



2004 FEB -5 AM 11:35

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

February 17, 2004

HONORABLE CITY COUNCIL
Oakland, California

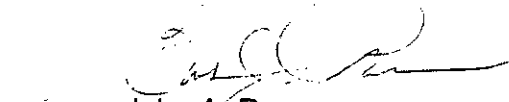
Subject: ***City of Oakland, et al. v. California Department of Transportation, et al.***
Federal District Court No. C02-1307SI
Sacramento Superior Court No. 02CS000391
Our File No. A01091—Community & Economic Development Agency--Property Conversion

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from the conveyance by the Federal Highway Administration of fee title to under-freeway land at the former Oakland Army Base to the California Department of Transportation ("CalTrans").

Under the terms of the settlement, the Oakland Base Reuse Authority will receive easements from CalTrans for the possession and use of approximately 12.5 acres of land adjacent to the former Oakland Army Base to facilitate development of the base property.

Respectfully submitted,


John A. Russo
City Attorney

Attorney assigned: Curtis S. Kidder

318828

10.3-1CC
ORA/COUNCIL
MAR 16 2004

10.16 CC
~~ORA/COUNCIL~~
~~FEB 17 2004~~

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

CSK
CSK/csk

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND, ET AL., v. CALIFORNIA DEPARTMENT OF TRANSPORTATION, ET AL., FEDERAL DISTRICT COURT NO. C02-1307SI, SACRAMENTO COUNTY SUPERIOR COURT CASE NO. 02CS000391, OUR FILE NO. AO1091, WITH THE ACCEPTANCE WITH EASEMENTS FOR THE USE OF APPROXIMATELY 12.5 ACRES OF LAND ADJACNT TO THE FORMER OAKLAND ARMY BASE (COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of City of Oakland, et al., v. California Department of Transportation, et al., Federal District Court No. C02-1307SI, Sacramento County Superior Court No. 02CS000391, City Attorney's File No. A01091, for the receipt by the Oakland Base Reuse Authority of easements for the use of approximately 12.5 acres of land adjacent to the former Oakland Army Base to facilitate development of the base property; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

318847

10.3-1cc
ORACOUNCIL
MAR 16 2004

10.6cc
~~ORACOUNCIL~~
FEB 17 2004

OFFICE OF THE CITY CLERK
CITY OF OAKLAND



2004 FEB -5 AM 11:35

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

February 17, 2004

HONORABLE REDEVELOPMENT AGENCY
Oakland, California

Subject: **Redevelopment Agency, et al. v. California Department of Transportation, et al.**
Federal District Court No. C02-1307SI
Sacramento County Superior Court No. 02CS000391
Our File No. A01091—Community & Economic Development Agency--Property Conversion

Dear President De La Fuente and Members of the City Council:

The City Attorney has prepared and recommends settlement of the above-entitled matter arising from the conveyance by the Federal Highway Administration of fee title to under-freeway land at the former Oakland Army Base to the California Department of Transportation ("CalTrans").

Under the terms of the settlement, the Oakland Base Reuse Authority will receive easements from CalTrans for the possession and use of approximately 12.5 acres of land adjacent to the former Oakland Army Base to facilitate development of the base property.

Respectfully submitted,

John A. Russo
City Attorney/Agency Counsel

Attorney assigned: Curtis S. Kidder

318839

10.3-2 CC
CITY COUNCIL
MAR 16 2004
~~10.6 CC
CITY COUNCIL
FEB 17 2004~~

OAKLAND REDEVELOPMENT AGENCY

RESOLUTION NO. _____ C.M.S.

CSK

CSK/csk

RESOLUTION AUTHORIZING AND DIRECTING THE AGENCY COUNSEL TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND, ET AL., v. CALIFORNIA DEPARTMENT OF TRANSPORTATION, ET AL., FEDERAL DISTRICT COURT NO. C02-1307SI, SACRAMENTO COUNTY SUPERIOR COURT CASE NO. 02CS000391, OUR FILE NO. A01091, WITH THE ACCEPTANCE OF EASEMENTS FOR THE USE OF APPROXIMATELY 12.5 ACRES OF LAND ADJACNT TO THE FORMER OAKLAND ARMY BASE (COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY)

RESOLVED: That the Agency Counsel is authorized and directed to compromise and settle the case of City of Oakland, et al., v. California Department of Transportation, et al., Federal District Court No. C02-1307SI, Sacramento County Superior Court No. 02CS000391, City Attorney's File No. A01091, for the receipt by the Oakland Base Reuse Authority of easements for the use of approximately 12.5 acres of land adjacent to the former Oakland Army Base to facilitate development of the base property; and be it

FURTHER RESOLVED: That the Agency Counsel is further authorized and directed to take whatever steps may be necessary to effect said settlement.

IN SESSION, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Secretary to the Redevelopment
Agency of the City of Oakland, California

318856

10.3-2CC
CITY COUNCIL
MAR 16 2004

10.6cc
CITY COUNCIL
FEB 17 2004