

BACKGROUND/LEGISLATIVE HISTORY

In anticipation of the end of redevelopment, the City Council (sitting as the governing board of the City and the Redevelopment Agency) on March 3, 2011, authorized the transfer of various assets to the City, including 79 parcels of real property, and the Redevelopment Agency and City then entered into a Purchase and Sale Agreement obligating the Redevelopment Agency to sell and the City to purchase the designated properties for nominal consideration. The properties were conveyed by grant deed to the City on January 31, 2012. Thirty-five properties owned by the Redevelopment Agency were not conveyed to the City and are currently owned by ORSA. The Oversight Board has already approved the transfer of 16 parcels that are subject to existing development agreements and other contractual commitments to third parties, Resolution No. 2013-06 on March 18, 2013.

Governmental Use

Among the properties sold to the City were 18 parcels that are currently in governmental use and are serving a governmental purpose of the City. The dissolution law specifically provides that “an oversight board may... direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.” (Health and Safety Code Section 34181(a); see also Section 34177(e).) Approval of the disposition of governmental use properties is specifically exempt from the rule in AB 1484 suspending the authority of the oversight board to dispose of properties pending the finding of completion. (Health and Safety Code Section 34191.3.) Therefore, the Oversight Board’s approval of the disposition of the governmental use properties to the City does not have to wait for a finding of completion or the adoption of the Property Management Plan. Detailed property descriptions have been prepared for each of the governmental use properties, see Attachment A - Descriptions of Governmental Use Property.

The properties proposed for disposition to the City for governmental use include:

- 1) Streets and public right-of-way parcels, including:
 - Two parcels that were purchased to create a public street, known as Sunshine Court;
 - Two parcels that provide parking and access to the Coliseum Amtrak Railroad Platform; and
- 2) Public park and open space parcels, including:
 - Six parcels in West Oakland that make up Wade Johnson Park, which the Redevelopment Agency purchased and developed as public open space in the late 1970s and early 1980s; and

- One parcel in the Coliseum area that is creek right-of-way open space along Leona Creek.
- 3) Coliseum parcels. These two parcels are currently used in support of operations at the Oakland/Alameda County Coliseum, both for parking and facility maintenance, and are required as long as the facilities continue operations. In particular, the use of these parcels are part of the franchise agreements with the Oakland A's baseball team and Oakland Raiders football team. One site is used to grow the sod that is used to infill the baseball infield and one is use for event parking.
- 4) Oakland Ice Center. The Oakland Ice Center is a recreational facility in downtown Oakland built in 1997. As part of the Uptown Retail Entertainment District, the Redevelopment Agency provided financing for development of the Center. But the project could not support the debt required to build it, and so the Redevelopment Agency took over ownership and operation of the facility in 1997. The current operations of the Center include free use of the facility by at least 1,000 students from the Oakland Unified School District each year. The OUSD use includes both one-time use and physical education programs/repetitive uses. The Oakland Ice Center has limited market value based on the net revenue. The current operations require all of the revenue to maintain the operations and provide capital improvements to the facility, particular when some of the major systems including the cooling system need to be replaced.
- 5) Public parking garages. Public parking garages transferred to the City as a governmental use include the following three facilities:
- City Center West Garage. This facility was built to provide parking for four development sites, as well as parking for the general public. Per the City's land use entitlements there is a requirement to provide parking for each of these sites. The Agency was and the City is required to provide parking to three of these sites in disposition and development agreements and parking licenses. The City also uses the facility to park most City-owned fleet vehicles and to provide parking to City employees required to use their personal cars for work.
 - Franklin 88 Garage. This facility was built as replacement parking for the surface parking that was on the site prior to the development of the contiguous housing project and the neighboring hotel.
 - Telegraph Plaza Garage. This facility was purchased to expand public parking in the retail/entertainment district and replace public parking that was lost in the Uptown District as a result of development. When the Redevelopment Agency purchased the Sears Garage and Auto Center, part of the deal was to provide 50 parking spaces at no cost for 25 years until 2030. Currently this obligation is being met at the temporary parking lot on the Sears DDA site. But when that site is developed, the City will need to provide this parking at the Telegraph Plaza Garage site. The garage is also operated to

support the Paramount Theater, a nearby City facility. The garage is open late for events at the theater.

State law recognizes public parking as a governmental use -- see California Streets & Highways Code Section 32501: "The supplying of additional parking facilities and the performance of all undertakings incidental or advantageous thereto are public uses and purposes for which public money may be spent and private property acquired, and are governmental functions." In Oakland, the ownership and operation of public parking facilities has historically been a common governmental function of the City, and most of the structured parking facilities in downtown Oakland are government-owned. Of the 26 large public parking structures currently operating in downtown Oakland, eight have been owned and operated by the City for years; four were owned by the Redevelopment Agency and have now been transferred to the City; and another two are owned by other governmental agencies, Alameda County and the California Department of Transportation. The City both operates garages around City-owned public buildings and around office, retail and entertainment locations in the downtown.

COST SUMMARY/IMPLICATIONS

There is no direct cost implication for ORSA or the taxing entities from the transfer of governmental use properties or properties to fulfill an enforceable obligation. But these transfers result in reductions to the assets held by ORSA which, in a few cases, could otherwise be sold and produce funds for distribution to the taxing entities. It should be noted that most of the properties were bought or financed with bond funds and there will be restrictions on the proceeds from any sale of the properties that were purchased with bond funds.

Bond Financed Property

One issue centers on whether the properties should be transferred to ORSA so that any net revenue or sales proceeds accrue to ORSA for the benefit of the taxing entities. The Board should be aware that restrictions on funds generated from properties purchased with bond funds may prevent such revenue from being distributed to the taxing entities. The advice of the City's bond counsel is that revenue from bond assets, such as loans funded from tax allocation bond funds and property purchased with bond funds would have to be used consistent with the original bond covenants for other redevelopment purposes. An email from bond counsel to staff indicated, "they (revenue from bond assets) would need to be used for governmental capital purposes that also that within or of benefit to the project area". This would be true whether the bonds are taxable or tax-exempt. Most of the properties at issue here were purchased with tax allocation bond proceeds. If these properties are sold, the proceeds would be restricted to use for redevelopment purposes within the redevelopment project area that issued the bonds. Net revenues generated by the properties would be subject to the same restriction. The following is a list of the funding sources for the properties under discussion:

Governmental Use Properties

- Sunshine Court -- Central City East 2006A TE Bonds;

- Coliseum Amtrak parking -- Coliseum 2006B T Bonds;
- Wade Johnson Park -- unknown;
- Leona Creek open space-- Coliseum 2003 T Bonds, \$4.0 million for infrastructure;
- Oakland Ice Center -- Central District 1989 TE Bonds;
- Coliseum parcels -- Coliseum 2006B T Bonds;
- City Center West Garage -- Central District 2009 T Bonds, \$16 million, and operations, \$6 million;
- Franklin 88 Garage – Chinatown Land Sales unrestricted; and
- Telegraph Plaza Garage -- Central District 2009 T Bonds.

