

CITY OF OAKLAND



05317-1 (1/2/23)

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December 19, 2006

HONORABLE CITY COUNCIL AND REDEVELOPMENT AGENCY
Oakland, California

President De La Fuente and Members of the City Council and Redevelopment Agency

Subject: Resolution Authorizing Settlement of \$615,000
Oakland Redevelopment Agency v. John M. Revelli, et. al
Santa Clara County Superior Court Case No.: 1-05-CV-038880

Pursuant to Section 401 of the Charter, the City Attorney/Agency Counsel has prepared and recommends settlement of the above-entitled case for the sum of Six Hundred and Fifteen Thousand Dollars and No Cents (\$615,000), which includes \$331,625 previously deposited with the court for Revelli's account, inclusive of interest and costs, as a result of an eminent domain action commenced by the Redevelopment Agency to facilitate the Uptown Project development. This was a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney

Raymond M. Ullmer
Agency Counsel

06-000-7-1-000000

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION NO. _____ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING AGENCY
COUNSEL TO COMPROMISE AND SETTLE THE CASE OF
OAKLAND REDEVELOPMENT AGENCY V. JOHN M.
REVELLI, IN THE AMOUNT OF \$615,000, AS A RESULT
OF AN EMINENT DOMAIN ACTION COMMENCED BY
THE REDEVELOPMENT AGENCY TO FACILITATE THE
UPTOWN PROJECT DEVELOPMENT**

RESOLVED: That the Agency Counsel is authorized and directed to compromise and settle the case of *Oakland Redevelopment Agency v. John M. Revelli et. al.*, Santa Clara County Superior Court Case No.: 1-05-CV-038880, for the sum of Six Hundred and Fifteen Thousand Dollars and No Cents (\$615,000) (which includes \$331,625 previously appropriated by the Agency and deposited with the court for Revelli's account), payable to the Leon & Leon Trust Account on behalf of Revelli, as a result of an eminent domain action commenced by the Redevelopment Agency to facilitate the Uptown Project development; and be it

FURTHER RESOLVED: That the Agency hereby appropriates funds in the amount of Two Hundred and Eighty Three Thousand, Three Hundred and Seventy-Five dollars (\$283,375) from Fund 9516 (1989 Bond Fund), Project P221520, Organization 94800, and authorizes the Agency Administrator or her designee to allocate said funds toward payment of the above-referenced settlement; 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; and be it

FURTHER RESOLVED: That the sum of Six Hundred and Fifteen Thousand Dollars and No Cents (\$615,000), which includes \$331,625 previously deposited with the court for Revelli's account, and \$283,375 of newly appropriated funds as provided for herein, inclusive of interest and costs, be paid to the Leon & Leon Trust Account on behalf of Mr. Revelli.

In Agency, Oakland, California, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
SECRETARY OF THE REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND, CALIFORNIA