



# AGENDA REPORT

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**TO:** Jestin D. Johnson,  
City Administrator

**FROM:** Ashleigh Kanat  
Director, Economic &  
Workforce Development  
Department

**SUBJECT:** Annexation of City-Owned Property  
at Joaquin Miller Park

**DATE:** June 17, 2025

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City Administrator Approval

Date:

  
Jestin Johnson (Jun 27, 2025 08:32 PDT)

Jun 27, 2025

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## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt:**

**A Resolution Authorizing The City Administrator To (1) Apply To The Alameda Local Agency Formation Commission (LAFCO) To Annex A City-Owned Parcel (APN 85-1-4) Measuring Approximately 25,700 Square Feet Located On Land Known As Rinihmu Pulte'Irekne In Joaquin Miller Park Into City Land Use Jurisdiction, (2) Negotiate And Enter Into A Property Tax Exchange Agreement Between The County Of Alameda And The City Of Oakland Related To The Annexation, And (3) Take All Other Actions Necessary To Effectuate The Annexation; And Making California Environmental Quality Act Findings**

## **EXECUTIVE SUMMARY**

The recommended resolution would authorize the City Administrator to apply to the Alameda Local Agency Formation Commission (LAFCO) to annex a 25,700 square foot property (Property) owned by the City of Oakland (City) in Joaquin Miller Park into City land use jurisdiction, thereby resolving a municipal boundary discrepancy. LAFCO is a State-mandated local agency that oversees boundary changes to cities and special districts, and annexation of the property into the City requires an application to LAFCO supported by a resolution from the City Council. While City-owned, the Property is currently located in unincorporated Alameda County and in a part of Joaquin Miller Park known as Rinihmu Pulte'Irekne, which the City returned to Indigenous stewardship through an easement to the Sogorea Te Land Trust (Land Trust) in December 2022. The resolution would also authorize the City Administrator to enter into a property tax exchange agreement with Alameda County to apportion any taxes and assessments levied against the Property between the two governments.

## **BACKGROUND / LEGISLATIVE HISTORY**

The Property (Assessor Parcel Number 85-1-4) is owned by the City, measures approximately 25,700 square feet, and is located within Joaquin Miller Park, as depicted in **Attachment A**. The Property is located within the unceded territory of the Chochenyo-speaking Ohlone people who have occupied and continue to occupy this region since time immemorial.

On December 13, 2022, pursuant to [Resolution No. 13712 C.M.S.](#) (Land Back Ordinance), the City conveyed a cultural conservation easement (Conservation Easement) over approximately five acres of Joaquin Miller Park (Conservation Easement Property), including the Property, to the Sogorea Te Land Trust (Land Trust). The Land Trust is an Indigenous, women-led nonprofit land trust based in the San Francisco Bay Area that facilitates the return of Indigenous land to Indigenous people. The Property was thereby returned to Indigenous stewardship.

The Land Back Ordinance also renamed the Conservation Easement Property “Rinihmu Pulte’irekne,” meaning “above the red ochre” in the Chochenyo language. Consistent with the Conservation Easement, the Land Trust intends to develop a ceremonial structure and related improvements such as a restroom and cooking area (Planned Improvements) on the Conservation Easement Property, with a portion of the Planned Improvements located on the Property.

While the Property is owned by the City and adjacent to City-owned lands that are all located within the City boundary, the Property itself is located outside the City boundary and instead within unincorporated Alameda County. This is depicted in **Attachment B**, where the Property is shaded in red and the City boundary is identified with a dashed line.

LAFCO is a State-mandated local agency that oversees boundary changes to cities and special districts, and either the City or Land Trust can apply to LAFCO for annexation of the Property into the City of Oakland subject to a resolution adopted by the City Council approving such application.

This annexation would require that the City and Alameda County enter into a property tax exchange agreement to apportion taxes and assessments levied against the Property between the two governments upon completion of the annexation.

