

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2018 DEC -6 PM 5:12

Approved as to Form and Legality:



Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87455 C.M.S.

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### A RESOLUTION AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$300,000 OF THE LAND SALE PROCEEDS FROM THE SALE OF THE 12<sup>TH</sup> STREET REMAINDER PARCEL TO FUND A COMMUNITY BENEFITS PROGRAM

**WHEREAS**, the City of Oakland (“City”) owns approximately 0.925 acres of vacant property identified as Assessor Parcel Number 19-27-14, commonly known as the 12th Street Remainder Parcel, bounded by East 12th Street on the east, Second Avenue and property owned by the Oakland Unified School District on the south, newly created open space to the west, and Lake Merritt Boulevard to the north (the “Property”); and

**WHEREAS**, the City Council adopted Ordinance 13382 C.M.S. approving the terms of a Disposition and Development Agreement (the “DDA”) with UrbanCore Development, LLC (“UrbanCore”) and Lakehouse Commons Affordable Housing LP (the “Partnership”), an affiliate of East Bay Asian Local Development Corporation (“EBALDC”), for sale of the Property and the construction thereon of a mixed-use residential project (the “Project”) as further described in the term sheet attached to such Ordinance; and

**WHEREAS**, the City Administrator executed the DDA with UrbanCore and the Partnership as of February 15, 2017; and

**WHEREAS**, on July 18, 2017, the City Council adopted Resolution 86849 C.M.S. authorizing the assignment of UrbanCore’s DDA obligations for the market-rate development to LakeHouse Commons, LLC, which is comprised of UrbanCore and its capital partner National Real Estate Advisors, LLC (“Market Rate Developer”); and

**WHEREAS**, Ordinance 13382 C.M.S. authorizes the City Administrator to appropriate \$300,000 of the land sale proceeds received at the time a closing under the DDA occurs, for purposes of funding a Community Benefits Program; and

**WHEREAS**, the authorization was subject to the City Council approving, through a Resolution, the proposed distribution and allocation of funds by the City Administrator; and

**WHEREAS**, pursuant to this Resolution, the City Council designates the beneficiaries of the Community Benefits Program and their respective allocation amounts; now therefore be it

**RESOLVED:** The City Council authorizes the City Administrator to appropriate \$300,000 of the land sale proceeds received at the time a closing under the DDA occurs, for the purposes of funding a Community Benefits Program into the General Purpose Fund (1010); Project Implementation Organization (85221) to be transferred to other City organizations/departments as appropriate to administer Community Benefits Program components; Contract Contingencies Account (54011); Project(s) to-be-determined; and be it

**FURTHER RESOLVED:** That the City Council hereby approves the distribution of the \$300,000 funds that will be received at the closing of the DDA and placed into the Community Benefits Program, to the following beneficiaries, in the specified amounts, as follows:

- a) \$50,000 to Catholic Charities of the East Bay for a tenant-legal rights and education program(s) to help minimize the displacement of current tenants living within a three-mile radius of the project site, with a particular focus on outreach to monolingualists (residents whose primary language is not English);
- b) \$30,000 to the Lake Merritt Business Association's designated fiscal agent or the Economic & Workforce Development Department for a study to create a Business Improvement District or Community Benefits District in the commercial area of the Eastlake neighborhood;
- c) \$150,000 to Oakland Parks and Recreation Foundation or Public Works for the paving and repurposing of dilapidated tennis courts at San Antonio Park or for construction of a recreational facility on existing publicly-owned property in Council District 2 or to organizations that already are recipients of this Community Benefits Program;
- d) \$50,000 to Keep Oakland Clean & Beautiful or a qualified third-party for graffiti abatement and neighborhood beautification of the Eastlake Neighborhood to be generally defined as area bounded by 1st Avenue and 10th Avenue and between E12th Street and Foothill Blvd; and

- e) \$20,000 to Urban Releaf for the purchase and maintenance of trees planted east of Lake Merritt in Council District 2, including the Eastlake Neighborhood;

and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee is further authorized to negotiate and enter into other agreements and take whatever action is necessary consistent with this Resolution and its basic purposes to effectuate the intent of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_ ~~DEC 11~~, 2018

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~BROOKS~~, CAMPBELL WASHINGTON, GALLO, GIBSON McELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID 7

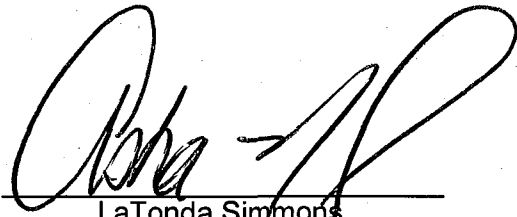
NOES - 0

ABSENT - 0

ABSTENTION - 0

*Excused - 1 Brooks*

ATTEST:

  
\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California