

**CITY OF OAKLAND  
MEMORANDUM**

**TO:** Rules & Legislation Committee  
**ATTN:** Assistant to the City Manager  
**FROM:** Barbara Parker, Chief Assistant City Attorney (Ext. 3815)  
Michelle Abney, Open Government Coordinator (Ext. 2965)  
Department: Office of the City Attorney  
**DATE:** Thursday, February 5, 2004  
**SUBJECT:** Request to Schedule Agenda Item

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**TITLE:**

**Adopt Council and Agency Resolutions authorizing and directing the City Attorney to compromise and settle the cases of City of Oakland, et al. v. California Department of Transportation, Federal Highway Administration (Federal District Court No.C02-1307SI, Sacramento County Superior Court No. 02CS000391) with the acceptance of easements for the use of approximately 12.5 acres of under-freeway land adjacent to the former Oakland Army Base**

**SCHEDULING RECOMMENDATION:**

- A. Committee \_\_\_\_\_  
(Please specify Committee. Committees meet 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays)  
 City Council \_\_\_\_\_ Redevelopment Agency  
(Council/Agency meets on 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Tuesdays)
- B. Meeting Date: **Tuesday, February 17, 2004**

Is there a statutory, regulatory, financial or grant deadline? Specify:

Is a staff report required/requested? *Yes*

What is the fiscal impact on the City/Agency?

If the ten-day (Sunshine Ordinance) agenda deadline cannot be met, please indicate reason:

- Item constitutes an "emergency" (Crippling disaster, work stoppage or other activity which severely impacts public health and/or safety)
- It was not reasonably possible to place the proposed item on the two-week agenda AND any of the following exist:
- Item requires immediate action to avoid a substantial adverse impact if action is deferred to a subsequent special or regular meeting;
- Item requires immediate action relating to federal or state legislation;
- Item requires immediate action relating to eligibility for a grant or gift; OR
- Item is ceremonial.

Explain why item could not have been placed on the 10-day agenda:

A separate request must be completed for each item for scheduling. Requests must be submitted by **4:00P.M.** of the **Tuesday** preceding the relevant Rules & Legislation Committee meeting.  
Attach any supporting documentation.

04-0133