

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

*Colleen Chen*  
City Attorney

2012 NOV 28 PM 3:29 ORDINANCE No. 13145 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH CALTRANS FOR THE SALE OF AN APPROXIMATELY 3-ACRE FEE-OWNED PARCEL AND 3-ACRE EASEMENT AREA LOCATED AT THE FORMER OAKLAND ARMY BASE FOR \$5,750,000, LESS ANY COSTS FOR REQUIRED EASEMENTS**

**WHEREAS**, on January 31, 2012, the City of Oakland acquired a number of former Oakland Army Base parcels from the Oakland Redevelopment Agency including a 9.5-acre parcel of land commonly referred to as Parcel C-1 and a perpetual easement across an approximately 3-acre parcel commonly referred to as Parcel U-1 (sometimes referred to as Caltrans Parcel 8); and

**WHEREAS**, Caltrans has offered to purchase approximately 3-acres of parcel C-1 and the approximately 3-acre Parcel U-1 easement area from the City to support the Bay Bridge Construction Project and Caltrans Maintenance Complex for a purchase price of \$5,750,000 less any costs for required easements; and

**WHEREAS**, the City entered into a Memorandum of Agreement with East Bay Municipal Utilities District (EBMUD) to resolve mutual Army Base related issues, including construction of an improved and extended Engineers Road which requires the reservation of required easements over Parcel C-1 and Parcel U-1; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance.

**Section 2.** The City Council hereby authorizes the City Administrator to negotiate and execute a Purchase and Sale Agreement with Caltrans for the sale of approximately 3-acre parcel and 3-acre easement area located at the Oakland Army Base for \$5,750,000 less any costs for required easements.

**Section 3.** The funds will be deposited into Entity 1, OBRA Leasing & Utility Fund (5671), Oakland Army Base Redevelopment Organization (02444), OBRA Leasing & Utility-City Project (P294110).

**Section 4.** The City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines that this action complies with CEQA because this action on the part of the City is exempt from CEQA under Section 15061(b)(3) activity covered by the general rule, no significant effect on the environment and Section 15183 for projects consistent with the General Plan, of the CEQA Guidelines, and directs the City Administrator to file a Notice of Exemption and an Environmental Declaration under California

Fish and Game Code section 711.4 with the County of Alameda.

**Section 5.** The City Administrator or her designee is hereby authorized to negotiate and execute all agreements and to take whatever other action is necessary with respect to the transaction, consistent with this Resolution and its basic purposes.

**Section 6.** The City Attorney shall review and approve all documents and agreements related to this transaction as to form and legality, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 22 2013

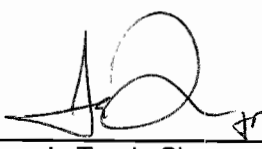
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF AND PRESIDENT  
KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:  1/30/13  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date      DEC 18 2012

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 NOV 28 PM 3:27

**NOTICE AND DIGEST**

**ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH CALTRANS FOR THE SALE OF AN APPROXIMATELY 3-ACRE FEE-OWNED PARCEL AND 3-ACRE EASEMENT AREA LOCATED AT THE FORMER OAKLAND ARMY BASE FOR \$5,750,000, LESS ANY COSTS FOR REQUIRED EASEMENTS**

This ordinance authorizes the City Administrator to negotiate and execute a purchase and sale agreement with Caltrans for the sale of an approximately 3-acre fee-owned parcel and 3-acre easement area located at the former Oakland Army Base for \$5,750,000, less any costs for required easements.