



City of Oakland

Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza,
Room 201
Oakland, California 94612

Meeting Minutes - DRAFT

Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Thursday, February 17, 2022

3:30 PM

PLEASE NOTE, AT THE CALL OF THE CITY COUNCIL PRESIDENT, THE TIME OF THIS SPECIAL CITY COUNCIL MEETING WAS CHANGED FROM 9:30 AM TO 3:30 PM

The Special Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was convened at 3:35 P.M.

ROLL CALL / CITY COUNCIL

Present 8 - Sheng Thao, Loren Taylor, Nikki Fortunato Bas, Noel Gallo, Carroll Fife, Dan Kalb, Rebecca Kaplan, and Treva Reid

ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

1 PUBLIC COMMENT:

COMMENTS ON ALL ITEMS EXCEPT PUBLIC HEARINGS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

74 speakers spoke during Public Comment.

2 The Item Regarding "Accept And Appropriate RAISE Grant" Was Withdrawn At The February 10, 2022 Rules And Legislation Committee And Rescheduled To The February 15, 2021 Special City Council Agenda

3 The Item Regarding The "Staffing For Town For All Program Implementation" Was Withdrawn At The February 10, 2022 Rules And Legislation Committee And Rescheduled To The March 1, 2022 City Council Agenda

S4 Subject: Community Benefits And Freight Compatibility For Howard Terminal Project
From: President Fortunato Bas, Vice Mayor Kaplan, Councilmember Kalb
Recommendation: Adopt A Resolution Requiring City Council Action On Community Benefits And Freight Compatibility, Concurrently With Or Prior To, Consideration And Approval Of A Development Agreement With The Athletics Investment Group LLC D/B/A The Oakland Athletics For The Proposed Waterfront Ballpark District Project To Be Developed On That Portion Of The Port Area That Is Commonly Known As The Charles P. Howard Terminal And Is Located Along The Inner Harbor Of The Oakland-Alameda Estuary
[22-0097](#)

Attachments: [View Memo](#)
[View Legislation](#)

Council President Bas made a motion seconded by Vice Mayor Kaplan to approve the urgency finding on item for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action (1) is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting;

*Motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas
1 No: Gallo*

Vice Mayor Kaplan made a motion, seconded by Council President Bas include the following amendments;

To page #2 adding "WHEREAS, the Steering Committee affirmed as part of its statement of "Key Principles of the Howard Terminal Community Benefits Agreement" that, among other things, any community benefits agreement developed for the Project would apply to all developers of the Project and all employers, commercial tenants, subcontractors, etc. that operate on the Project site; and";

On page #2 amending the third to last Whereas to read "WHEREAS, on July 20, 2021, the City Council approved Resolution 88744 C.M.S., approving the term sheet for a future Development Agreement, including requiring that it have a comprehensive package of community benefits and securing benefits for the City and its residents, consistent, at a minimum, with the guidelines set forth in Assembly Bill 734 (2018) (collectively, Term Sheet Resolution); and";

On page #2 amending the last Whereas to read "WHEREAS, the Term Sheet Resolution expressed that prior to the development, measures be taken to ensure quality jobs on the Project and community hiring leading to good jobs being created at the Project, including an operations jobs policy based on the Port's 2017 Operations Jobs Policy for the Seaport Logistics Complex (also known as Centerpoint) (Port's Jobs Policy); and";

Adding two clauses to the top of page #3 to read " WHEREAS, the Port's Jobs Policy includes living wages and benefits for workers; priority consideration for unemployed individuals, armed forces veterans, single parents, ex-offenders and

foster care adults; and a ban on asking applicants about prior criminal offenses; and

WHEREAS, the Port entered into an Exclusive Negotiation Term Sheet with the Oakland Athletics in May 2019, which includes local employment and targeted hire requirements, job access provisions including Fair Chance, workforce training and funding, retention of existing workers, apprenticeship policies, living wages, benefits and stable employment opportunities, as categories guiding community benefits negotiations; and”;

Amending the last clauses on page #5 to read “FURTHER RESOLVED: A study of the non-CEQA effects of the Project on traffic and parking congestion in Chinatown (Study) shall be completed and the results incorporated into a revised TMP prior to consideration of the Development Agreement, which study shall (a) identify strategies to reduce congestion and potential conflicts on Chinatown streets, including but not limited to operational improvements, such as the deployment of traffic control officers, the management of pedestrians traveling from the Lake Merritt BART station to the Ballpark, and the management of vehicles accessing parking in Chinatown, before, during, and after medium and large events (including but not limited to ballgames) at the Ballpark, and (b) take into account other planned improvements in the local vicinity, including implementation of the transit-only lanes on Broadway, the Oakland-Alameda Access project, and the Chinatown Complete Streets Plan; and be it

FURTHER RESOLVED: That the City Council further directs the City Administrator to work with Chinatown stakeholders to revise the draft TMP prior to consideration of the Development Agreement to: (a) incorporate the results of the Study, (b) include clear roles and responsibilities for representatives from Chinatown to participate in the monitoring implementation of the TMP; (c) require that the duties of the Oakland Athletics’ designated mobility coordinator include overseeing mobility strategies to ensure safe and efficient access while minimizing disruption to the surrounding neighborhoods and that they work with Chinatown’s representatives to evaluate the effectiveness of such TMP strategies; (d) require that use of Chinatown’s parking garages be prioritized for Chinatown cultural events when they occur at the same time as events at the Ballpark; (e) develop performance standards to address travel times and traffic queues for vehicles traveling into and around Chinatown on event days at the Ballpark; and be it”;