LEGAL ISSUES

The Board, City staff, and the respective attorneys for the Board and the City/ORSA, discussed a number of legal issues at length at the last meeting. To reiterate the City's and ORSA's positions on the governmental use properties:

- The Board has the legal authority to approve the transfer of governmental use properties. Section 34181(a) says that the Board has the authority to dispose of “all assets and properties of the former redevelopment agency”, not just assets currently owned by ORSA. All of the properties at issue were properties of the former Oakland Redevelopment Agency.
- As the Board determined when it approved the disposition of the Foothill/Seminary property, the suspension of disposition authority in AB 1484 pending the finding of completion refers only to the forced disposition of property, and does not apply to cases where the successor agency requests approval of a disposition. Therefore, there is no legal reason why approval of these transfers needs to wait for the finding of completion and the long-range property management plan.
- The Board has an adequate legal basis to find that the public parking garages are governmental uses of the City, based on state law defining public parking as public uses and purposes and governmental functions, the fact that most public parking structures in Oakland are government-owned, and the public purposes served by the garages in terms of serving the parking needs of the City and encouraging economic development downtown. DOF has not categorically rejected the characterization of public parking facilities as a governmental use, but has said that they will review the status of public parking facilities on a case-by-case basis.

APPROVAL OR PARTIAL APPROVAL

The Oversight Board may approve all or any part of the list of governmental properties. Over half of the properties on the list, 11 out of 18, are clearly governmental use with no real economic value as they are streets and parks. Two options are included as exhibits to the resolution – one to approve the first two groups listed above (11 street and park parcel) and a second that reflects all governmental use properties. There are numerous other options that the Oversight Board can approve, i.e. any combination of the 18 parcels listed as Option 2. Staff is requesting approval at the April 15th meeting to ensure any approved legislation reaches the State Controller’s Office before the final asset review report is issued.

Respectfully submitted,

/S/

FRED BLACKWELL
Assistant City Administrator

Reviewed by:
Gregory Hunter, Neighborhood Investment Officer
Office of Neighborhood Investment

Prepared by:
Patrick Lane
Redevelopment Manager
Office of Neighborhood Investment

Attachment A: Descriptions of Governmental Use Property

A Resolution Approving the Transfer of Governmental Purpose Properties to the City of Oakland (Exhibit A, Option1 and Option 2)

Attachment A
Descriptions of Governmental Use Property

Governmental Use Property

1. Sunshine Court

The two subject parcels on Sunshine Court consist of the following APNs: 040-3319-047-02; and 040-3319-047-03. Sunshine Court was a privately owned street established decades ago, which was never dedicated over to the City. As years passed and ownership of the parcels exchanged hands, maintenance of the road was not properly conducted. The parcels entered tax-default status and/or were neglected by their owners, while the residents whose sole form of ingress/egress was via Sunshine Court suffered massive street damage, potholes, drainage issues, safety issues, etc. The City Of Oakland acquired the subject parcels and brought the non-standard street as close to City Standards as was possible.

Additional details of the property and proposed development plans are as follows:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

Subject parcels were purchased from the County of Alameda (due to tax default status) for a total of \$14,520 by a City Ordinance dated July 19, 2007. The current value of the property is non-applicable, as the property now serves as a City of Oakland road.

(B) The purpose for which the property was acquired.

The parcels were acquired so that the City of Oakland could conduct repairs on Sunshine Court. Improvements were made, and the convenience and safety of the residents has been improved.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The parcels have a combined area of 18,266 square feet (1,084 and 17,182 square feet respectively). They have no formal address, as they comprise the actual street (Sunshine Court was made up of multiple parcels that were not maintained and were in serious disrepair, before the City acquired them). The area is zoned Residential, and Sunshine Court is a residential street.

The area that the property inhabits is currently zoned RD-2 which is described in the Planning Code as follows: The intent of the RD-2 zone is to create, maintain, and enhance areas with detached, single unit structures, with allowances for two-family structures on lots larger than 6,000 square feet. A limited number of commercial uses will be permitted or conditionally permitted in existing non-residential facilities.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

The current value of subject parcels is negligible. The parcels serve the function of a City street.

Governmental Use Property

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The parcels serve the function of a City street and have no revenue.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

None are available.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

The parcels serve the function of a City street and have no potential for development.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

The parcels were purchased to create a City street and have never been considered for development.

Governmental Use Property

2. AMTRAK Station Parking

Subject parcels were purchased from Union Pacific Railroad for the sole purpose of providing a new Amtrak platform passenger station behind the Oakland Alameda County Coliseum Complex complete with off-street parking for Amtrak passengers.

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
73rd Avenue (Amtrak parking)	041-3901-007-03	9-Jul-2009	City of Oakland	500,000			
73rd Avenue (Amtrak parking)	041-3901-007-05						

(B) The purpose for which the property was acquired.

The City entered into a pre-2005 agreement with the Capitol Corridor Joint Powers Authority (AMTRAK) to provide and maintain the 73rd Avenue properties as public parking serving daily train passengers along the Capitol Corridor line.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

Address	Parcel No.	Lot Size (Acres)	Zoning
73rd Avenue (Amtrak parking)	041-3901-007-03	0.06	CR-1
73rd Avenue (Amtrak parking)	041-3901-007-05	0.77	CR-1

The intent of the CR-1 zone is to maintain, support and create areas of the City that serve as region-drawing centers of activities.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

The table below shows the purchase prices and most recent appraisals of the properties:

Governmental Use Property

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
73rd Avenue (Amtrak parking)	041-3901-007-03	9-Jul-2009	City of Oakland	500,000			
73rd Avenue (Amtrak parking)	041-3901-007-05						

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The parcels at 73rd Ave are also leased to a parking lot operator (Classic Parking) for use as overflow parking at select Coliseum events. The properties are leased on a per event basis to the parking provider, with payments received in five installments over the course of the event season.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

The table below shows the status of environmental studies and remediation for the parcels:

Address	Parcel No.	Phase 1 Consultant	Phase 1 Date	Phase 2 Consultant	Phase 2 Date	Remediation	Comments
73rd Avenue (Amtrak parking)	041-3901-007-03						
73rd Avenue (Amtrak parking)	041-3901-007-05						

(G) A description of the property’s potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

The area surrounding the Oakland Airport/Coliseum BART station is perhaps the most suitable site for transit-oriented development in the San Francisco Bay Area, thanks to the availability of multiple modes of transport and the underdevelopment of much of the land in the area. A new light rail system currently under construction will soon make a direct connection between Coliseum BART station and Oakland International Airport. The area is served by numerous Alameda County Transit bus lines in addition to BART. The area is also accessed via Hegenberger Road and 66th Avenue exits from Interstate I-880, as well as from the major arterials of 73rd Avenue and San Leandro Street. The city has long partnered with BART towards the development of Coliseum Transit Village (CTV) mixed-use TOD project at the Coliseum BART Station and the City was awarded an \$8.5 million grant under the state’s Prop 1C Transit Oriented Development Program. The CTV plaza improvements were completed in 2012.

