

OFFICE OF THE CITY CLERK
2007 OCT 11 PM 3:55

Approved as to Form and Legality:

Agency Counsel

OAKLAND REDEVELOPMENT AGENCY
2007-0076
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A 180-DAY EXCLUSIVE NEGOTIATING AGREEMENT WITH OAKLAND MARITIME SUPPORT SERVICES (OMSS) TO DEVELOP 15 ACRES OF ANCILLARY MARITIME SUPPORT (AMS) USES IN THE FORMER OAKLAND ARMY BASE

WHEREAS, the Redevelopment Agency of the City of Oakland ("Agency") owns approximately 165 acres of real property located in the "Gateway Development Area" (GDA) within the former Oakland Army Base; and

WHEREAS, the Oakland Army Base Redevelopment Plan EIR requires the Agency and the Port of Oakland to jointly implement two mitigation measures to reduce the impacts of trucking on West Oakland; and

WHEREAS, the Bay Conservation and Development Commission (BCDC) requires, as part of the 2006 land conveyance from the Oakland Base Reuse Authority to the Agency and the Port of Oakland, 15-acre set-asides by both entities for Ancillary Maritime Support Services (AMS); and

WHEREAS, on May 15, 2007 the Agency Board approved a staff recommendation to designate a 15-acre area within the East Gateway Development Area for the future development of AMS uses, and authorized staff to issue a Request for Proposals (RFP) for AMS industries to lease space within the East Gateway Development Area; and

WHEREAS, on June 22, 2007 staff issued an RFP for the development of an AMS facility within a 15-acre portion of the East Gateway Development Area specifically focused on trucking and truck-related activities, such as parking, trans-load facilities, offices and/or services targeting the local trucking sector; and

WHEREAS, staff received seven proposals and subsequently conducted a thorough and comprehensive review and interview process that included five finalists; and

WHEREAS, the proposal from Oakland Maritime Support Services (OMSS) would allow the development of a 15-acre multi-use project that includes truck parking, a trans-load facility, offices for trucking companies or related businesses, retail, fuel, and other services catering to trucking employees and businesses; and

WHEREAS, staff determined through the review and interview process that the Oakland Maritime Support Services (OMSS) proposal was most responsive to the RFP among the five finalists; and

WHEREAS, staff also determined that additional time is needed to negotiate and address the numerous issues regarding the development of an AMS facility, including: the specific location and configuration of the OMSS facility; financial terms, historic preservation issues; the potential deconstruction of existing warehouses; utilities; environmental remediation; and coordination with the Port of Oakland's AMS development plans; and

WHEREAS, in 2002 the Oakland City Planning Commission certified the Oakland Army Base Redevelopment Plan EIR and the Oakland City Council, Oakland Base Reuse Authority and Oakland Redevelopment Agency adopted all appropriate California Environmental Quality Act ("CEQA") findings; and

WHEREAS, the City certified the Final Supplemental Environmental Impact Report for the Oakland Army Base Project on December 5, 2006; NOW, THEREFORE, BE IT

RESOLVED, that the Agency Administrator is authorized to enter into an Exclusive Negotiating Agreement with Oakland Maritime Support Services, Inc., for the purposes of studying and evaluating the feasibility of, and negotiating terms and conditions for a long-term ground lease for the development of an AMS facility within the GDA; and be it

FURTHER RESOLVED, that the material terms of the Exclusive Negotiating Agreement will include a schedule of performance requiring OMSS to provide a refined project scope, site plan, budget, proforma, financial plan, and other relevant information within 120 days after the date that this Resolution is approved by the Agency Board; and be it

FURTHER RESOLVED, that the term of the Exclusive Negotiating Agreement will be for 180 days from the date that this Resolution is approved by the Agency Board; and be it

FURTHER RESOLVED, that the Agency Administrator is authorized to extend the term of this Exclusive Negotiating Agreement by up to an additional 90 days if she deems, in her sole and absolute discretion, that such an extension is necessary to complete negotiations and to comply with the intent of this Resolution; and be it

FURTHER RESOLVED, that the Agency has independently reviewed and *considered the 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 rules) 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 the respect to the Exclusive Negotiating Agreement and the project consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, NOV 6 2007, 2007

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - De La Fuente - 1

ATTEST:



LATONDA SIMMONS

Secretary of the Redevelopment Agency
of the City of Oakland, California