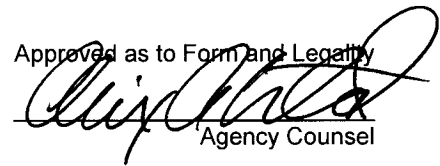


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Approved as to Form and Legality



Agency Counsel

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. 2008 - 0001 C.M.S.

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**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO EXECUTE A TWO-YEAR EXTENSION, TO 2015, FOR THE PIER 7 TEMPORARY CONSTRUCTION EASEMENT BENEFITING CALTRANS AND BURDENING APPROXIMATELY 26 ACRES OF LAND IN THE WEST GATEWAY AREA OF THE FORMER OAKLAND ARMY BASE TO FACILITATE COMPLETION OF THE CALTRANS BAY BRIDGE PROJECT AND TO ACCEPT FROM CALTRANS A ONE TIME EASEMENT FEE OF \$10,553,347 IN EXCHANGE FOR THE EXTENSION**

**WHEREAS**, In 2002 as part of the settlement of a lawsuit brought by the Port of Oakland (Port), the City of Oakland (City), the Oakland Redevelopment Agency (Agency) and the Oakland Base Reuse Authority (OBRA), the California Department of Transportation (Caltrans) was granted an easement over approximately 26 acres of land in the West Gateway portion of the former Oakland Army Base, located at what is known as Pier 7; and

**WHEREAS**, the original term of the easement was for eight years from April 2002 to April 2010, with an option to extend for three additional years to 2013; and

**WHEREAS**, Caltrans paid the Agency and the Port \$11.6 million for the eight-year easement, as part of a larger settlement; and

**WHEREAS**, Caltrans has given notice that it will exercise the three year option to extend the easement; and

**WHEREAS**, Caltrans has requested an additional two year extension to the easement; and

**WHEREAS**, in exchange for the three-year option period and the additional two-year extension, Caltrans has offered the Agency a one time easement fee of \$10,553,347 which represents the net present value of the fair market value for the use of the property; and

**WHEREAS**, the granting of easements and conveyance of properties are exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15269 (emergency work), Section 15301 (existing facilities) and

Section 15302 (replacement and reconstruction) of the CEQA Guidelines; now, therefore, be it

**RESOLVED**, that the Agency hereby extends the Pier 7 Temporary Construction Easement benefiting Caltrans and burdening approximately 26 acres of land in the West Gateway Area of the former Oakland Army Base to facilitate completion of the Caltrans Bay Bridge Project, through April 17, 2015; extends the Temporary Construction Easement ; and be it

**FURTHER RESOLVED**, that the Agency hereby accepts a one time easement fee of \$10,553,347 in exchange for the extension of the Temporary Construction Easement through April 17, 2015; and be it

**FURTHER RESOLVED**, that the funds be deposited into Oakland Redevelopment Agency's OBRA Leasing and Utility Fund (9575), General Ledger Organization (08222), OBRA Leasing and Utility Project (S294210), and be it

**FURTHER RESOLVED:** That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with CEQA because this action on the part of the Agency is exempt from CEQA under Section 15269 (emergency work), Section 15301 (existing facilities) and Section 15302 (replacement and reconstruction) of the CEQA Guidelines, and directs the Agency Administrator to file a Notice of Exemption with the County of Alameda; and be it

**FURTHER RESOLVED:** That the agreement shall be approved as to form and legality by Agency Counsel prior to execution and a copy shall be filed with the Agency Secretary; and be it

**FURTHER RESOLVED:** That the Agency Administrator or her designee is hereby authorized to take whatever other actions are necessary consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, **JAN 15 2008**

PASSED BY THE FOLLOWING VOTE:

AYES – BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG AND ~~CHAMPAGNE DE LA FUENTE~~ - 7

NOES – 0

ABSENT – 0

ABSTENTION – 0

Excused - De La Fuente - 1

ATTEST:



LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California