Governmental Use Property

(H) A brief history of previous development proposals and activity, including the rental or lease of properties.

The parcels at 73rd Ave are leased to a parking lot operator (Classic Parking) for use as overflow parking at Coliseum events. The properties are leased on a per event basis to the parking provider, with payments received in five installments over the course of the event season.

The City has provided infrastructure investments in the area including street improvements on 73rd Avenue, 66th Avenue, S. Hegenberger Road, San Leandro Street including utility underground improvements as well as support for the Airport Connector project linking the Coliseum BART station to Oakland International Airport via light rail.

Governmental Use Property

3. Wade Johnson Park

Wade Johnson Park (formerly “Cole Park”) is a park and recreation facility located in the Acorn Redevelopment Project Area, adjacent to Cole Elementary School. The Park is more than 1.2 acres in size and is made up of 6 parcels bounded by Kirkham Street, 12th Street and Union Street; the closing of 12th Street from Kirkham to Union; and the closing of Poplar Street 175 feet on either side of 12th Street. The Park is mostly an open grass-filled green space, with some trees along its perimeter, and a small children’s playground area.

Additional details of the property and proposed development plans are as follows:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

In 1975, the City Council authorized the Redevelopment Agency to finance the City’s acquisition and development of the Park for \$273,000. Construction of the Park began in 1980, which included site clearance, grading, landscaping and adding benches.

Wade Johnson Park, West Oakland, CA

	Number	Street	Parcel Number	Date of Purchase	Purchase Price	Current Value	Area
1	None	12 TH ST	004-0037-032-05				10,080
2	None	POPLAR STREET	004-0059-014	11/10/1967			28,582
3	1205	POPLAR STREET	004-0059-015				4,563
4	1306	E 12 TH ST	004-0059-016		\$73,000	\$73,000	4,216
5	1224	KIRKHAM CT	004-0059-017				4,295
6	1228	KIRKHAM CT	004-0059-018-02	03/01/1968			1,223
Total							<hr/> 52,959

(B) The purpose for which the property was acquired.

The property was acquired for use as a public neighborhood park.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The General Plan designation for these sites is Urban Open Space and the Zoning is “OS (NP)” or Open Space Neighborhood Park. The OS zone is intended to create, preserve, and enhance land for permanent open space to meet the active and passive recreational needs of Oakland residents and to promote park uses which are compatible with surrounding land uses and the city’s natural environment. The zone is typically appropriate in areas of public open space only. The only permitted activities are open space accessory activities.

Governmental Use Property

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

There is no appraisal information. Since the current zoning calls for preservation of this site as a permanent open space, no development is anticipated and so the current value of the Park is estimated to be about the same as the original acquisition price of \$73,000.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The Park does not generate any revenue for the City.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

There is no known history of environmental contamination on the site.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

This is an open space parcel and it does not provide an opportunity for development. But it is located less than half a mile from the West Oakland BART station. Wade Johnson Park is in one of four "Opportunity Areas" in the West Oakland Specific Plan (scheduled for adoption in 2013). The park provides important open space for existing and future transit-oriented development in the area.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

In 1975, the City Council authorized the Redevelopment Agency to finance the City's acquisition and development of the Park for \$273,000. Construction of the Park began in 1980, which included site clearance, grading, landscaping and adding benches.

In 1991, 1992 and 1993, the City through the Office of Parks and Recreation applied for a "Lucky A's" grant to fund the construction of a youth baseball field, but failed to be awarded the grant each time.

In April 2011, Wade Johnson Park was rehabbed and new playground equipment was installed thanks to the efforts of the OUSD Police Services, KaBOOM!, Foresters, Rebuilding Together Oakland and McGuire & Hester; and hundreds of volunteers who donated their services. The park had a "Grand Re-Opening" in May 2011.

Governmental Use Property

4. Leona Creek - Park

The parcel at Leona Creek Drive is located within the boundaries of Oakland Housing Authority’s Lion Creek Crossing’s multi-family affordable housing development. The Leona Creek Drive parcel is used exclusively as a neighborhood park serving the residents and citizens of Oakland.

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
Leona Creek Drive	041-4212-002	1-January-2012	City of Oakland				

(B) The purpose for which the property was acquired.

The Leona Creek Drive parcel is central open space portion of the Oakland Housing Authority’s Lion Creek Crossing Development with the parcel being used exclusively as a public park.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

Address	Parcel No.	Lot Size (Acres)	Zoning
Leona Creek Drive	041-4212-002	5.0	OS (NP)

The OS (NP) Open Space (Neighborhood Park) zone is designated for parks and open space properties within the City.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

The table below shows the purchase prices and most recent appraisals of the properties:

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
Leona Creek Drive	041-4212-002		City of Oakland				

Governmental Use Property

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

N/A. There is no revenue.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

The table below shows the status of environmental studies and remediation for the parcels:

Address	Parcel No.	Phase 1 Consultant	Phase 1 Date	Phase 2 Consultant	Phase 2 Date	Remediation	Comments
Leona Creek Drive	041-4212-002						

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

Approximately 442 units of affordable family rental housing units have been completed at the Oakland Housing Authority's Lion Creek Crossing Housing Development. The final Phase V will deliver an additional 128 units of affordable rental housing. To date, the Coliseum Project Area has contributed over \$4M in taxable bonds towards the newly reconfigured park and on-site infrastructure improvements and plans to reimburse the Oakland Housing Authority via an Owner Participation Agreement of approx. \$3.9M for Phase IV infrastructure improvements with Prop 1C TOD grant funds.

