

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 JUN 30 AM 10:56

APPROVED AS TO FORM AND LEGALITY:

BY: Dianne Miller
AGENCY COUNSEL

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND
2010 - 0092
RESOLUTION NO. _____ C.M.S.

**AN AGENCY RESOLUTION AUTHORIZING AN
EXCLUSIVE NEGOTIATING AGREEMENT WITH
SUNFIELD DEVELOPMENT, LLC OR A RELATED
ENTITY TO DEVELOP PORTIONS OF THE BLOCK
BOUNDED BY SAN PABLO AVENUE, TELEGRAPH
AVENUE, 18TH STREET, AND 19TH STREET**

WHEREAS, the Agency owns property located at 1800 San Pablo Avenue on the west side of the block bounded by San Pablo Avenue, Telegraph Avenue, 18th and 19th Street (the "Property"), and

WHEREAS, on September 4, 2009, the Agency issued a Notice of Development Opportunity (NODO) for the Property that called for proposals to provide a low- to mid-rise project, at least 200 public parking spaces, and retail or other commercial use at ground level along San Pablo Avenue; and

WHEREAS, in response to the NODO, Sunfield Development, LLC, ("Sunfield") submitted a proposal that includes a 301-space parking garage with an option to expand to 521 parking spaces, and approximately 73,500 square feet of retail and recreational uses (the "Project"); and

WHEREAS, Sunfield proposes to acquire the Property and provide the Agency with an option to repurchase 200 new parking spaces in the garage at development cost at Project completion; and

WHEREAS, staff established a selection committee to review responses to the NODO and recommend a developer; and

WHEREAS, after careful review and evaluation of the proposals, the selection committee recommended Sunfield's proposal for the development of a mixed-use Project on the Property; and

WHEREAS, the Agency and Sunfield, as the prospective developer, wish to enter into a period of preliminary study and negotiations over the Project proposal, understanding that this does not constitute a binding commitment on the part of the Agency to any project or developer for the Property; now, therefore, be it

RESOLVED: That the Agency Administrator is authorized to negotiate and enter into an Exclusive Negotiation Agreement (ENA) with Sunfield for purposes of studying and evaluating the feasibility of, and negotiating terms and conditions for, the transfer of the Property, its development for retail, public parking and other uses, and the option to repurchase up to 200 public parking spaces developed as part of the project; and be it

FURTHER RESOLVED: That the exclusive negotiating period will be for twelve months from the date of this Resolution, with the option to extend said period by an additional three months with the approval of the Agency Administrator in his sole discretion; and be it

FURTHER RESOLVED: That the \$25,000 nonrefundable good faith deposit from Sunfield will be appropriated to Central District: Operations (Fund 9510) and a project to be created, for expenditures related to the project; and be it

FURTHER RESOLVED: That the ENA shall be reviewed and approved as to form and legality by Agency Counsel prior to execution; and be it

FURTHER RESOLVED: That the Agency finds and determines, after independent review and consideration, that this action complies with the California Environmental Quality Act ("CEQA") because this action on the part of the Agency is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies), Section 15306 (information collection), and Section 15061(b)(3) (general rule) of the CEQA Guidelines; and be it

FURTHER RESOLVED: That the Agency Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

FURTHER RESOLVED: That the Agency Administrator is further authorized to take whatever action is necessary with respect to the ENA and the Project consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, JUL 20 2010, 2010

PASSED BY THE FOLLOWING VOTE:

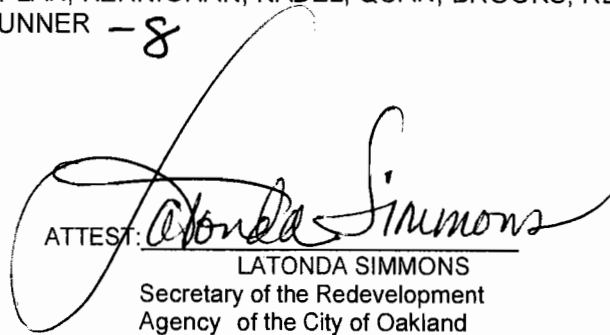
AYES- DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, BROOKS, REID, AND CHAIRPERSON BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



LATONDA SIMMONS
Secretary of the Redevelopment
Agency of the City of Oakland