  
Agency Counsel

OAKLAND REDEVELOPMENT AGENCY

2007-0077  
RESOLUTION No. \_\_\_\_\_ C.M.S.

---

**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO  
NEGOTIATE A DISPOSITION AND DEVELOPMENT AGREEMENT  
WITH BAY AREA KENWORTH TO DEVELOP A TRUCK DEALERSHIP  
ON FOUR ACRES 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 by Bay Area Kenworth (BAK) would relocate an existing truck dealership and truck service facility to a four-acre site in the Army Base, with the land to be sold to BAK; and

**WHEREAS**, staff determined through the review and interview process that the BAK proposal would: (1) allow the City to retain high-quality jobs, and generate tax revenue and other public benefits; (2) create synergies with other trucking activities planned for the Oakland Army Base; and (3) retain a significant small business in Oakland; and

**WHEREAS**, staff also determined that additional time is needed to negotiate and address the numerous issues regarding: the specific location and configuration of BAK's facility; financial terms, historic preservation issues; the potential deconstruction of existing warehouses; utilities; environmental remediation; and other project feasibility issues; 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 negotiate a Disposition and Development Agreement (DDA) with BM Ventures, LLC, doing business as Bay Area Kenworth for the sale of four acres of land within the GDA in order to develop a truck dealership and service facility; and be it

**FURTHER RESOLVED**, that the material terms of the DDA will include a schedule of performance requiring BAK to provide a refined project scope, site plan, budget, proforma, financial plan, and other relevant information; and be it

**FURTHER RESOLVED**, that upon the successful completion of negotiations, the Agency Administrator will return to the Agency Board to seek approval of the drafted DDA; and be it

**FURTHER RESOLVED**, that this Resolution envisions that negotiations will proceed on a non-exclusive basis and that this Resolution shall in no way limit the Agency Administrator's ability to market the GDA for development or work with other developers to pursue potential projects within the GDA; and be it

**FURTHER RESOLVED**, that authority granted by this Resolution will expire within 180 days from the date that this Resolution is approved by the Agency Board; 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  
~~CHAIRPERSON DE LA FUENTE~~ - 7

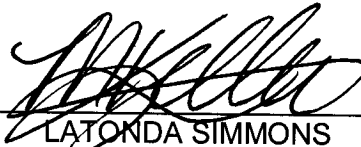
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - De La Fuente - 1

ATTEST:



LATONDA SIMMONS

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