

Oakland Tribune

1970 Broadway, Suite 100
Oakland, CA 94612
510-723-2850

2050974

OAKLAND, CITY OF
KRISTAL SAMS, CITY CLERK'S OFC.
1 FRANK H. OGAWA PLZ., 2ND FL.
OAKLAND, CA 94612-1923

PROOF OF PUBLICATION

FILE NO. A. Landingham TDP-Webster, LLC

In the matter of

Oakland Tribune

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

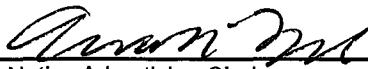
I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/23/2017

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: June 23, 2017


Public Notice Advertising Clerk

Legal No.

0005979571

NOTICE AND DIGEST

A CITY ORDINANCE: (1) CONSENTING TO A CHANGE IN THE OWNERSHIP STRUCTURE AND CONTROL OF TDP-WEBSTER, LLC ("DEVELOPER") WITH WHICH THE CITY OF OAKLAND ("CITY") HAS PREVIOUSLY ENTERED INTO A DISPOSITION AND DEVELOPMENT AGREEMENT ("DDA") FOR THE SALE AND DEVELOPMENT OF TWO CONTIGUOUS CITY-OWNED PARCELS LOCATED AT 2330 WEBSTER STREET AND 2315 VALDEZ STREET, INCLUDING CONSTRUCTION OF A NEW CITY GARAGE; (2) AUTHORIZING THE CITY ADMINISTRATOR, WITHOUT RETURNING TO THE CITY COUNCIL, TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE DDA TO (A) CHANGE THE INTEREST RATE CALCULATED ON THE CITY'S SELLER CARRYBACK LOAN TO DEVELOPER FOR THE DEVELOPER'S ACQUISITION OF THE PROPERTY, (B) CHANGE THE FORMULA USED TO CALCULATE THE PURCHASE PRICE TO BE PAID BY THE CITY FOR THE ACQUISITION OF THE CITY PARKING GARAGE, (C) INCREASE THE REQUIRED MINIMUM NET WORTH OF THE GUARANTOR PROVIDING THE COMPLETION GUARANTY, (D) WAIVE PERFORMANCE AND PAYMENT BOND REQUIREMENTS, UNLESS OTHERWISE REQUIRED BY LENDER, AND (E) MODIFY THE AFFORDABILITY LEVEL OF THE PROJECT'S MODERATE INCOME HOUSING UNITS; (3) ALLOCATING AND APPROPRIATING UP TO \$350,000 TO CREATE A CONTINGENCY ACCOUNT FOR FINISH AND EQUIPMENT ENHANCEMENTS RELATED TO SECURITY AND ENERGY EFFICIENCIES; (4) AUTHORIZING THE CITY ADMINISTRATOR, WITHOUT RETURNING TO THE CITY COUNCIL, TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF OAKLAND AND CIM OAKLAND 1 KAISER PLAZA, L.P. ("CIM") PROVIDING FOR THE TEMPORARY RELOCATION OF CIM'S PARKING RIGHTS TO THE FRANKLIN GARAGE AND RECORDATION OF SUCH AMENDMENT AND RELATED DOCUMENTS ON TITLE FOR THE FRANKLIN GARAGE UNTIL THE CITY IS ABLE TO TRANSFER CIM'S PARKING RIGHTS TO THE NEW CITY PARKING GARAGE; AND (5) MAKING RELATED CEQA FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 (CEQA GUIDELINES SECTION 15162)

The Ordinance will authorize a change of ownership of the Council-approved Developer entity with which the City of Oakland has a Disposition and Development Agreement for City-Owned Property located at 2330 Webster Street and 2315 Valdez Street from TDP-Webster, LLC to Trammel Crow Residential, or a related entity. The Ordinance will further amend the terms of the Disposition and Development Agreement including 1) a change to the interest rate calculation on the City's seller carryback loan 2) a change the formula for the calculation of the garage purchase price, 3) an increase in the net worth requirement of the entity providing a completion guaranty for the Project, and 4) a waiver of bond requirements and raise the moderate-income housing affordability level. The Ordinance will further create a City-controlled contingency account for security and energy-related finishes and equipment. Lastly, the Ordinance will provide for the recordation of an amended parking license agreement between the City and CIM Oakland One Kaiser Plaza L.P., which currently applies to the Project site, against the Franklin Plaza Garage (where licensed parkers will be temporarily moved during Project construction).

Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening June 20, 2017, and passed to print 7 Ayes 1 Excused-Brooks. Final adoption has been scheduled for the City Council meeting Tuesday evening June 27, 2017 5:30 p.m., at One Frank H. Ogawa Plaza, Council Chamber, 3rd floor, Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

LATONDA SIMMONS, City Clerk
OT #5979571; Jun. 23, 2017

13444 CMS