

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 8 3 4 6 4 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE OAKLAND ARMY BASE AMENDED AND RESTATED MEMORANDUM OF AGREEMENT AMONG THE CITY OF OAKLAND, THE REDEVELOPMENT AGENCY, AND THE PORT OF OAKLAND TO:

- A) EXTEND THE AUGUST 7, 2010 DEADLINE BY UP TO FOUR YEARS TO FUND THE WEST OAKLAND COMMUNITY TRUST FUND**
- B) REVISE THE CITY-PORT MOA TO INDICATE THAT THE PORT'S CONTRIBUTION TO THE WEST OAKLAND COMMUNITY TRUST FUND CAN BE PROVIDED BY THE PORT'S DEVELOPER RATHER THAN DIRECTLY BY THE PORT**

WHEREAS, the Oakland Redevelopment Agency ("Agency") established the West Oakland Community Trust Fund (the "Community Fund") to assist with economic development in West Oakland, the neighborhood most directly impacted by the closure of the Oakland Army Base ("OAB"); and

WHEREAS, the Amended and Restated Memorandum of Agreement for Oakland Army Base ("City-Port MOA") among the City of Oakland ("City"), the Agency, and the Port of Oakland ("Port") provides that a total of \$4 million could be contributed to the Community Fund, with one half of the funding to come from the Port and one half to come from the Agency and the City; and

WHEREAS, the one-half share of the funding attributable to the Agency and the City will be paid by future developers of the Agency's OAB property; and

WHEREAS, the City-Port MOA requires that the Port match contributions made by the Agency's OAB developers, up to a maximum of \$2,000,000, if such contributions are made on or before August 7, 2010, but the Port shall have no obligation to contribute to the Community Fund if no OAB developer contributions have been made by August 7, 2010; and

WHEREAS, on June 30, 2010, the City Council authorized by Resolution No. 82868 C.M.S. an amendment to the City-Port MOA to extend the deadline indefinitely for funding the Community Fund, but not to amend any other provision of the City-Port MOA; and

WHEREAS, on July 20, 2010, the Port Board authorized through Resolution No. 10-97 an amendment to the City-Port MOA to extend the deadline for funding the Community Fund by three or four years and to allow the Port's developer to provide the Port's contribution to the Fund; and

WHEREAS, the City and the Agency wish to amend the City-Port MOA to accept the revisions approved by the Port; now therefore, be it

RESOLVED: That the City Administrator or his or her designee is hereby authorized to negotiate and execute an amendment to the City-Port MOA to:

- a) Extend the deadline by up to four years for the Agency and the Port to fund the West Oakland Community Trust Fund; and
- b) Revise the City-Port MOA to indicate that the Port's contribution to the West Oakland Community Trust Fund can be provided by the Port's developer rather than directly by the Port;

and be it

FURTHER RESOLVED: That the City Administrator or his or her designee is hereby authorized to take all actions necessary to implement the City-Port MOA amendment, consistent with the intent of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 5 2011, 20

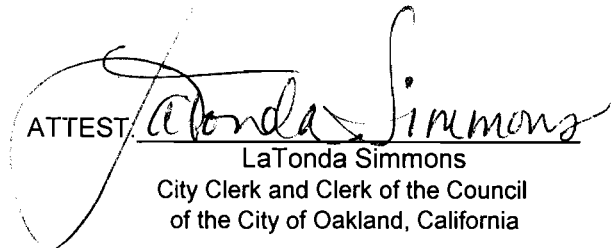
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California