The Lion Creek Housing development which is adjacent to the Oakland Airport/Coliseum BART station is perhaps the most suitable site for transit-oriented development in Oakland due to the availability of multiple modes of transport and the underdevelopment of much of the land in the area. A new light rail system currently under construction will soon make a direct connection between Coliseum BART station and Oakland International Airport. The area is served by numerous Alameda County Transit bus lines in addition to BART. The area is also accessed via Hegenberger Road and 66th Avenue exits from Interstate I-880, as well as from the major arterials of 73rd Avenue and San Leandro Street. The city has long partnered with BART towards the development of Coliseum Transit Village (CTV) mixed-use TOD project at the Coliseum BART Station and the City was awarded an \$8.5 million grant under the state's Prop 1C Transit Oriented Development Program with the CTV plaza improvements being completed in 2012.

(H) A brief history of previous development proposals and activity, including the rental or lease of properties.

The City has provided infrastructure investments in the area including street improvements on 73rd Avenue, 66th Avenue, S. Hegenberger Road, San Leandro Street including utility underground improvements as well as support for the Airport Connector project linking the Coliseum BART station to Oakland International Airport via light rail.

Governmental Use Property

5. Coliseum - Sod Farm/Parking

Subject parcels were purchased for governmental use around the perimeter of the Oakland Alameda County Arena and Coliseum Complex (the Coliseum).

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
8000 S. Coliseum Way (Malibu)	042-4328-001-24	7-May-2010	City of Oakland	3,505,850	City Real Estate Services	9-Mar-2010	3,500,000
66 th Ave (Sod Farm)	041-3901-010	7-May-2010	City Of Oakland	1,003,910	City Real Estate Services	2010	1,000,000

(B) The purpose for which the property was acquired.

The parcels at 8000 South Coliseum Way and 66th Ave (Sod Farm) were acquired to further assist operations and to expand parking capacity at the Oakland Alameda County Coliseum Complex. The 8000 S. Coliseum Way parcel is co-owned with Alameda County and is operated by the Joint Powers Authority to the Oakland-Alameda County Coliseum Complex and is under a parking franchise agreement for event overflow public parking. The parcel located at 66th Avenue (sod farm) serves as the Coliseum north lot gateway entrance and is used for operation and maintenance purposes by the Joint Powers Authority for the Oakland-Alameda County Coliseum Complex.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

Address	Parcel No.	Lot Size (Acres)	Zoning
8000 S. Coliseum Way (Malibu)	042-4328-001-24	8.80	CR-1
66 th Avenue (Sod Farm)	042-3901-010	2.17	CR-1

The intent of the CR-1 zone is to maintain, support and create areas of the City that serve as region-drawing centers of activities.

Governmental Use Property

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

The table below shows the purchase prices and most recent appraisals of the properties:

Address	Parcel No.	Purchase Date	Seller	Price	Appraiser	Appraisal Date	Appraised Value
8000 S. Coliseum Way (Malibu)	042-4328-001-24	7-May-2010	City of Oakland	3,505,850	City Real Estate Services	9-Mar-2010	3,500,000
66 th Ave (Sod Farm)	042-3901-010	7-May-2010	City Of Oakland	1,003,910	City Real Estate Services	2010	1,000,000

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The parcel at 8000 S. Coliseum is covered under a parking franchise agreement to provide overflow parking to the sports teams franchises as well as select events at the Coliseum. In addition, the City receives approximately \$1,400 per month in fees from AT&T for the use of the 8000 South Coliseum Way property. No revenue is generated from the 66th Avenue parcel.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

The table below shows the status of environmental studies and remediation for the parcels:

Address	Parcel No.	Phase 1 Consultant	Phase 1 Date	Phase 2 Consultant	Phase 2 Date	Remediation	Comments
8000 S. Coliseum Way (Malibu)	042-4328-001-24	None		None		No	
66 th Avenue (Sod Farm)	042-3901-010	None		None		No	

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

The area surrounding the Oakland-Alameda County Coliseum Complex is perhaps the most suitable site for transit-oriented development in Oakland due to the availability of multiple modes of transport and the underdevelopment of much of the land in the area. A new light rail system currently under construction will soon make a direct connection between Coliseum BART station and Oakland International Airport. The area is served by numerous Alameda County Transit bus lines in addition to BART. The area is also accessed via Hegenberger Road and 66th Avenue exits from Interstate I-880, as well as from the major arterials of 73rd Avenue and San Leandro Street. The city has long partnered with BART towards the development of Coliseum Transit Village (CTV) mixed-use TOD project at the Coliseum BART Station and the

Governmental Use Property

City was awarded an \$8.5 million grant under the state's Prop 1C Transit Oriented Development Program.

(H) A brief history of previous development proposals and activity, including the rental or lease of properties.

The parcel at 8000 S. Coliseum Way is maintained and operated through a parking franchise agreement with the Oakland Alameda Joint Powers Authority who controls and utilizes the lot for overflow parking at the Coliseum. In addition, the City receives approximately \$1,400 per month in fees from AT&T for the use of the 8000 South Coliseum Way property.

The City has provided infrastructure investments in the area including street improvements on 73rd Avenue, 66th Avenue, S. Hegenberger Road, San Leandro Street including utility underground improvements, as well as planned improvements on South Coliseum way between the Coliseum South lot entrance and Hegenberger Road.

Governmental Use Property

6. Oakland Ice Center

The Oakland Ice Center (OIC) (APN: 002-0096-004) is located at 519 18th Street in the Uptown Activity Area of the Central District Redevelopment Project Area.

Additional details of the facility and plans for it are as follows:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

The OIC site was purchased on November 19, 1991 as part of a purchase of three parcels which included the Rotunda Building and another surface lot for a total price of \$1,850,000. The prorated value of all of the land purchased together was \$13.13 per square foot, giving the 70,567 square foot site a value of \$926,545 at the time of purchase. Originally, the vacant parcel was a surface parking lot serving the Rotunda Building.

(B) The purpose for which the property was acquired.

The undeveloped property was acquired as part of the Rotunda Building purchase, which included the historic building and another adjacent surface lot. The property was acquired for future development.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The OIC (APN: 002-0096-004) is located at 519 18th Street in the Uptown Activity Area of the Central District Redevelopment Project Area. The 70,567 square-foot property occupies the majority of the block bounded by 18th and 17th Streets, and San Pablo and Telegraph Avenues. The OIC is a three-level, steel and concrete building constructed in 1995-1996, which includes an Olympic-sized (200' x 100') rink, a National Hockey League-sized (200' x 85') rink, an 1,123 square-foot pro shop, a 647 square-foot snack bar and vending area, and seating for 1,300 spectators.

The General Plan designation is Central Business District and the Zoning is CBD-C Central Business District General Commercial Zone. The intent of the CBD-C zone is to create, maintain and enhance areas of the Central Business District appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential, office or other commercial activities. Most retail, office and residential uses are allowed up to a Floor Area Ratio of 20.0 or a residential density of one unit per 90 square feet of land. The redevelopment plan for the area reinforces the General Plan and designates the area as the Uptown Activity Area.

