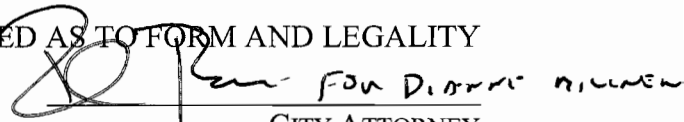


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 MAY 30 PM 4: 27

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY

13180 -5

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE 2005 PURCHASE AND SALE AGREEMENT BETWEEN THE OAKLAND BASE REUSE AUTHORITY AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 6.5 ACRES OF PROPERTY ADJACENT TO THE FORMER OAKLAND ARMY BASE

WHEREAS, On May 23, 2005, the Oakland Base Reuse Authority (OBRA) and the California Department of Transportation (Caltrans) executed a purchase and sale agreement for approximately 6.5-acres of property adjacent to the former Oakland Army Base ("PSA"); and

WHEREAS, on August 7, 2006, OBRA conveyed all of its rights, interests and obligations to the property and the PSA to the Oakland Redevelopment Agency; and

WHEREAS, by grant deed recorded on January 31, 2012 as document 2012030757 in the records of the Alameda County Recorder's Office, the Oakland Redevelopment Agency conveyed the property and all of its rights, interests and obligations under the PSA to the City; and

WHEREAS, Caltrans now intends to proceed with closing escrow and acquiring the property under the PSA; and

WHEREAS, the City desires to amend certain provisions of the PSA to facilitate development of the Army Base; now, therefore

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

Section 1. The City Council 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 hereby authorizes the City Administrator, without returning to Council, to negotiate and enter into an Amendment to the 2005 PSA.

Section 3. 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) the 2012 Army Base project Initial Study/Addendum adequately describes the current action

for purposes of CEQA; and (4) no further CEQA review is required pursuant to CEQA Guidelines 15164.

Section 4. The City Administrator or her designee is hereby authorized to negotiate and execute all agreements and to take whatever other action is necessary with respect to the transaction(s), consistent with this Ordinance and its basic purposes.

Section 5. The City Attorney shall review and approve the Amendment to the PSA as to form and legality, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 2 2013

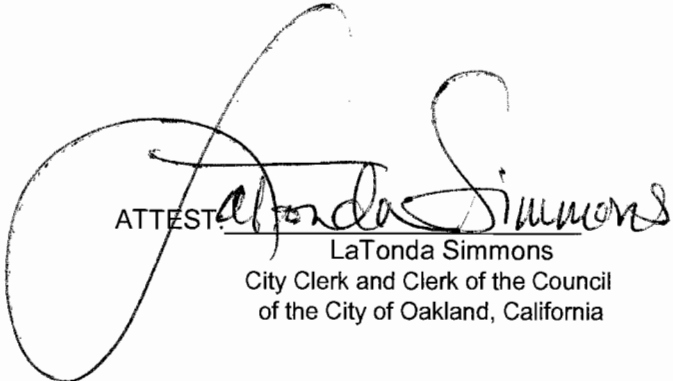
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND
CHAIRPERSON KERNIGHAN - 8


NOES - 0

ABSENT - 0

ABSTENTION - 0

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

Introduction Date JUN 18 2013

Date of Attestation July 17, 2013 

NOTICE AND DIGEST

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE 2005 PURCHASE AND SALE AGREEMENT BETWEEN THE OAKLAND BASE REUSE AUTHORITY AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 6.5 ACRES OF PROPERTY ADJACENT TO THE FORMER OAKLAND ARMY BASE

This ordinance authorizes the City Administrator to negotiate and execute an amendment to the 2005 Purchase and Sale Agreement between Oakland Base Reuse Authority and California Department of Transportation for approximately 6.5-acres of property adjacent to the former Oakland Army Base