

# OAKLAND CITY COUNCIL

RESOLUTION No. 76178 C.M.S.

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**RESOLUTION SUPPORTING THE APPLICATION OF THE OAKLAND BASE REUSE AUTHORITY (OBRA) AND THE PORT OF OAKLAND TO THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION TO AMEND THE SAN FRANCISCO BAY PLAN AND SAN FRANCISCO BAY AREA SEAPORT PLAN AND SUPPORTING OBRA'S RECONFIGURATION OF THE OAKLAND ARMY BASE REUSE PROJECT TO BE CONSISTENT WITH SAID APPLICATION**

**WHEREAS**, the Oakland Base Reuse Authority ("OBRA") is a joint powers authority created pursuant to Government Code section 6500 et seq. by the City of Oakland, the Redevelopment Agency of the City of Oakland and the County of Alameda for the purpose of planning for the closure and reuse of military bases identified for closure by the federal government; and

**WHEREAS**, the OBRA Governing Body at its meeting of July 27, 1998, passed Resolution No. 98-15 thereby adopting the Draft Final Reuse Plan for the Oakland Army Base ("Reuse Plan") and authorizing the Executive Director to submit the plan to the United States Departments of Housing and Urban Development and Defense for review and approval; and

**WHEREAS**, the Reuse Plan sets forth a land use plan for the **422** acres constituting the Army Base, which includes, among other things, maritime uses for the area west of Maritime Street ("OARB-West") and industrial and training activities, among other things, for the area east of Maritime Street ("OARB-East"); and

**WHEREAS**, the United States Department of the Army ("Army"), pursuant to the requirements of the National Environmental Policy Act ("NEPA"), prepared an Environmental Impact Statement that analyzes the impacts on the environment of four development scenarios for the Army Base, including the land use plan contained in the Reuse Plan; and

**WHEREAS**, the Army, pursuant to the provisions of the Coastal Zone Management Act ("CZMA"), issued a consistency determination on November 9, 1999, that states that the closure of the Army Base is consistent with the State's Coastal Zone Management Program, which includes the San Francisco Bay Conservation and Development Commission's ("BCDC") San Francisco Bay Plan ("Bay Plan") and BCDC's and the Metropolitan Transportation Commission's San Francisco Bay Area Seaport Plan ("Seaport Plan"); and

**WHEREAS**, the Bay Plan and the Seaport Plan designate the entire Army Base as a port priority use area which restricts development to port and related uses to meet the projected cargo container through-put requirements for 2020; and

**WHEREAS**, BCDC, pursuant to the CZMA and California Public Resource Code, is mandated to review the Army's consistency determination and either concur with or object to that determination; and

**WHEREAS**, BCDC staff preliminarily reviewed the Army's consistency determination and notified the Army on November 29, 1999, that some of the proposed land uses for OARB-East, as contained in the Reuse Plan, appeared not to be consistent with the port priority use designation, but that staff needed additional time to review the Reuse Plan; and

**WHEREAS**, the Army, pursuant to the request of BCDC, has extended the time in which BCDC must respond to the consistency determination to January 2001; and

**WHEREAS**, City staff has been working with OBRA staff and the Port of Oakland ("Port") staff to reconfigure the proposed land use plan for the Army Base in order to ensure consistency with the requirements of the Bay and Seaport Plans; and

**WHEREAS**, the proposed reconfiguration of the land use plan would allow the Port to develop OARB-East so as to relocate and expand its proposed Joint Intemodal Terminal, to increase the back land area for existing terminals in the outer harbor area, to meet the container through-put requirements of the Seaport Plan and to dedicate 75 acres for maritime ancillary support services; and

**WHEREAS**, the proposed reconfiguration would allow OBRA, with recommendations from the City, to plan for the development of OARB-West to maximize Oakland jobs and business creation with minimal impact on the environment; and

