

DRAFT

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**INTRODUCED BY VICE MAYOR REBECCA KAPLAN
AND COUNCILMEMBER NOEL GALLO**

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT (ENA) WITH THE AFRICAN AMERICAN SPORTS AND ENTERTAINMENT GROUP (AASEG), FOR A PERIOD OF ONE YEAR, WITH ONE ADMINISTRATIVE OPTION TO EXTEND FOR TWELVE (12) MONTHS, TO WORK TOWARD THE ACQUISITION AND DEVELOPMENT (INCLUDING PURCHASE, LEASE, OR PARTNERSHIP) OF THE CITY'S SHARE OF THE OAKLAND COLISEUM COMPLEX, CONSISTING OF VARIOUS PARCELS BOUNDED BY SAN LEANDRO STREET, 66TH AVENUE, HEGENBERGER ROAD AND INTERSTATE 880, INCLUDING, DURING THE ENA PERIOD, TO NEGOTIATE TERMS FOR, BUT NOT LIMITED TO, THE FINANCIAL PLAN, AND COMMUNITY BENEFITS, AND AUTHORIZING AND ACCEPTING PAYMENT OF AN ENA FEE OF \$200,000 PER YEAR AND PROJECT EXPENSE PAYMENTS TO THE CITY OF OAKLAND.

WHEREAS, the City of Oakland owns a 50% share of the large, easily accessible property known as the Oakland-Alameda Coliseum Complex Site, with many acres that can be used to provide housing for all income levels, jobs, business, sports, entertainment and more, and which has completed both environmental review and the surplus lands act notification process, to allow for proceeding with revitalizing it; and

WHEREAS, East Oakland faces disproportionate unemployment, and community has sought and deserves increased economic opportunity, including with local jobs, and local business opportunity; and

WHEREAS, the City of Oakland, in 2019, declared the Coliseum site to be “surplus” land, and provided notice of this publicly; and

WHEREAS, the Oakland City Council has previously authorized staff to pursue the potential for the future of the Coliseum site with multiple developers, which after further meetings and evaluation, was then narrowed down to two; and

WHEREAS, one of the two authorized bidders is the African American Sports and Entertainment Group (AASEG); and

WHEREAS, on July 20, 2021, the Oakland City Council adopted Resolution 88764 C.M.S, which directed the City Administrator to negotiate with the African American Sports and Entertainment Group (AASEG) the potential terms of purchase and sale agreement to sell the City’s undivided 50% fee interest in the Coliseum Complex; and

WHEREAS, AASEG is an Oakland-based developer focused on creating economic opportunities for East Oakland, the Black community, all Oakland residents at-large, and using the Coliseum site as a venue for economic equity and social justice; and

WHEREAS, AASEG has met with over 40 community groups including faith-based institutions, labor organizations, civic leaders, and job development organizations, and have received extensive support for the mission of AASEG’s plan; and

WHEREAS, AASEG has already submitted a proposal to the Oakland-Alameda Coliseum Joint Powers Authority to lease the arena in the Coliseum site for WNBA games, the terms of which has been approved by the Oakland City Council and by the full JPA Board; and

WHEREAS, awarding a significant development opportunity to an Oakland-based African American development group would be an important step in the City’s 169-year history, and help remedy extensive racial disparities in Oakland contracts and economic opportunity; and

WHEREAS, the Coliseum site is important as a major regional hub, served by BART, Amtrak, airport connector and freeway, and in providing thousands of jobs to Oakland residents. It is important to preserve and enhance jobs and business for local residents; and

WHEREAS, the City of Oakland wishes to effectively pursue economic opportunities in ways that benefit our community; and

WHEREAS, much of Oakland's community, including parts of East Oakland, have been harmed by past decisions that undermined opportunity and increased inequality, and therefore any new project must improve, and not harm, conditions for long-time disparately-impacted communities; and

WHEREAS, the City believes it is important that projects on public lands include plans and strategies to benefit the local community including local hire, jobs standards, affordable housing, anti-displacement support and pedestrian safety, among others; and

WHEREAS, the City of Oakland should be a valued partner throughout the development process of this project and should have the option to partner with AASEG on aspects of the project, when appropriate; and

WHEREAS, AASEG will provide an ENA fee of \$200,000 to the City within 5 days of signing of the Exclusive Negotiating Agreement. Project Expense Payments shall also be paid to the City to cover the City's planning, entitlement, development, legal costs and more during the negotiating period; and now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to enter into an Exclusive Negotiation Agreement (ENA) with the African American Sports and Entertainment Group (AASEG), for a period of one year, with one administrative option to extend for twelve (12) months, to work toward the acquisition and development (including purchase, lease, or partnership) of the City's share of the Oakland Coliseum Complex, consisting of various parcels bounded by San Leandro Street, 66th Avenue, Hegenberger Road and Interstate 880; and be it

FURTHER RESOLVED: That during the ENA Period, the City and AASEG will negotiate terms for, but not limited to, the financial plan, community benefits, and other details to be determined which shall require approval of the City Council; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to accept the initial deposit, which includes the ENA fee of \$200,000 per year, and Project Expense Payments to the City of Oakland; and be it

FURTHER RESOLVED: That during the ENA period, the developer shall undertake negotiations with the owner of the other 50% interest in the coliseum property regarding plans for development. City staff will cooperate in such efforts.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California