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OAKLAND CITY COUNCIL

RESOLUTION NO. 78285 C.M.S.

Resolution Authorizing and Directing the City Attorney to Compromise and Settle the Case of Maureen Dorsey, et al. v. City Of Oakland, et al., Alameda County Superior Court Case No. No. RG-03077607

WHEREAS, on December 3, 2002 the City Council adopted Resolution No. 77544 C.M.S., which approved reclamation and redevelopment of the existing Leona Quarry mine, located at 7100 Mountain Boulevard with 477 residential units ("Project"); and

WHEREAS, on or about January 2, 2003, Maureen Dorsey, Burckhalter Neighbors and Citizens for Oakland's Open Space, Inc. (collectively, "Petitioners") filed a lawsuit in Alameda County Superior Court (Case No. RG-03077607) challenging the City's approval of the Project; and

WHEREAS, the City Council, Petitioners and the Project sponsor wish to fully and completely resolve their disagreements relating to the Project without the need to litigate the issues any further; Now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Maureen Dorsey, et al. v. City of Oakland, et al., Alameda County Superior Court Case No. RG-03077607 and take whatever steps may be necessary to effect said settlement, including without limitation entering into a settlement agreement in substantial conformity with **Attachment A**.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN - 6 2004, ~~2003~~

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, ~~REID~~, WAN AND PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED - REID - 1

ATTEST: *[Signature]*
for CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California