

W. M. Miller

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 JUN 16 PM 9:17

RESOLUTION NO. 2005-0085 C.M.S.

RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE OAKLAND REDEVELOPMENT AGENCY AND OPUS WEST DEVELOPER GROUP FOR A TERM OF 180 DAYS TO DEVELOP A PROPOSAL FOR DEVELOPMENT OF APPROXIMATELY 50 ACRES LOCATED IN THE CENTRAL AND EAST GATEWAY AREAS OF THE FORMER OAKLAND ARMY BASE

WHEREAS, the Redevelopment Agency adopted the Redevelopment Plan for the Oakland Army Base Redevelopment Project ("Oakland Army Base Redevelopment Plan ") on July 1, 2000; and

WHEREAS, one of the goals included in the Oakland Army Base Redevelopment Plan was subdividing the site into parcels suitable for modern, integrated development; and

WHEREAS, one of the proposed actions included in the Oakland Army Base Redevelopment Plan was redevelopment of land by private enterprise; and

WHEREAS, the Oakland Base Reuse Authority ("OBRA") has acquired 365 acres of the former Oakland Army Base and has approximately 170 acres available for private development after transfers of land to the Port of Oakland, California Department of Transportation and East Bay Regional Park District; and

WHEREAS, OBRA plans to convey all of its interests in the Army Base land to the Redevelopment Agency in 2006; and

WHEREAS, the Opus West Wind group ("OWW") consists of the following parties: Opus West Corporation, Legacy Partners Commercial, Levine Fricke EcoParks, L.L.C., United Indian Nations Community Development Corporation, Michael Ziegler and Curtis Smothers; and

WHEREAS, the Agency has recommended that OWW develop a portion of the property; and

WHEREAS, the Agency and OWW, as the prospective developer, wish to enter into a period of preliminary study and negotiations over a 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 Negotiating Agreement with OWW for purposes of studying and evaluating the feasibility of, and negotiating terms and conditions for the potential development of a portion of the Army Base as more particularly defined as the Project Site in the term sheet attached to the agenda report for this item, and on the general terms and conditions of the term sheet; and be it

FURTHER RESOLVED: That the exclusive negotiating period will be for one hundred and eighty days (180); and be it

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

FURTHER RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines that this action complies with 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 her 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 Exclusive Negotiating Agreement and the project consistent with this Resolution and its basic purposes.

JUN 21 2005

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

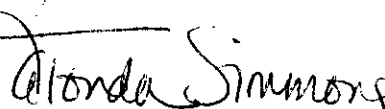
AYES- BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON DE LA FUENTE - 7

NOES- BRUNNER - 1

ABSENT- 0

ABSTENTION- 0

ATTEST:



LATONDA SIMMONS

Secretary of the Redevelopment Agency
of the City of Oakland