

2013 DEC -5 PM 1:35

APPROVED AS TO FORM AND LEGALITY

*Olivia Chen*  
OFFICE OF THE CITY ATTORNEY

## OAKLAND CITY COUNCIL

== 13210 -  
ORDINANCE NO \_\_\_\_\_ C M S

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### AN ORDINANCE ACKNOWLEDGING AND CONFIRMING THE CITY'S RESERVATION, ACCEPTANCE AND ESTABLISHMENT OF PARCELS A, B, C AND D AT GATEWAY INDUSTRIAL PARK AS PUBLIC STREETS AND PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF OAKLAND

**WHEREAS**, the City of Oakland owns certain property located at the Gateway Industrial Park area (formerly Oakland Army Base), delineated within the parcel map boundary lines shown on Parcel Map No 10095, recorded on August 13, 2013, in the Official Records of the Alameda County Recorder's Office as Document No 2013277934 at Book 324 of Parcel Maps at Pages 6-15, and

**WHEREAS**, the City of Oakland, acting by and through its Council, wishes to formally acknowledge and confirm its reservation, acceptance and establishment of Parcels A, B, C and D as public streets and public rights-of-way within the City of Oakland, which was effected by the City's recordation of Parcel Map No 10095, now therefore,

#### THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance

Section 2. The City Council of the City of Oakland hereby finds and determines that the public interest, convenience and necessity require that an easement be reserved, accepted, and established for public street purposes over Parcels A, B, C and D, which are identified on Parcel Map No 10095, and that such easement is hereby reserved, accepted and established for public street purposes in the City of Oakland

Section 3. The City Council of the City of Oakland hereby finds and determines that the public interest, convenience and necessity require that Parcels A, B, C and D, which are identified on Parcel Map No 10095, be reserved, accepted and established as public rights-of-way, and that such

parcels are hereby reserved, accepted and established as public rights-of-way in the City of Oakland

Section 4. This action (1) implements actions previously approved by the Oakland City Council, (2) is within the scope of the already approved 2012 Army Base Project, (3) is adequately described in the 2002 Oakland Army Base Redevelopment Plan Environmental impact Report and 2012 Army Base project Initial Study/Addendum, and (4) does not require further CEQA review, as none of the circumstances necessitating further CEQA review are present This action is also exempted from CEQA requirements pursuant to CEQA Guidelines sections 15301 (existing facilities), 15268(b) (ministerial projects), 15183 (projects consistent with General Plan and Zoning), and 15061(b)(3) (no significant effect on the environment), each as a separate and independent basis

Section 5 If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions, which shall remain in full force and effect The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that one or more other sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional

Section 6 This Ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes, otherwise it shall become effective upon the seventh day after final adoption

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 21 2014

PASSED BY THE FOLLOWING VOTE:

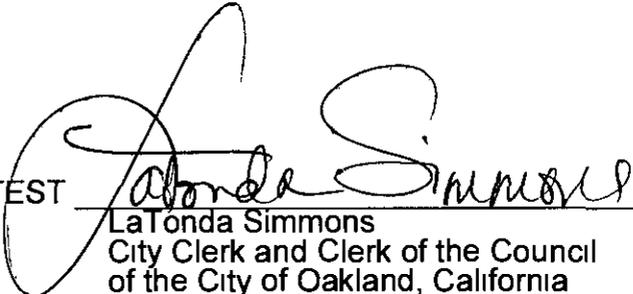
AYES- BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

Introduction Date  
JAN 07 2014

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

DATE OF ATTESTATION January 22, 2014

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

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NOTICE AND DIGEST

**AN ORDINANCE ACKNOWLEDGING AND CONFIRMING THE CITY'S  
RESERVATION, ACCEPTANCE AND ESTABLISHMENT OF PARCELS  
A, B, C AND D AT GATEWAY INDUSTRIAL PARK AS PUBLIC  
STREETS AND PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF  
OAKLAND**

This ordinance formally acknowledges and certifies that the City Council reserves, accepts and establishes Parcels A, B, C and D in Parcel Map 10095 as public streets and public right-of-way within the City of Oakland