Governmental Use Property

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

There is no appraisal estimating the current value of the Property.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The OIC is operated and managed by the San Jose Arena Management (SJAM), pursuant to a 5-year Management/Operations Agreement with the City that was executed on December 20, 2010. As compensation under the terms of the agreement, SJAM receives an equal 50% of net revenue terminating at a net total of \$450,000. Every dollar of net revenue commencing with \$450,001 from all operations is divided 65% to SJAM and 35% to the City. For FY 2011/12, the City's share of revenues were \$333,240 of which \$114,216 was expended on capital repairs made to the aging facility, \$120,944 were spent to cover debt service payments for solar panels that were installed on the roof of the facility in 2006 (the debt for the solar panels will be retired in 2020). After these payments, the City received net revenues of \$98,080, which have been set aside to cover additional necessary capital improvements at the OIC to be undertaken in 2013, included new bathrooms and renovated locker rooms.

The City has also executed two leases with SJAM for the snack bar and Pro Shop. SJAM pays monthly full service rent in the amount of 1.50 per square foot for the Pro Shop, for a total of \$1,684.50, and \$1.50 per square foot for the Snack Bar (including vending machines selling food and drink products which may be located outside the Snack Bar location) for a total of \$970.50. These proceeds are partially applied toward paying the facility's annual contribution to the Downtown Oakland Business Improvement District in the amount of \$21,515.06.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

Construction of the OIC entails soil excavation and off-site disposal, which may reveal hazardous materials and require appropriate disposal of such substances. The following environmental site assessments were prepared for the site prior and during the construction of the OIC:

Date	Author	Title	Details
January 9, 1991	Woodward-Clyde Consultants (WCC)	Oakland/East Bay Galleria Project, Phase 1A Environmental Site Assessment, Preliminary Review of Background Data for Site and Parcels, Interim, <i>includes subject property</i>	ESA Phase 1
September 1991	WCC	Oakland/East Bay Galleria Project, Phase 2 Environmental Site Assessment Report, <i>includes subject property</i>	ESA Phase 2
January 17, 1995	Cambria Environmental Technology, Inc.	Environmental Site Assessment (ESA), 540 17 th and 540-550 18 th Street, Oakland, CA	ESA Phase 1 and 2

Governmental Use Property

April 28, 1995	Uribe & Associates	Report of Site Assessment Activities, Ice Ventures Project Site, San Pablo Avenue and Seventeenth Street, Oakland, California	Evaluation of existing soil conditions on site – Review of existing reports and 6 soil borings.
July 28, 1995	Uribe & Associates	Report of Site Assessment Activities, Ice Ventures Project Site, San Pablo Avenue and Seventeenth Street, Oakland, California	Observe excavation activities

During excavation of the site for the development of the OIC, the developer unearthed a buried drum containing a light oil, possible hydrolic fluid, three wells and discolored soil. The drum was disposed of as part of the site construction debris due to low levels of hydrocarbons and a lack of other contaminants. The wells, which were used for irrigation or industrial purposed, were destroyed in accordance with Alameda County Flood Control District Guidelines for well abandonment. An analysis of the discolored soil indicated the presence of hydrocarbons, and approximately 100 cubic yards of soil were disposed of at the BFI-Livermore landfill. At the end of the excavation Uribe & Associates concluded that the environmental concerns identified were resolved with no outstanding potential for impact to the project. Except for the excavation of the contaminated soil, no evidence of significant contamination of the excavated materials was found.

The refrigeration system used in the OIC is a direct refrigeration system that uses Freon R-22, a common refrigerant that is being phased out because of its contributing effect to greenhouse gases. R-22 has low ozone depletion potential and it is a powerful greenhouse gas with a global warming potential. Beginning January 1, 2020, the Montreal Protocol requires the U.S. to reduce its consumption of R-22 below the U.S. baseline. Refrigerant that has been recovered and recycled/reclaimed will be allowed beyond 2020 to service existing systems, but chemical manufacturers will no longer be able to produce R-22 to service existing air conditioners and heat pumps. Since the refrigerant is being phased out, it is anticipated that the OIC will eventually require a new indirect refrigeration system compatible with modern standards.

(G) A description of the property’s potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

Located west of the Uptown Transit Center, the site is served by both Bay Area Regional Transit (BART 12th Street – City Center and 19th Street Stations) and Alameda/Contra Costa (AC) Transit. BART routes that serve the Property area include the Richmond/Daly City-Millbrae, Fremont/Richmond, and Pittsburg/Bay Point-San Francisco Airport/Millbrae lines. AC Transit routes that serve the area include the 1, 1R, 11, 12, 18, 51A, 58L, 72, 72M, 72R, 800, 802, 805, 851, and NL lines.

There are no plans to redevelop the property at this time.

Governmental Use Property

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

On April 28, 1995, the Redevelopment Agency entered into a Disposition and Development Agreement (“DDA”) with a developer, for the construction of the OIC. The Agency subsequently entered into a long-term ground lease with the developer and extended an \$11,000,000 loan to develop and construct the facility. The OIC began limited operations in September 1995 as an open air ice rink and became fully operational after total completion of construction in March 1996. In June 1996, the developer defaulted on the Agency loan and title to the facility was transferred to the Agency on May 2, 1997. The OIC is managed and operated by SJAM.

Governmental Use Property

7. City Center West Garage – 1260 Martin Luther King Jr. Way

The City Center Garage West (CCGW) is located on the east side of the Martin Luther King Jr. Way, stretching to the west side of Jefferson Street, bounded by 11th and 12th street in the Central District redevelopment project area in downtown Oakland.

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

On May 8, 1991, the City of Oakland (City) entered into a loan agreement with City Center Garage West Associates, a joint venture comprised of Bramalea Pacific, Inc. and the Redevelopment Agency, to provide construction and permanent financing in an amount of \$22 million for the development of CCGW. The development of the garage was a key component of the City Center Project which encompasses a 12-block area in downtown Oakland. In 1995, the joint venture defaulted on the loan, and on September 30, 1995, the City took title to the garage instead of initiating foreclosure proceedings. On April 9, 1996, the City of Oakland, pursuant to Ordinance No.11342 C.M.S., transferred ownership of CCGW to the Agency. As consideration for the transfer, the Agency, pursuant to Resolution No. 96-16 C.M.S., assumed responsibility for debt service payments on the loan, which was fully repaid in Fiscal Year 2008-09.

Income approach: (605,000 NOI/.065 Cap Rate) = \$9.3 million

Replacement cost approach (1,461 spaces x \$37,000) = \$54 million

(B) The purpose for which the property was acquired.

