038-3234-012-03 and 038-3234-013-01) at 5818 International Boulevard; and

WHEREAS, 5818 International Boulevard is currently occupied by a vacant building that belongs to the Essabhoy Trust; and

WHEREAS, City staff have identified the site as a blighted, obsolete, and/or underutilized property within the Coliseum Redevelopment Project Area; and

WHEREAS, the City wishes to purchase the referenced parcels, pending the results of the environmental review, title search and other due diligence to be completed, for redevelopment as a teen center; and

WHEREAS, A Essabhoy, Trustee of the Essabhoy Trust has offered to sell 5818 International Boulevard to the City for a price of \$790,000 plus customary real estate closing costs; and

WHEREAS, the City and Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for land costs or the cost of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the Redevelopment Agency has authorized a contribution of Agency funds from the Coliseum Redevelopment Project in the amount of \$790,000 plus customary real estate closing cost to the City to purchase the International Boulevard parcels; and

WHEREAS, the acquisition of the parcels is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) (no possibility of significant environmental impact), Section 15183 (projects consistent with a General Plan), Section 15301 (existing facilities), and Section 15308 (actions by regulatory agencies to protect the environment) of the CEQA Guidelines; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1: The City Council hereby authorizes the purchase of the 5818 International Boulevard parcels, APN 038-3234-12-3 and 038-3234-13-1, for a purchase price of \$790,000 plus customary real estate closing costs, for redevelopment as a teen center.

Section 2: The City Administrator, or her designee, is authorized to negotiate and execute an agreement to purchase the International Boulevard parcels.

Section 3: The City hereby consents to and accepts and appropriates to the City's Oakland Redevelopment Agency Projects Fund (7780) a contribution of \$790,000 plus customary real estate closing costs from the Redevelopment Agency under the Cooperation Agreement for the purchase of the parcels.

Section 4: The City Council hereby finds and determines as follows:

1. That the funding of the acquisition of the International Boulevard parcels will benefit the Coliseum Redevelopment Project Area by alleviating blight conditions on those parcels by improving and making use of an unoccupied, vacant building and redeveloping the building for use as a teen center serving Project Area residents;
2. That since City's General Purpose Funds are not available for acquisition of these properties, no other reasonable means of financing are available to the City for the acquisition other than Redevelopment Agency funding; and
3. That the use of tax increment funds from the Coliseum Redevelopment Project Area for the acquisition will assist in the elimination of blight in the Project Area by allowing the City to repair the dilapidated condition of the building currently located on the parcels and restore to productive

use as a City teen youth recreation center, and is consistent with the implementation plans adopted for the Coliseum Project Area.

Section 5: In accordance with the requirements of City Charter Article IV, the purchase agreement shall be approved as to form and legality by the City Attorney's Office prior to execution and a copy shall be filed with the Office of the City Clerk.

Section 6: This Ordinance shall become effective immediately upon final adoption if it receives six or more affirmative votes; otherwise, it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, ~~SEP 18 2007~~ 2007

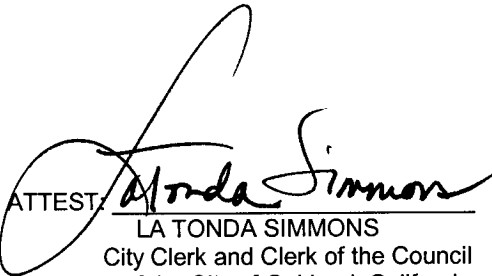
PASSED BY THE FOLLOWING VOTE:

AYES BROOKS, BRUNNER, CHANG, ~~KERNIGHAN~~, NADEL, REID, QUAN, AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Kernighan - 1

ABSTENTION- 0

ATTEST: 
LA TONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: JUL 17 2007

NOTICE AND DIGEST

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 5818 INTERNATIONAL BOULEVARD (APN 038-3234-012-03 AND 038-3234-013-01) FROM A. ESSABHOY, TRUSTEE OF THE ESSABHOY TRUST, FOR \$790,000, PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FOR REDEVELOPMENT AS A TEEN YOUTH CENTER, AND ACCEPTING AND APPROPRIATING A CONTRIBUTION OF \$790,000 PLUS CUSTOMARY REAL ESTATE CLOSING COSTS, FROM THE REDEVELOPMENT AGENCY UNDER THE COOPERATION AGREEMENT FOR THE PURCHASE OF THE PROPERTY

This Ordinance authorizes the City Administrator to purchase 5818 International Boulevard from A. Essabhoy, Trustee of the Essabhoy Trust.