


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION DECLARING THE CITY'S UNDIVIDED 50% FEE INTEREST IN THE FORMER RAIDERS TRAINING FACILITY AT 1150 AND 1220 HARBOR BAY PARKWAY (ASSESSOR PARCEL NUMBERS: 074-1361-008 AND 074-1339-016) AS "SURPLUS LAND" PURSUANT TO GOVERNMENT CODE SECTION 54220 ET SEQ. (CALIFORNIA SURPLUS LAND ACT); AND 2) AUTHORIZING THE CITY ADMINISTRATOR TO, JOINTLY WITH THE COUNTY OF ALAMEDA, ISSUE THE NOTICE OF AVAILABILITY FOR THE SALE OF 100% FEE TITLE TO THE PROPERTY, IN COMPLIANCE WITH THE SURPLUS LAND ACT

WHEREAS, under the Surplus Land Act ("SLA") Government Code Section 54220 et seq., 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") and the County of Alameda ("County") jointly own, as tenants in common, 1150 and 1220 Harbor Bay Parkway in Alameda, CA ("Property") with Assessor Parcel Numbers ("APN") 074-1361-008 and 074-1339-016; and

WHEREAS, the Property was the former Raiders training facility and was never used by the City for any agency use and is not intended for agency use in the future; and

WHEREAS, the City Council approved Ordinance No. 13631 C.M.S., which authorized staff to enter into a tenancy in common agreement with the County to create a framework for coordinated management, maintenance and disposition of the Property, which the parties entered into dated as of December 15, 2020 (the "Joint Ownership Agreement");

WHEREAS, pursuant to the Joint Ownership Agreement, the City and County intend to coordinate and jointly follow the provisions of the SLA to effectuate the disposition of the Property; and

WHEREAS, a declaration of surplus land, and the issuing of notices of availability 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 eligible entities and affordable housing developers (the “Notice of Availability”); and

WHEREAS, the process described in the SLA should take place prior to a local agency taking any further actions regarding the disposition of the surplus property; and

WHEREAS, this declaration of surplus property does not obligate the City to subsequently dispose of the Property and, depending on the response to the notices and other factors, the City could still decide not to move forward with disposition of the Property; and

WHEREAS, any proposed disposition of the Property will require further discretionary action of the City Council and, as such, this action will not result in a direct or indirect physical change in the environment and does not in-and-of-itself constitute a “project” pursuant to CEQA Guidelines Section 15378; and now, therefore, be it

RESOLVED: that the above recitals and findings are integral to the intended purpose of this Resolution; and be it

FURTHER RESOLVED: that the City Council has independently reviewed the evidence before it and hereby formally declares the Property 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 the Property; 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 15352 and 15378; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator to issue a Notice of Availability jointly with the County of Alameda for the Property in a form that is compliant with the SLA.

IN COUNCIL, OAKLAND, CALIFORNIA, _____,

PASSED BY THE FOLLOWING VOTE:

AYES- FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT FORTUNATO
BAS

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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