The garage was acquired by the Agency to assume debt service payments on a loan of \$22 million that was made by the City of Oakland to City Center Garage West Associates for the development of the facility. The garage was constructed to provide parking to several adjacent parcels that are part of the City Center Project. As a result, there are currently long-term parking licenses for 1180 spaces out of 1461 total spaces to serve those developed properties. The City also uses the facility to park most City-owned fleet vehicles and provide parking for City staff that is required to use their cars for work.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The property address is 1260 Martin Luther King Jr. Way (APNs: 002-0027-006-03 and 002-0027-006-05). The parcel measures approximately 1.79 acres. CCGW provides 1,461 parking spaces within a 6-story parking structure, of which 1,180 are subject to long-term parking licenses at prevailing market rents. The garage also includes three retail spaces, measuring 980 square feet, 1,818 square feet and 1,844 square feet respectively. The garage was developed between 1991 and 1993.

The General Plan designation is Central Business District and the Zoning is CBD-C Central Business District General Commercial Zone. The intent of the CBD-C zone is to create,

Governmental Use Property

maintain, and enhance areas of the Central Business District appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities. The redevelopment plan for the area reinforces the General Plan and designates the area as the Uptown Activity Area.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

There is no appraisal for the property. Here is the value using two common approaches:

Income approach: (605,000 NOI/.065 Cap Rate) = \$9.3 million

Replacement cost approach (1,461 spaces x \$37,000) = \$54 million

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The Redevelopment Agency entered into a Professional Services Agreement with CMA Asset Management, Inc. ("CMA") on May 21, 1998, for the operation and management of the garage. The term of the lease was for one year, with an option to continue with a series of automatically renewing one-year terms. Compensation for this services agreement is \$1,000 paid to CMA monthly. The garage generated net revenues in the amount of \$605,210 for FY 2011/12. One of the three available retail suites is not occupied at this time. The remaining two spaces generate annual net revenues of \$24,277. Net revenues from the garage and the retail tenants are placed in the City's parking fund and used to cover staff and capital improvement costs.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

During construction of the garage during October of 1991 and May of 1993, there was significant remediation of soil and groundwater at the site.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

CCGW is served by both Bay Area Regional Transit (BART 12th Street – City Center Stations) and Alameda/Contra Costa (AC) Transit. Since the garage is an existing facility, it is not available for transit-oriented development

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

On May 8, 1991, the City entered into a loan agreement with City Center Garage West Associates, a joint venture comprised of Bramalea Pacific, Inc. and the Agency, to provide construction and permanent financing in an amount of \$22 million for the development of

Governmental Use Property

CCGW. In 1995, the joint venture defaulted on the loan, and on September 30, 1995, the City took title to the garage instead of initiating foreclosure proceedings. On April 9, 1996, the City of Oakland, pursuant to Ordinance No.11342 C.M.S., transferred ownership of CCGW to the Agency. As consideration for the transfer, the Agency, pursuant to Resolution No. 96-16 C.M.S., assumed responsibility for debt service payments on the loan, which was fully repaid in Fiscal Year 2008-09. The Agency transferred the property to the City in 2012.

Governmental Use Property

8. Franklin 88 Parking Garage

The Franklin 88 Parking Garage (APN: 002-0096-004) is located at 901 Franklin Street in the Chinatown Activity Area of the Central District Redevelopment Project Area. The garage is part of a mixed-use project (the “Project”), which consists of 88 units of market rate for-sale housing, 5,800 square feet of retail space and 224 parking spaces. The Franklin 88 Parking Garage is a condominium within the Project’s 224-space garage and consists of 135 public parking spaces on three levels.

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

In November 2002, the Agency sold a surface parking lot at the northwest corner of Franklin and 9th Streets to SNK 9th & Franklin LLC (SNK) for development of a 6-story, 88-unit luxury condominium development, ground floor commercial condominium units and related parking. Under the terms of a Disposition and Development Agreement, SNK was required to construct a 224-space garage in the basement, a portion of the ground floor, and the second level of the building. SNK was also obligated to sell the Agency a condominium interest in the basement and ground levels, and a portion of the second level of the garage. On November 10, 2004, the Agency purchased the condominium consisting of a 135-space garage for \$2,818,000. The remainder of the garage’s second level, containing unreserved parking spaces, was sold by SNK to purchasers of the residential condominiums.

(B) The purpose for which the property was acquired.

The Agency acquired the garage to replace parking at a surface public parking lot that was located on the site before the Agency sold the property to SNK for development. The surface parking lot provided short-term public parking in support of businesses in the Chinatown Activity Area. The adjacent Courtyard Hotel by Marriott hotel also had a parking license for the lot for up to 67 cars at market rates for a term of 37 years with an option to extend the term by another 28 years. This license was transferred to the Property, and now encumbers the Franklin 88 Garage.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The Property address is 901 Franklin Street. The Property consists of a condominium located in the basement, ground level, and a portion of the second level of the Franklin 88 building with 135 parking spaces. The total area of the condominium is 31,171 square feet. The General Plan designation is Central Business District and the zoning is CBD-P/CH: Central Business District Pedestrian Retail Commercial Zone/CH Combining Zone. The intent of the CBD-P zone is to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The CH combining zone allows for expanded commercial uses in the core of the Chinatown commercial area which is located

Governmental Use Property

within the boundaries of the Lake Merritt Station Special Plan Area. When a base zone such as CBD-P is combined with the CH combining zone, the permitted uses of the combining zone supersede the base zone. The redevelopment plan for the area reinforces the General Plan and designates the area as the Uptown Activity Area.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

There is no appraisal estimating the current value of the Property.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

The Franklin 88 Garage is managed by Pacific Park Management (PPM), which operates the facility as a valet parking garage due to the use of parking lifts and tandem parking spaces. PPM also operates the residential parking component of the Franklin 88 project. During weekdays PPM may use those residential parking spaces not used by residents for public parking. PPM pays a fee in the amount of \$3,300 per month as rent. In addition, PPM has to remit 10 percent of all revenues in excess of \$237,000 but not to exceed \$275,000 to the City, and 20 percent of all revenue in excess of \$275,000. Since the City is a member of the building owner association that includes the residential owners and owner of the commercial condominium, it remits monthly association fees of \$2,302, while the remaining monthly balance of \$998 is used to pay expenses and improvements to the City's parking garages citywide, electric power for the City's traffic signals, as well as supporting staff in PWA, Traffic Engineering and other City departments.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

The Agency received a "no further action" letter dated April 13, 2000, from the Alameda County Health Care Services Agency-Environmental Health Services Division with respect to known residual contamination of hazardous materials known to be present in the soil and groundwater underneath the Property. During excavation for the project, the developer removed and disposed of 4,700 cubic yards of superficial soils that were contaminated with lead. At this time, no additional remediation is required as the building is completed.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

The Franklin 88 Mixed-use Project is transportation-oriented development. The building is close to the 12th Street Downtown BART station which serves the Richmond/Daly City-Millbrae, Fremont/Richmond, and Pittsburg/Bay Point-San Francisco Airport/Millbrae lines. AC Transit routes that serve the area include the 1 and 1R lines.

