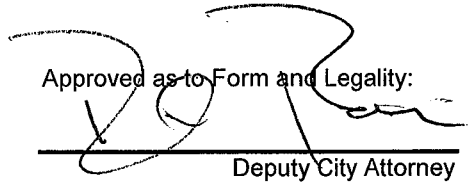


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Approved as to Form and Legality:



Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86582 C.M.S.

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**RESOLUTION AUTHORIZING AN EXCLUSIVE NEGOTIATING AGREEMENT WITH OAK KNOLL VENTURE ACQUISITIONS LLC, OR AFFILIATES, FOR ONE YEAR, WITH ONE OPTIONAL SIX MONTH ADMINISTRATIVE EXTENSION, FOR THE DISPOSITION AND DEVELOPMENT OF CITY-OWNED PARCELS AT OAK KNOLL**

**WHEREAS**, on July 14, 1998, the City adopted the Oak Knoll Redevelopment Project on the 183 acre site of the former Naval Medical Center; and

**WHEREAS**, the City owns three parcels within the Oak Knoll project area: the first parcel is approximately 5.4 acres of property located on portions of Barcelona Street and St. Andrews Road, the second parcel is approximately 1.57 acres of property located along the southern right of way portion of Keller Avenue, and the third parcel is approximately 0.94 acres of property located along Mountain Boulevard right-of-way at the intersection of the main entrance to the Oak Knoll project (together, the "Properties"); and

**WHEREAS**, SUNCAL PROPERTIES LLC purchased 167 acres of the Oak Knoll project area from the United States Navy in 2005, and has proposed a plan to develop 935 residential units, over 84 acres of parks and open space and over 72,000 square feet of neighborhood serving commercial space; and

**WHEREAS**, Oak Knoll Venture Acquisitions LLC ("the developer"), a subsidiary of SUNCAL, has submitted a letter of interest to the City to purchase the Properties to augment their development project; and

**WHEREAS**, the City and the developer wish to enter into a period of preliminary study and exclusive negotiations over the proposed disposition of the Properties for their project, with the understanding that this does not constitute a binding commitment on the part of the City to any project or developer for the Properties; now, therefore, be it

**RESOLVED:** That the City hereby authorizes the City Administrator to negotiate and enter into an Exclusive Negotiating Agreement ("ENA") with Oak Knoll Venture Acquisitions LLC, or a related affiliate or affiliates approved by the City Administrator, for the purposes of developing a project

proposal for City review and approval, undertaking the necessary environmental review process, and negotiating the terms and conditions of a Disposition and Development Agreement; and be it

**FURTHER RESOLVED:** That the initial exclusive negotiating period will be for twelve (12) months from the date of this Resolution, with the option by the City to extend said period by an additional six months at the discretion of the City Administrator in his/her sole discretion; and be it

**FURTHER RESOLVED:** That the ENA shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution; and be it

**FURTHER RESOLVED:** That the City shall require a \$25,000 nonrefundable Project Expense Payment from the developer to reimburse the City for its staff costs and third party expenses; and be it

**FURTHER RESOLVED:** That the City authorizes the City Administrator or their designee to accept, appropriate, authorize, and administer the nonrefundable Project Expense Payment of \$25,000 in a Fund and Project to be determined later; and be it

**FURTHER RESOLVED:** That the City Council finds and determines, after independent review and consideration, that this action complies with CEQA because it is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator or their designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to negotiate and enter into agreements and take whatever action is necessary with respect to the ENA and the Properties consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 07 2017

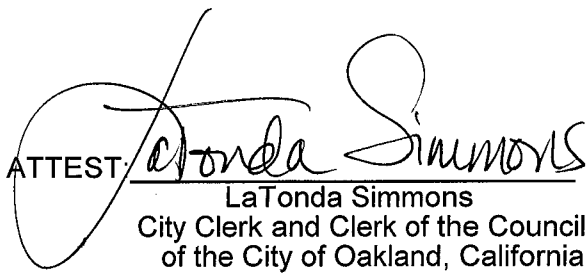
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GAMBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and  
PRESIDENT GIBSON McELHANEY - 7

*Excused - Campbell Washington - 1*  
NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California