

CITY OF OAKLAND
MEMORANDUM

JMB

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAR 17 AM 10:08

TO: Rules & Legislation Committee
ATTN: Assistant to the City Manager
FROM: Office of the City Attorney
Barbara Parker, Assistant City Attorney
Michelle Abney, Open Government Coordinator
DATE: Thursday, March 18, 2004
SUBJECT: Request to Schedule Agenda Item

TITLE: Resolution Authorizing and Directing the City Attorney to Compromise and Settle the Case of City of Oakland v. City of Alameda, Alameda Superior Court No. RG-03133599, (Alameda Point General Plan Amendment), in the amount of \$462,000 in Traffic and Pedestrian Safety Improvements in Oakland Chinatown, With a Further \$500,000 to be Paid by the City of Alameda for Such Improvements in Oakland Chinatown and \$75,000 to be Paid by the City of Alameda for the Establishment of an Oakland Chinatown Advisory Committee to Advise Oakland and Alameda on Chinatown Development and Environmental Review Issues (CEDA)

(This settlement was authorized in Closed Session on Tuesday, February 3, 2004)

SCHEDULING RECOMMENDATION:

A. Committee _____
(Please specify Committee. Committees meet 2nd & 4th Tuesdays)

x City Council _____ Redevelopment Agency
(Council/Agency meets on 1st, 3rd, and 5th Tuesdays)

B. Meeting Date: April 6, 2004

Is there a statutory, regulatory, financial or grant deadline? Specify:

Is a staff report required/requested? XXXXX

What is the fiscal impact on the City/Agency? The settlement involves a commitment of \$462,000 in City funds, to be paid either by applicants for forthcoming development projects or, to the extent that the funding cannot be obtained from such sources, the funds shall be obtained from the proceeds of a planned Central District Redevelopment Area Bond Series 2004 A, anticipated for issuance in 2004, but no later than September 2004.

If the ten-day (Sunshine Ordinance) agenda deadline cannot be met, please indicate reason:

- Item constitutes an "emergency" (Crippling disaster, work stoppage or other activity which severely impacts public health and/or safety)
- It was not reasonably possible to place the proposed item on the two-week agenda AND any of the following exist:
 - Item requires immediate action to avoid a substantial adverse impact if action is deferred to a subsequent special or regular meeting;
 - Item requires immediate action relating to federal or state legislation;
 - Item requires immediate action relating to eligibility for a grant or gift; OR
 - Item is ceremonial.

Explain why item could not have been placed on the 10-day agenda:

04-0235