APPROVED AS TO FORM AND LEGALITY

Daniel Rossi
Daniel Rossi (Oct 1, 2026 11:45:56 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE ACCEPTANCE BY THE CITY OF OAKLAND OF ALL ASSETS, LIABILITIES, AND INTERESTS OF THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY (ORSA), OTHER THAN BOND LIABILITIES, PURSUANT TO THE ORSA TERMINATION PLAN, INCLUDING ALL REMAINING ACTIVE LOANS, ALL DISPOSITION AND DEVELOPMENT AGREEMENTS AND OWNER PARTICIPATION AGREEMENTS, AND ALL REAL PROPERTY ASSETS; AUTHORIZING AN ASSIGNMENT, TRANSFER, AND COMPENSATION AGREEMENT WITH ORSA WITH RESPECT TO SUCH TRANSFERS; AND MAKING RELATED CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, on February 1, 2012, the Redevelopment Agency of the City of Oakland (the "Redevelopment Agency") dissolved pursuant to the Community Redevelopment Law (Health and Safety Code Section 33000, et seq.); and

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the Oakland Redevelopment Successor Agency ("ORSA") is the successor agency to the Redevelopment Agency, and as such has succeeded to the authority, rights, powers, duties and obligations of the former Redevelopment Agency; and

WHEREAS, on November 8, 2013, ORSA and the City of Oakland ("City") entered into a Bond Expenditure Agreement to transfer excess tax allocation bond proceeds to the City to fund redevelopment projects and programs not previously funded and obligated by ORSA or the City, consistent with the bond covenants; and

WHEREAS, on July 15, 2013, and May 22, 2014, ORSA adopted a Long Range Property Management Plan providing for the disposition of real property owned by the former Redevelopment Agency; and

WHEREAS, the Long Range Property Management Plan directs that certain real properties be liquidated and the net proceeds therefrom be distributed to the taxing entities, as provided for under Health and Safety Code Section 34191.5(c)(2)(B)); and

WHEREAS, on July 1, 2014, the taxing entities in Alameda County (including the City) entered into a Master Agreement for Taxing Entity Compensation (the "Master Compensation Agreement") to share in the proceeds from the disposition of real property pursuant to the Long Range Property Management Plan; and

WHEREAS, pursuant to Health and Safety Code Section 34176(a), the City is the housing successor to the former Redevelopment Agency, and as such has retained the housing assets and functions of the former Redevelopment Agency; and

WHEREAS, under the Community Redevelopment Law (Health and Safety Code Sections 34177(h) and 34177.3(b)), the central function of successor agencies is to expeditiously wind down the affairs of former redevelopment agencies; and

WHEREAS, the Community Redevelopment Law provides for a cooperative relationship between redevelopment agencies, their successor agencies, and sponsoring cities; and

WHEREAS, ORSA retains a number of active loan receivable assets transferred by operation of law from the former Redevelopment Agency, and wishes to assign and transfer its interests in such loan assets to the City; and the City wishes to accept such transfer in order to assist in the wind down of the affairs of ORSA; and

WHEREAS, ORSA retains an interest in a number of disposition and development agreements and owner participation agreements for Oakland projects transferred by operation of law from the former Redevelopment Agency, including the obligation to enforce ongoing covenants in such agreements, and wishes to assign and transfer its interests in and functions regarding such agreements to the City; and the City wishes to accept such transfer in order to assist in the wind down of the affairs of ORSA; and

WHEREAS, ORSA retains ownership and other interests in a number of real properties transferred by operation of law from the former Redevelopment Agency and identified for liquidation pursuant to the Long Range Property Management Plan, and wishes to transfer and convey its interests in such real property assets to the City; and the City wishes to accept such transfer and conveyance in order to assist in the wind down of the affairs of ORSA; and

WHEREAS, Oakland Municipal Code Section 2.41.020 provides for the City to acquire real property, and delegates authority for the City Administrator without the need for an ordinance to acquire real property in which the purchase price is $100,000 or less; and

WHEREAS, ORSA is adopting a ORSA Termination Plan that sets forth the actions needed for winding down the affairs of the former Redevelopment Agency and terminating ORSA (the "Termination Plan"); and

WHEREAS, the Termination Plan, among other things, provides for the transfer of the remaining assets and liabilities of ORSA to the City, subject to the negotiation and execution of an Assignment, Transfer, and Compensation Agreement between ORSA and the City providing for the transfer and assignment by ORSA and the acceptance by the City of the remaining assets and liabilities of ORSA, with a pledge by the City to distribute any net unrestricted revenues, income, proceeds, and earnings from transferred assets to the taxing entities in accordance with the Master Compensation Agreement; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to negotiate and enter into an Assignment, Transfer, and Compensation Agreement with ORSA (the "Assignment, Transfer, and Compensation Agreement") providing for the transfer and assignment by ORSA and the acceptance by the City of the remaining assets and liabilities of ORSA, with a pledge by the City to distribute any net unrestricted revenues, income, proceeds, and earnings from transferred and assigned assets to the taxing entities in accordance with the Master Compensation Agreement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the acceptance by the City of ORSA's interests in the active commercial loan receivable assets identified in the Termination Plan, subject to the terms and conditions of the Assignment, Transfer, and Compensation Agreement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the acceptance by the City, as housing successor, of ORSA's interests in the housing loan receivable assets identified in the Termination Plan; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the acceptance by the City of ORSA's interests in and functions regarding the disposition and development agreements and owner participation agreements identified in the Termination Plan, subject to the terms and conditions of the Assignment, Transfer, and Compensation Agreement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the acceptance by the City of ORSA's interests in the real property assets identified for liquidation in the Termination Plan, consistent with the authority delegated to the City Administrator by the Oakland Municipal Code, subject to the terms and conditions of the Assignment, Transfer, and Compensation Agreement; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the acceptance by the City of all other assets, liabilities and interests of ORSA, other than bond liabilities, as needed to wind down the affairs of ORSA; and be it

FURTHER RESOLVED: That all such transfers shall be at no cost to the City; and be it

FURTHER RESOLVED: That the City Council finds that the actions authorized by this Resolution are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15061(b)(3) and 15378(b)(4) because they involve only the administrative and organizational actions of transferring assets and liabilities from ORSA to the City in connection with the wind-down and termination of ORSA under state redevelopment dissolution law, and because this Resolution does not authorize, approve, or commit the City to any specific project, construction, or physical change in the environment, nor does it modify land use designations, development intensity, or existing development entitlements associated with any real property; and further finds that any future discretionary action involving the transferred assets, including any disposition, lease, or development of properties, would be subject to separate environmental review as required by CEQA; and be it

FURTHER RESOLVED: That, accordingly, the City Council finds that it can be seen with certainty that there is no possibility that adoption of this Resolution may have a significant effect on the environment; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate and execute agreements, sign acceptances and other documents, accept funds, agreements, real properties and other assets and liabilities, and take whatever other action is necessary with respect to the termination of ORSA consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California