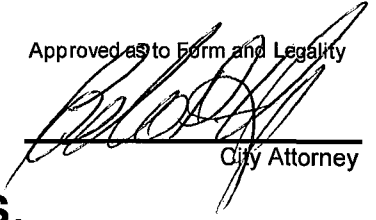


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney

2015 DEC -4 RESOLUTION No. 85938 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING NEGOTIATED BETWEEN PACIFIC GAS AND ELECTRIC (PG&E) AND THE CITY OF OAKLAND AND A LAND USE COVENANT BETWEEN THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL AND THE CITY OF OAKLAND REGARDING POTENTIAL CONTAMINATION BENEATH THE SIDEWALK ADJACENT TO PG&E'S SUBSTATION C PROPERTY**

**WHEREAS**, PG&E has agreed to enter into a Memorandum of Understanding (MOU) agreement with the City to address potential contamination under City property adjacent to PG&E's Substation C property located at 101 Jefferson Street; and

**WHEREAS**, PG&E has agreed in the MOU to perform all remediation and reporting work for City property affected by PG&E Substation C; and

**WHEREAS**, associated with the MOU agreement is a Land Use Covenant (LUC) agreement between the City and the California Department of Toxic Substances Control (DTSC); and

**WHEREAS**, DTSC has issued a requirement for the City to enter into a LUC with DTSC for the sidewalk area around PG&E Substation C; and

**WHEREAS**, the City Council finds that these agreements shall not result in economic loss or increased liability to the City, therefore be it

**RESOLVED**, That the City Administrator is hereby authorized to enter into a MOU agreement with PG&E and a LUC with DTSC for the sidewalk area around PG&E Substation C, subject to the review and approval of the City Attorney; and be it

**FURTHER RESOLVED**: That a copy of this resolution shall be filed with the City Clerk.

JAN 05 2016

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

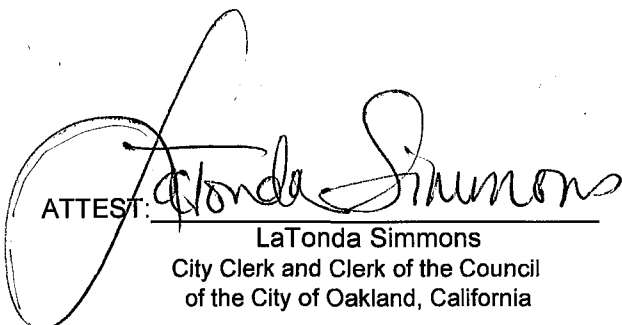
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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