

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 DEC 16 PM 6:00

**REVISED**  
12-14-10

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Agency Counsel

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

**2010 - 0131**

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

---

**An Agency Resolution Authorizing a Professional Service Agreement  
in an Amount not to Exceed \$750,000 with LSA Associates, Inc. for  
the Preparation of an Environmental Impact Report for the Victory  
Court Ballpark Development Proposal**

**WHEREAS**, the Redevelopment Agency (Agency) desires to prepare an Environmental Impact Report (EIR) for a potential ballpark development at Victory Court, which would include a new Major League Baseball (MLB) ballpark of up to 39,000 seats, and adjacent development that would include up to 180,000 square feet of retail, 540,000 square feet of office, and up to 700 residential dwelling units; and

**WHEREAS**, the Agency desires to contract with LSA Associates, Inc. (LSA) to prepare an Environmental Impact Report for the proposed ballpark development as required by the California Environmental Quality Act (CEQA); and

**WHEREAS**, the Agency selected LSA after issuance of a Request for Qualifications for the preparation of an EIR for the proposed ballpark development; and

**WHEREAS**, the Agency finds that the services provided pursuant to the proposed professional services agreement authorized hereunder are temporary and of a professional nature; and

**WHEREAS**, the Agency finds that the proposed professional service agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

**WHEREAS**, funding for the Funding for the professional service agreement with LSA in an amount not to exceed \$750,000 will be transferred from Central District Tax Allocation Bond Series 2005 (tax-exempt) (Fund 9533), Capital Improvement Project - Economic Development Organization (94800), Uptown Garage (21st & Telegraph)

Project (P128670) to a new project number that will be created in the same Fund, and be it further

**RESOLVED:** That the Agency hereby authorizes a professional service agreement with LSA in an amount not to exceed \$750,000, including contingency, to prepare an EIR for the proposed ballpark development; and be it further

**RESOLVED:** That the Agency Administrator is hereby authorized to negotiate and execute a professional service agreement with LSA; and be it further

**RESOLVED:** That funding for the professional services agreement with LSA in an amount not to exceed \$750,000 is hereby allocated from Central District Tax Allocation Bond Series 2005 (tax-exempt) (Fund 9533), Capital Improvement Project - Economic Development Organization (94800) to a new project number that will be created in the same Fund; and be it further

**RESOLVED:** That the professional services agreement shall provide that the Agency can terminate the professional services agreement with LSA without cause upon giving thirty (30) calendar days' written notice to LSA; and be it further

**RESOLVED:** That the Agency authorizes the Agency Administrator or his designee to take any action with respect to the professional service agreement consistent with this Resolution and its basic purposes; and be it further

**RESOLVED:** That any and all documents necessary to effectuate the intent of this resolution shall be reviewed and approved as to form by Agency Counsel prior to execution by the Agency Administrator or his designee.

IN AGENCY, OAKLAND, CALIFORNIA, DEC 21 2010, 2010

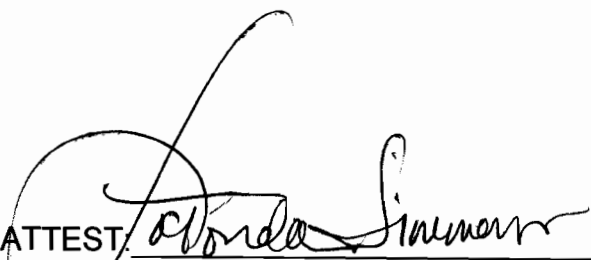
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, ~~DE LA FUENTE~~, KAPLAN, KERNIGHAN, ~~NADAL~~, QUAN, REID AND CHAIRPERSON BRUNNER - 6

NOES- *Nadel, De La Fuente - 2*

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland