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ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

January 3, 2006

HONORABLE CITY COUNCIL AND REDEVELOPMENT AGENCY
Oakland, California

President De La Fuente and Members of the City Council and Redevelopment Agency

Subject: Resolution Authorizing Settlement of
Oakland Redevelopment Agency v. Viacom Outdoor, Inc.
Alameda County Superior Court Case No. RG 04-189661

Pursuant to Section 401 of the Charter, the City Attorney/Agency Counsel has prepared and recommends settlement of the above-entitled case for the sum of One Hundred and Forty Thousand Dollars and No Cents (\$140,000), which includes \$121,300 previously deposited with the court for Viacom's account, plus interest accrued on the \$121,300 deposit from July 15, 2005, payable to Viacom Outdoor, Inc. as a result of an eminent domain action commenced by the Redevelopment Agency to facilitate the Uptown Project development. This was a closed session item.

Respectfully submitted,

for JOHN A. RUSSO
City Attorney

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ORA/COUNCIL
JAN 03 2006

FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2005 DEC 21 PM 3:22

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING AGENCY COUNSEL TO COMPROMISE AND SETTLE THE CASE OF OAKLAND REDEVELOPMENT AGENCY V. VIACOM OUTDOOR, INC., IN THE AMOUNT OF \$140,000, PLUS INTEREST FROM JULY 15, 2005, AS A RESULT OF AN EMINENT DOMAIN ACTION COMMENCED BY THE REDEVELOPMENT AGENCY TO FACILITATE THE UPTOWN PROJECT DEVELOPMENT

RESOLVED: That the Agency Counsel is authorized and directed to compromise and settle the case of Oakland Redevelopment Agency v. Viacom Outdoor, Inc., Alameda County Superior Court Case No. RG- 04-189661 for the sum of One Hundred and Forty Thousand Dollars and No Cents (\$140,000), which includes \$121,300 previously appropriated by the Agency and deposited with the court for Viacom's account, plus interest accrued on the \$121,300 deposit from July 15, 2005, payable to Viacom Outdoor, Inc. as a result of an eminent domain action commenced by the Redevelopment Agency to facilitate the Uptown Project development; and be it

FURTHER RESOLVED: That the Agency hereby appropriates funds in the amount of eighteen thousand and seven hundred dollars (\$18,700) from the Unrestricted Land Sale Proceeds Fund (Fund 9553, Project P130610) and authorizes the Agency Administrator or her designee to allocate said funds toward payment of the above-referenced settlement; and be it

FURTHER RESOLVED: That the Agency Counsel is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of One Hundred and Forty Thousand Dollars and No Cents (\$140,000), which includes \$121,300 previously deposited with the court for Viacom's account, and \$18,700 of newly appropriated funds as provided for herein, plus interest accrued on the \$121,300 deposit from July 15, 2005, be paid to Viacom Outdoor, Inc.

In Agency, Oakland, California, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

10-4 CC
 ORA/COUNCIL
 JAN 03 2006

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
SECRETARY OF THE REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND, CALIFORNIA

10.4CC
CRA/COUNCIL
JAN 03 2006