Governmental Use Property

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

The Property was developed as part of the Franklin 88 Mixed-use Project pursuant to the terms of a disposition and development agreement between the Agency and SNK. At this time, the Property consists of a fully operational public parking garage, and there are no plans to redevelop or lease the Property.

Governmental Use Property

9. Telegraph Plaza Garage

Telegraph Plaza Garage at 2100 Telegraph Avenue is an approximately 74,000 square foot (1.76 acre) parcel containing a two level 351-space public parking structure. A portion of the property contains an underground easement, owned by Bay Area Rapid Transit (BART), for the BART subway tunnel. The site is located at the northeast corner of 21st Street and Telegraph Avenue in downtown Oakland. On July 9, 2009, the Agency purchased the site from the City of Oakland for the purpose of redeveloping the property

Additional details of the site and plans for it are as follows:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

The Agency purchased the parcel from the City of Oakland on July 9, 2009 for \$7,000,000.

(B) The purpose for which the property was acquired.

The property was acquired for future redevelopment.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

The property address is 2100 Telegraph Avenue (APN: 008-0648-016-03). The parcel is approximately 74,000 square feet or 1.76 acre in size. The General Plan designation is Central Business District and the Zoning is CBD-P: Central Business District Pedestrian Retail Commercial Zone. The intent of the CBD-P zone is to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The redevelopment plan for the area reinforces the General Plan and designates the area as the Uptown Activity Area.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

The last appraisal for the site was prepared on October 10, 2008 by valuation consultant Yovino Young Incorporated. At that time the value was estimated to be \$7,000,000 for the entire site. This was a value for the land at the peak of the market. The current value is likely to be significantly less. Appraisals nearby have been around \$80 per square foot, less \$10 per square foot for demolition costs. This results in a value of \$5,180,000. The value of the garage based on revenue is \$5,562,000 (\$362,000/6.5% CAP Rate).

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

Governmental Use Property

The Telegraph Plaza Garage is managed by Douglas Parking. The parking revenue generated during FY11-12 was \$361,526. Parking lot revenues for City-owned parking garages are reported to Fund 1750, Off Street Parking (Multi Purpose Reserve Fund). This fund is used to pay expenses and improvements to the City's parking garages citywide, electric power for the City's traffic signals, as well as supporting staff in PWA, Traffic Engineering and other City departments.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

The table below summarizes all of the studies completed on soil or groundwater issues on this site.

Date	Author	Title	Details
2004	Fugro West, Inc.	Soil and Groundwater Sampling	Evaluation of potential presence of contaminants in near-surface soil and groundwater prior to possible acquisition of the property.
2005	Fugro West, Inc.	Additional Soil and Groundwater Sampling	Further investigation of near-surface soil and groundwater on site.
2007	Fugro West, Inc.	Phase I Environmental Site Assessment (ESA)	Site assessment to identify potential recognized and historical recognized environmental concerns associated with the past and/or present use, generation, storage, or disposal of hazardous materials and/or wastes at the Site, and at nearby properties judged to have a potential to affect the Site.

Soil and groundwater analyses completed at the property indicated that, with the exception of one location sampled, the highest detected lead concentration did not exceed the Environmental Screening Level (ESL) for a residential scenario established by the San Francisco Regional Water Quality Control Board (RWQCB). A shallow soil sample in one location detected lead concentrations that were higher than the residential ESL levels but less than the commercial/construction worker ESL levels.

Additionally, detected Total Petroleum Hydrocarbons (TPH) (as gasoline and diesel) in the soil sample exceeded the residential ESL but were less than the commercial ESL. Similarly, TPHg (gasoline) and TPHd (diesel) concentrations in the groundwater exceeded the drinking water ESL, as well as the odor/ceiling value ESLs. However no drinking water wells currently exist and none are anticipated for the site.

The Fugro West, Inc. analysis concluded that considering the planned commercial use of the site at the time, detected total lead and TPH concentrations in soil as well as TPH concentrations in groundwater did not pose a significant threat to human health or the environment through either contact or an indoor air inhalation pathway.

Governmental Use Property

The Phase I Environmental Site Assessment (ESA) notes that the site was formerly occupied by a gasoline station from as early as 1943 to as late as 1962. The former gasoline station, which was located on the southwestern portion of the site at the northeast corner of Telegraph Avenue and 21st Street, does not appear on environmental databases researched during for the assessment. Additionally, the consultant found no evidence that the Underground Storage Tanks (USTs) associated with the former gasoline station had been removed, or that there has ever been a subsurface investigation to see if the USTs, the product lines, or fuel dispensers have impacted the underlying soil or groundwater. Further investigation is recommended if the site is to be redeveloped.

(G) A description of the property’s potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

Located east of the Uptown Transit Center, the site is served by both Bay Area Regional Transit (BART 19th Street Station) and Alameda/Contra Costa (AC) Transit. BART routes that serve the Project area include the Richmond/Daly City-Millbrae, Fremont/Richmond, and Pittsburg/Bay Point-San Francisco Airport/Millbrae lines. AC Transit routes that serve the area include the 1 and 1R lines. The parcel is zoned for high density – housing, office or retail. The vision for the site includes a mixed use development with office or housing over retail and parking. It is an ideal site for transit-oriented development. The Agency has encouraged and supported transit-oriented development in the Uptown Area for several years. Development of this parcel will add to a variety of recently developed housing and commercial projects that are located near public transit.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

In 2005 the Agency began discussions regarding an Exclusive Negotiating Agreement (ENA) with the Hahn Family to study the feasibility of a mixed-use housing and retail development project that included the Telegraph Plaza garage parcel and the adjacent parcel owned by the Hahn Family and a portion of the street right-of-way along 22nd Street to be vacated by the City of Oakland. The project did not move forward and the ENA expired.

In 2007, the Agency signed a “Settlement Agreement and Release” related to an eminent domain action wherein the Agency acquired a parcel owned by the Hahn Family for the Uptown Housing project. In exchange for the parcel, part of the settlement included giving exclusive development rights to the Hahn Family to develop the city-owned 2100 Telegraph Avenue parcel adjacent to the Hahn Family-owned parcel at 22nd and Telegraph.

