

Brian Mulry  
Brian Mulry (May 15, 2024 15:07 PDT)  
CITY ATTORNEY'S OFFICE

**OAKLAND CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CITY OF PIEDMONT ESTABLISHING THAT THE CITY OF PIEDMONT WILL PROCESS PLANNING AND BUILDING ENTITLEMENTS FOR A SINGLE-FAMILY DWELLING REMODEL AND ADDITION AT 183 SOMERSET RD, A PROPERTY LOCATED WITHIN BOTH JURISDICTIONS; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

**WHEREAS**, the applicant for the property owner of 183 Somerset Road, which is located in the cities of Oakland and Piedmont, approached both jurisdictions regarding a construction project that entails a remodel and addition at a single-family residence at 183 Somerset Rd.; and

**WHEREAS**, the applicant and the City of Piedmont request that land use and building permits for the development proposal be processed by the City of Piedmont; and

**WHEREAS**, the City of Oakland agrees that the issuance of planning and building permits and building inspections should be solely handled by the City of Piedmont as the majority of the single-family home is within the City of Piedmont, and the proposed construction within the City of Oakland is only 209 sq. ft. of new floor area, and proposed construction within the City of Piedmont is 560 sq. ft. of new floor area; and

**WHEREAS**, the City of Oakland is committed to seeing properties developed in as efficient a manner as possible; and

**WHEREAS**, the City of Piedmont provides all 911 emergency and municipal services to the property; and

**WHEREAS**, the City Council hereby finds and determines that California Environmental Quality Act (CEQA) exemptions 15268(b) (Projects that are Ministerial) and 15301(e) (Existing Facilities) apply to this project, both of which provide a separate and independent basis for CEQA clearance; now, therefore be it

**RESOLVED:** that the City Administrator or designee is authorized to negotiate and execute a Memorandum of Agreement (MOA), in substantially similar form as to the MOA

attached hereto at *Exhibit A*, for a construction project that entails a remodel and addition at a single-family residence at 183 Somerset Road and to negotiate and execute all documents, amendments, agreements and instruments reasonably necessary or required to implement this Resolution; and be it

**FURTHER RESOLVED:** that the MOA and all such other documents, amendments, agreements and instruments, shall be reviewed and approved by the City Attorney's Office as to form and legality prior to execution; and be it

**FURTHER RESOLVED:** that CEQA exemptions 15268(b) (Projects that are Ministerial) and 15301(e) (Existing Facilities) apply to this project, both of which provide a separate and independent basis for CEQA clearance.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California