



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Alexa Jeffress
Director, Economic and
Workforce Development
Department

SUBJECT: Henry J. Kaiser Convention Center -
Status of Community Benefits
Agreement and Letter of Intent for
Project Labor Agreement

DATE: December 10, 2020

City Administrator Approval

Date: December 10, 2020

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report From The City Administrator For The Henry J. Kaiser Convention Center Development Project Proposed By Oakland Civic, LLC Regarding The Status Of (1) The Execution Of A Community Benefit Agreement Between Oakland Civic, LLC, Calvin Simmons Theatre and The Black Arts Movement And Business District Community Development Corporation Of Oakland, And (2) A Letter Of Intent For A Proposed Project Labor Agreement Between Oakland Civic LLC And The Building And Construction Trades Council Of Alameda County, AFL-CIO.

EXECUTIVE SUMMARY

On December 1, 2020, the City Council requested an informational report from the City Administrator on the status of (1) a Community Benefit Agreement (CBA) between Oakland Civic, LLC (Oakland Civic); Calvin Simmons Theatre (CST); and the Black Arts Movement and Business District Community Development Corporation of Oakland (BAMBD CDC), and (2) a letter of intent (LOI) to enter into a proposed Project Labor Agreement or Labor Peace Agreement (either, a PLA) between Oakland Civic and the Building and Construction Trades Council of Alameda County, AFL-CIO (BTCA) for the rehabilitation of the Henry J. Kaiser Convention Center (Project).

At this time, Oakland Civic has delivered to the City a CBA executed by all parties in accordance with the terms of the Lease Disposition and Development Agreement (LDDA) between the City of Oakland (City) and Oakland Civic for the Project, as amended by a First Administrative Amendment. Oakland Civic also submitted to the City an LOI between Oakland Civic and BTCA to enter into a PLA.

City Council
December 15, 2020

BACKGROUND / LEGISLATIVE HISTORY

On December 30, 2019, pursuant to City Council Ordinance No. 13556 C.M.S., adopted on July 16, 2019, the City and Oakland Civic executed an LDDA for the rehabilitation of the historic Henry J. Kaiser Convention Center (Property), as amended by a First Administrative Amendment. On December 1, 2020, the Oakland City Council, in a first reading of the legislation, approved an ordinance authorizing a Second Amendment to the LDDA and related documents. The final reading of the ordinance is scheduled for the December 15, 2020 City Council Meeting.

ANALYSIS AND POLICY ALTERNATIVES

The CBA

The LDDA sets forth certain conditions that Oakland Civic must satisfy before Oakland Civic may enter into an up to 99-year lease (Lease) of the Property with the City. These conditions include a requirement that Oakland Civic provide a fully executed and legally binding CBA with the BAMBD CDC, a member of the Community Coalition for Equitable Development (CCED), which is a broad coalition of organizations and residents in the neighborhoods surrounding the Project site. This is a pre-conveyance requirement, meaning that the Lease cannot be executed and the Project cannot proceed unless the CBA is signed and delivered to the City.

Oakland Civic has delivered to the City a CBA executed by all parties in accordance with the terms of the LDDA between the City and Oakland Civic for the Project, as amended by a First Administrative Amendment.

The PLA

The LDDA does not require that Oakland Civic enter into a PLA as a condition precedent to signing the Lease. If Oakland Civic voluntarily decides to enter into a PLA with BTCA, then, prior to its execution, the draft PLA must be reviewed by the City to determine compliance with the City's Employment and Contracting Programs (Programs).

Oakland Civic has submitted a signed LOI for a proposed PLA to the City Administrator or his or her designee.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive An Informational Report From The City Administrator For The Henry J. Kaiser Convention Center Development Project Proposed By Oakland Civic, LLC Regarding The Status Of (1) The Execution Of A Community Benefit Agreement Between Oakland Civic, LLC, Calvin Simmons Theatre and The Black Arts Movement And Business District Community Development Corporation Of Oakland, And (2) A Letter Of Intent For A Proposed Project Labor Agreement Between Oakland Civic LLC And The Building And Construction Trades Council Of Alameda County, AFL-CIO.

Respectfully submitted,



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