**WHEREAS**, the OBRA Governing Body, at its meeting of July 24, 2000, passed Resolution No. 2000-23 thereby authorizing the Executive Director to submit a joint application with the Port to BCDC to amend the Bay and Seaport Plans to eliminate the port priority use designation for OARB-West so as to allow the development set forth in the proposed reconfigured land use plan; and

**WHEREAS**, the OBRA Executive Director submitted said application to BCDC in September 2000 and BCDC's Seaport Advisory Committee recommended approval of the application at its meeting of October 17, 2000; and

**WHEREAS**, BCDC has scheduled a public hearing on the joint application for December 7, 2000, and will receive written and oral comments from interested parties, including governmental entities, regarding the proposed amendments to the Bay and Seaport Plans and will consider the application at its meeting of January 4, 2001; and

**WHEREAS**, the OBRA Governing Body will consider the amendment of the Army Base Reuse Plan to adopt the reconfigured land use plan to be consistent with the proposed amendments to the Bay Plan and Seaport Plan; and

**WHEREAS**, it is in the best interests of the City to demonstrate its support to BCDC of the OBRA/Port application to amend the Bay Plan and Seaport Plan and to OBRA of the amendment to the Reuse Plan to be consistent with the application to BCDC and to adopt the reconfigured land use plan; and

**WHEREAS**, the Oakland City Council and the Redevelopment Agency support the Port of Oakland's Port services Location Study and will work with the Port to remove some Port-related trucking activities from the neighborhoods through local and regional solutions; and

**WHEREAS**, the City of Oakland, in conjunction with OBRA, will perform environmental review of the reconfigured land use plan for the Army Base as required by the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, the final adoption of the Reuse Plan, as it may be amended by the reconfigured land use plan, is expressly contingent upon completion of environmental review pursuant to NEPA and CEQA; now, therefore, be it

**RESOLVED:** That *the* City Council of the City of Oakland hereby fully supports the application of the Oakland Base Reuse Authority and the Port of Oakland to amend the Bay Plan and Seaport Plan so as to delete the port priority use designation for OARB-West; and be it

**FURTHER RESOLVED:** That the City Council of the City of Oakland hereby fully supports OBRA's amendment of the Army Base Draft Final Reuse Plan to adopt the reconfigured land use plan so as to be consistent with the application submitted to the San Francisco Bay Conservation and Development Commission for Bay Plan Amendment No. 4-00; and be it

**FURTHER RESOLVED:** That the Oakland Base Reuse Authority is hereby requested to amend the Draft Final Reuse Plan so as to dedicate 15 acres in the Agency's proposed development project to ancillary maritime support uses; and be it

**FURTHER RESOLVED:** That the Port of Oakland is hereby requested to also dedicate 15 additional acres to ancillary maritime support uses as a part of its Public Benefit Conveyance application for the relocated Joint Intermodal Terminal project; and be it

**FURTHER RESOLVED:** That the City Manager is hereby directed to take whatever actions may be necessary to demonstrate the Agency's support of the joint application, including the submission of this resolution, to BCDC and the City Council's support of the amendment to the Army Base Reuse Plan by OBRA; and be it

**FURTHER RESOLVED:** That the City Manager is further directed to **keep** the City Council apprised of the amendments to the Bay Plan and Seaport Plan and to the Army Base Reuse Plan.

IN COUNCIL, OAKLAND, CALIFORNIA, December 12, 2000

**PASSED BY THE FOLLOWING VOTE:**

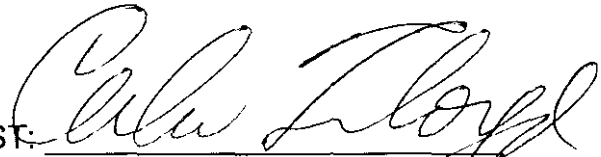
AYES- MILEY, NADEL, REID, WAN, SPEES, AND  
PRESIDENT DE LA FUENTE-6

NOES- BRUNNER-1

ABSENT- CHANG-1

ABSTENTION-

ATTEST:



CEDA FLOYD

City Clerk and Clerk of the Council  
of the City of Oakland, California