

APPROVED AS TO FORM AND LEGALITY:

BY:


AGENCY COUNSEL

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. 2005-0069 M.S.

RESOLUTION AMENDING THE EXCLUSIVE NEGOTIATING AGREEMENT WITH OPUS WEST DEVELOPER GROUP FOR THE DEVELOPMENT OF APPROXIMATELY 50 ACRES WITHIN THE FORMER OAKLAND ARMY BASE, IN ORDER TO: (1) CHANGE THE DEVELOPER NAME TO OAKLAND WEST WIND, LLC; AND (2) EXTEND THE TERM OF THE AGREEMENT FROM 6 MONTHS TO 12 MONTHS

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 of the Oakland Army Base Redevelopment Plan is to subdivide the Army Base 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 Parks District; and

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

WHEREAS, on June 21, 2005, the Oakland Redevelopment Agency approved Resolution Number 2005-0035, authorizing an Exclusive Negotiating Agreement (ENA) with Opus West Developer Group for a term of 180 days to develop a proposal for development of approximately 50 acres of land within the Oakland Army Base; and

WHEREAS, after June 21, 2005, the development partners of Opus West Developer Group have chosen to organize their efforts under a limited liability company with the name of "Oakland West Wind LLC"; and

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

WHEREAS, the Agency wishes to extend the term of the existing ENA from 180 days to 365 days, in order to allow better coordination with projects being contemplated on adjacent portions of the Oakland Army Base; now therefore be it

RESOLVED: That the Redevelopment Agency hereby authorizes the Agency Administrator to execute an amendment to the Exclusive Negotiating Agreement with Opus West Developer Group in order to:

1. Change the Developer name referenced in the ENA from "Opus West Developer Group" to "Oakland West Wind LLC"; and
2. Extend the term of the ENA from 180 days to 365 days;

and be it further

RESOLVED: That the Agency hereby authorizes the Agency Administrator, or her designee, to take all actions necessary to carry out this resolution and its basic purposes; and be it further

RESOLVED: That all documents, as necessary, shall be reviewed and approved by the Office of the City Attorney as to form and legality prior to execution, and copies will be placed on file with the City Clerk.

IN SESSION, OAKLAND, CALIFORNIA, ~~SEPTEMBER 20, 2005~~ **OCT 18 2005**


PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT- *Chang - 1*

ABSTENTION-

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