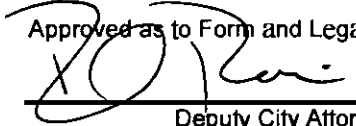


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2013 NOV 21 PM 4:26

Approved as to Form and Legality

Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84744 C.M.S.

A RESOLUTION AMENDING RESOLUTION NOS. 83746, 84574 AND 84666 C.M.S. AUTHORIZING AN EXCLUSIVE NEGOTIATING AGREEMENT FOR THE COLISEUM CITY PROJECT AT THE OAKLAND-ALAMEDA COUNTY COLISEUM COMPLEX AND SURROUNDING AREAS WITH JRDV ARCHITECTS, HKS ARCHITECTS, FOREST CITY REAL ESTATE SERVICES LLC, AND BAY INVESTMENT GROUP, LLC., TO REMOVE FOREST CITY REAL ESTATE SERVICES, LLC., AS A PARTY

WHEREAS, City Council Resolution No. 83746 C.M.S. originally authorized the City to enter into an Exclusive Negotiating Agreement (“ENA”) with JRDV Urban International, HKS Sports and Entertainment, HKS Inc., and Forest City Real Estate Services LLC, or their affiliates, as the developer team for the Coliseum City project; and

WHEREAS, on March 6, 2012, the City entered into a one year ENA with and later granted a six month administrative extension to JRDV Architects, Inc., HKS Architects, Inc., and Forest City Real Estate Services, LLC, for the Coliseum City project; and

WHEREAS, City Council Resolution No. 84574 C.M.S. authorized the City to extend the ENA for an additional 45 days or until October 21, 2013 to allow the developer to complete the project deliverables and provide the City additional due diligence regarding a new proposed third party entity investor; and

WHEREAS, City Council Resolution No. 84666 C.M.S. authorized the City to extend the ENA for an additional 12 months with a six month administrative option to extend, and to include Bay Investment Group, LLC., as a party to the agreement; and

WHEREAS, Forest City Real Estate Services, LLC, has since recently expressed its desire to not be included as a party to the ENA; and

WHEREAS, the City still desires to continue negotiations with the developer team and new third party investor to provide additional time to conduct further market study analysis sufficient to recommend and propose a series of new equity public-private financial deal structures; now, therefore, be it

RESOLVED: That the City Council hereby amends Resolution Nos. 83747, 84574 and 84666 C.M.S. to authorize the City Administrator, or her designee, to negotiate and enter into an amendment to the ENA with JRDV Architects, Inc., HKS Architects, Inc., Forest City Real Estate Services, LLC, and Bay Investment Group, LLC., for the Coliseum City project to remove Forest City Real Estate Services, LLC, as a party in the agreement; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or her designee, to negotiate and enter into other agreements or take other actions with respect to the removal of Forest City Real Estate Services, LLC, from the project, consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 10 2013.

PASSED BY THE FOLLOWING VOTE:

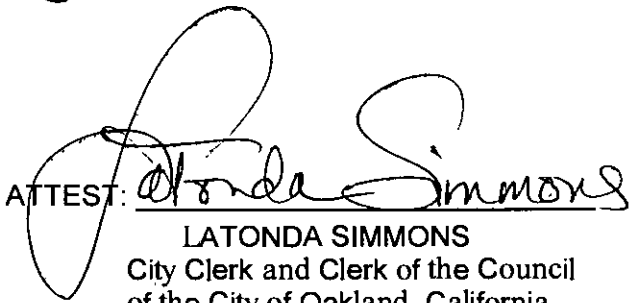
AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF
and PRESIDENT KERNIGHAN — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California