Adding two clauses to the top of page #6 to read “FURTHER RESOLVED: That to promote Project compatibility with recreational maritime use of its waterfront site, the City Administrator will ensure that future Project approvals appropriately require the Project sponsor to install signs along portions, if any, of the waterfront park indicating where recreational fishing will be allowed, in coordination with other regulatory authorities; and be it

FURTHER RESOLVED: That the City Administrator shall inform representatives of the impacted communities and the public in general of the potential availability of a public community room within the Project pursuant to AB 1191 (Stats. 2019 Ch. 752) Section 7. Subsection (a) (10) and will document any public demand for such room for consideration by the State Lands Commission and the Bay Conservation and Development Commission; and be it”;

Amending the 4th whereas clause to read “FURTHER RESOLVED: That the City

Council directs the City Administrator to work with the Port and the Oakland Athletics to incorporate opportunities for small local businesses, such as participation in the Ballpark concessionaire program, both within and outside of the paid area of the Ballpark, allowing patrons to bring in food purchased outside the Project site, and promoting small local businesses through free/discounted/low-cost announcements during events at the venue; and be it”;

Amending section (C) on page #7 “C. plans for onsite and offsite affordable housing and funds for anti-displacement ownership and tenant services consistent with terms in the Term Sheet Resolution; and”; And

*On the last page of the resolution adding a clause to read “ **FURTHER RESOLVED:** That, as a component of the community benefits, the City Council hereby intends, in accordance with the Term Sheet Resolution, to require, as a condition precedent to the effectiveness of, and material consideration for entering into, any Development Agreement with the City, evidence that the Project will be subject to an enforceable operations jobs policy, the form of which shall be an attachment to the Development Agreement, based upon the Port’s Jobs Policy and including reporting for monitoring and compliance, pursuant to agreements between the Oakland Athletics and the Port; and be it.”*

*Motion passed by 7 Ayes: Fife, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas
1 No: Gallo*

A motion was made by Rebecca Kaplan, seconded by Nikki Fortunato Bas, that this matter be Adopted as Amended. The motion carried by the following vote:

Aye: 7 - Thao, Taylor, Fortunato Bas, Fife, Kalb, Kaplan, and Reid

No: 1 - Gallo

NO VOTE: 0

S5 Subject: Oakland Waterfront Ballpark District Project EIR And Jurisdictional Ordinance
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution (A) Certifying The Environmental Impact Report For The Oakland Waterfront Ballpark District Project (ER 18-016), As Recommended By The Planning Commission; (B) Adopting California Environmental Quality Act (CEQA) Findings On Impacts And Mitigation Measures For The Proposed Project With Grade Separation Alternative (Alternative 3), And Rejection Of Other Alternatives And Certain Mitigation Measures As Infeasible; (C) Adopting A Statement Of Overriding Considerations; And (D) Adopting A Mitigation Monitoring And Reporting Program; And [22-0067](#)

Attachments: [View Report And Attachments](#)
[View Legislation And Exhibits](#)
[View Supplemental Memo - 2/11/2022](#)
[View Supplemental Public Correspondence - 2/11/2022](#)
[View Supplemental Oakland A's Letter 2/14/2022](#)

Upon the reading of Item S5 by the City Clerk, the Public Hearing was opened at 6:45 p.m., moved by Councilmember Kalb, seconded by Pro Tem Thao.

122 individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Taylor, to close the Public Hearing at 11:18 p.m., and hearing no objections, the motion passed by 8 Ayes: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas

Vice Mayor Kaplan made a motion, seconded by Councilmember Taylor to adopt the Resolution and hearing no objections, the motion passed by 6 Ayes: Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 2 Noes: Fife, Gallo,

This City Resolution be Adopted.

Aye: 6 - Thao, Taylor, Fortunato Bas, Kalb, Kaplan, and Reid

No: 2 - Gallo, and Fife

NO VOTE: 0

Subject: Oakland Waterfront Ballpark District Project EIR And Jurisdictional Ordinance
From: Planning & Building Department
Recommendation: Adopt An Ordinance: (A) Approving, Pursuant To Article VII Of The Oakland City Charter, The Relinquishment By The Board Of Port Commissioners To The City Council Jurisdictional Responsibilities Necessary To Approve, Permit, And Administer Project Approvals For The Proposed Oakland Waterfront Ballpark District Project To Be Developed On That Portion Of The Port Area That Is Commonly Known As The Charles P. Howard Terminal And Is Located Along The Inner Harbor Of The Oakland-Alameda Estuary; And (B) Making Appropriate Findings Under The California Environmental Quality Act
[22-0068](#)

Attachments: [View Report And Attachments](#)
[View Legislation](#)

Councilmember Kalb made a motion, seconded by Vice Mayor Kaplan to adopt the ordinance on introduction and hearing no objections, the motion passed by 6 Ayes: Kalb, Kaplan, Reid, Taylor, Thao, and Fortunato Bas 2 Noes: Fife, Gallo

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 3/1/2022. The motion carried by the following vote:

Aye: 6 - Thao, Taylor, Fortunato Bas, Kalb, Kaplan, and Reid

No: 2 - Gallo, and Fife

NO VOTE: 0

OPEN FORUM / CITIZEN COMMENTS

17 speakers spoke during Open Forum.

ADJOURNMENT

(Meeting Shall Conclude No Later Than 8:30 P.M., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Special Council adjourned the meeting at 11:45 p.m.

Americans With Disabilities Act

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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.