Accordingly, in 2008, the Agency entered into an ENA with the Hahn Family and Avant Housing, LLC to redevelop 2100 Telegraph and the adjacent properties owned by the Hahn Family. The developer proposed a mixed-use project consisting of up to 309 residential condominiums, or office space, with associated parking, up to 42,800 square feet of neighborhood serving retail/commercial space with associated parking, a 150-room hotel with associated parking and a 670-space public parking garage. The downturn in the regional

Governmental Use Property

commercial real estate markets and the nation's credit crisis made it infeasible to start a mixed-use project at the Property and the ENA expired. At this time, the Agency has not identified a developer or a specific project for the property.

With the thought of a joint project with the Hahn Family, including significant new public parking to replace the parking eliminated for the Uptown Project, the Agency purchased the site from the City of Oakland on July 9, 2009. The Agency continues to plan with the Hahn Family and other neighboring property owners for the redevelopment of the site to support a major retail and entertainment project in the area.

OAKLAND OVERSIGHT BOARD

RESOLUTION No. 2013-_____

A RESOLUTION APPROVING THE TRANSFER OF GOVERNMENTAL PURPOSE PROPERTIES TO THE CITY OF OAKLAND

WHEREAS, California Health and Safety Code Section 34181(a) provides that oversight board may direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset; and

WHEREAS, the Redevelopment Agency of the City of Oakland, prior to dissolution, transferred a number of real properties that were constructed and are used for the governmental purposes of the City of Oakland to the City of Oakland; and

WHEREAS, these properties, together with a description of the nature of the governmental purpose of the City served by those properties that qualifies them for transfer to the City, are described in the staff report accompanying this Resolution; and

WHEREAS, the Oakland Oversight Board's timely action approving the transfer of these governmental purpose properties to the City will facilitate the State Controller's pending review of asset transfers to the City from the Redevelopment Agency; now, therefore, be it

RESOLVED: That the Oakland Oversight Board hereby finds that the properties listed in Exhibit A to this Resolution serve the governmental purposes of the City of Oakland, and approves the transfer of ownership of these properties to the City of Oakland; and be it

FURTHER RESOLVED: That, pursuant to California Health and Safety Code Section 34179(h), this action by the Oakland Oversight Board shall be effective five business days from the date a copy of this Resolution is sent to the California Department of Finance unless the Department requests a review.

ADOPTED, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- CARSON, GERHARD, LEVIN, ORTIZ, QUAN, SMITH, TUCKER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
SECRETARY, OAKLAND
OVERSIGHT BOARD

EXHIBIT A

CITY GOVERNMENTAL PURPOSE PROPERTIES

(attached)

Exhibit A - Governmental Use Property (Option 1)

No.	Use Category - Description	Address	Held By	Area	Parcel Number	Book Value	Size SqFt
PROPERTY HELD IN RETENTION FOR GOVERNMENT USE							
1	Street - Sunshine Court	SUNSHINE COURT	City	Coliseum	040-3319-047-02		1,084
2	Street - Sunshine Court	SUNSHINE COURT	City	Coliseum	040-3319-047-03		17,182
3	Parking - AMTRAK Station	73RD AVE	City	Coliseum	041-3901-007-03	\$337,332	2,766
4	Parking - AMTRAK Station	73RD AVE	City	Coliseum	041-3901-007-05	\$332,403	35,000
5	Park - Wade Johnson	12TH ST	City	Oak Center	004-0037-032-05		10,080
6	Park - Wade Johnson	POPLAR STREET	City	Oak Center	004-0059-014		28,582
7	Park - Wade Johnson	1205 POPLAR STREET	City	Oak Center	004-0059-015		4,563
8	Park - Wade Johnson	1316 E 12TH ST	City	Oak Center	004-0059-016		4,216
9	Park - Wade Johnson	1224 KIRKHAM CT	City	Oak Center	004-0059-017		4,295
10	Park - Wade Johnson	1228 KIRKHAM CT	City	Oak Center	004-0059-018-02		1,223
11	Park - Leona Creek	LEONA CREEK DR	City	Coliseum	041-4212-002		217,872
Sub-Total Parcels held for a governmental use.						\$37,704,296	992,285

Exhibit A - Governmental Use Property (Option 2)

No.	Use Category - Description	Address	Held By	Area	Parcel Number	Book Value	Size SqFt
PROPERTY HELD IN RETENTION FOR GOVERNMENT USE							
1	Street - Sunshine Court	SUNSHINE COURT	City	Coliseum	040-3319-047-02		1,084
2	Street - Sunshine Court	SUNSHINE COURT	City	Coliseum	040-3319-047-03		17,182
3	Parking - AMTRAK Station	73RD AVE	City	Coliseum	041-3901-007-03	\$337,332	2,766
4	Parking - AMTRAK Station	73RD AVE	City	Coliseum	041-3901-007-05	\$332,403	35,000
5	Park - Wade Johnson	12TH ST	City	Oak Center	004-0037-032-05		10,080
6	Park - Wade Johnson	POPLAR STREET	City	Oak Center	004-0059-014		28,582
7	Park - Wade Johnson	1205 POPLAR STREET	City	Oak Center	004-0059-015		4,563
8	Park - Wade Johnson	1316 E 12TH ST	City	Oak Center	004-0059-016		4,216
9	Park - Wade Johnson	1224 KIRKHAM CT	City	Oak Center	004-0059-017		4,295
10	Park - Wade Johnson	1228 KIRKHAM CT	City	Oak Center	004-0059-018-02		1,223
11	Park - Leona Creek	LEONA CREEK DR	City	Coliseum	041-4212-002		217,872
12	Sod Farm - Coliseum	66TH AVE	City	Coliseum	041-3901-010	\$1	47,480
13	Parking - Coliseum	8000 SOUTH COLISEUM WAY	City	Coliseum	042-4328-001-24	\$1,400,000	383,328
14	Recreation - Oakland Ice Center	540 17TH STREET	City	Central District	008-0641-008-05	\$10,588,072	70,567
15	Parking Garage - City Center West	1260 M L KING JR WAY	City	Central District	002-0027-006-03	\$21,446,577	140
16	Parking Garage - City Center West	M L KING JR WAY	City	Central District	002-0027-006-05	part of 27-6-3	78,103
17	Parking Garage - Franklin 88	9TH ST	City	Central District	002-0101-001	\$2,818,000	13,406
18	Parking Garage - Telegraph Plaza	2100 TELEGRAPH AVENUE	City	Central District	008-0648-016-03	\$781,911	72,398
Sub-Total Parcels held for a governmental use.						\$37,704,296	992,285