## **ANALYSIS AND POLICY ALTERNATIVES**

The recommended resolution would authorize the City Administrator – or the Land Trust with City Administrator signature as may be necessary – to apply to LAFCO for the annexation of the Property into City land use jurisdiction, which may include annexation into the East Bay Municipal Utility District. It would also authorize the City Administrator to negotiate and enter into a property tax exchange agreement between the City of Oakland and the County of Alameda related to the annexation of the Property.

### *Property Ownership and Land Use Control*

The recommended resolution would resolve a discrepancy in the boundary of the City . The Property is not located within the City's boundaries even though it is owned by the City; adjacent to and a part of Joaquin Miller Park, which is also owned by the City and otherwise entirely within the City boundary; and west of Skyline Boulevard, which otherwise defines the City's boundary around the park. The Property is instead located within unincorporated Alameda County and is therefore subject to the County's land use control, rather than the City's.

Section 17.154.030 of the City of Oakland Planning Code provides that any land annexed to Oakland shall, in the absence of a rezoning action to the contrary, be deemed to be in the same zone as the nearest zoned lots in Oakland which it abuts. Therefore, upon annexation into the City's land use control, the Property would inherit the Open Space-Resource Conservation Area zoning designation, which is the zoning designation for the only other parcel it abuts.

It has proven impractical for the Land Trust to secure permits and utility service for the Planned Improvements due to their planned location being, in part, outside the City and East Bay Municipal Utility District boundaries. Annexation of the Property within the City would remove this impediment and would position the City to solely provide any necessary land use and building permits for the Planned Improvements.

By removing this barrier, the recommended resolution would also advance the central purpose of the Conservation Easement and its authorizing Land Back Ordinance to preserve and protect the cultural, historic and educational value of the Property. Completion of the Planned Improvements would activate the Property with more regular use by the Land Trust and its guests, thereby providing more regular stewardship of this part of Joaquin Miller Park.

If the City does not annex the Property, it is unlikely that the Land Trust will be able to easily develop the Planned Improvements, and the Property will not be put to its intended purpose of supporting indigenous cultural practices and land stewardship.

Approval of the recommended action would advance the Citywide priority of **housing, economic, and cultural security** by supporting Indigenous stewardship of Indigenous lands and associated cultural and ceremonial practices.

### **FISCAL IMPACT**

The recommended resolution would have negligible financial impact on the City. It would not create new costs to the City, aside from the cost of City staff time related to negotiating the property tax exchange agreement with Alameda County.

The property tax exchange agreement could change how tax proceeds derived from the Property are apportioned between the City and County, but because the Property is owned by

the City and therefore tax exempt, the amount to be reapportioned is expected to be either zero or de minimus.

### **PUBLIC OUTREACH / INTEREST**

The recommended resolution will be considered at public meetings of the Community & Economic Development Committee and the full City Council and will be publicly noticed consistent with standard City Council public noticing provisions.

### **COORDINATION**

The Department of Economic and Workforce Development's Real Estate Division consulted with the Planning Department, the Budget Bureau, and the City Attorney's Office on this resolution.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** The recommended resolution would help to improve and activate a portion of Joaquin Miller Park, thereby furthering the park's role as a major quality-of-life resource that attracts people, businesses and tourists to Oakland.

***Environmental:*** The recommended resolution would advance the central purpose of the Conservation Easement, which is to preserve and protect the cultural, historic and educational values of the Property alongside its natural resource, scenic and open space values.

***Race & Equity:*** The recommended resolution would support the Indigenous stewardship of Indigenous lands and the exercise of Indigenous cultural and ceremonial practices on these lands. It would thereby support the cohesion and resilience of the Indigenous community in and beyond Oakland.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The actions authorized by this Resolution are exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), Section 15301 (small structures), Section 15319 (annexation for exempt facilities) and California Public Resources Code Section 21080.28, each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt:

A Resolution Authorizing The City Administrator To (1) Apply To The Alameda Local Agency Formation Commission (LAFCO) To Annex A City-Owned Parcel (APN 85-1-4) Measuring Approximately 25,700 Square Feet Located On Land Known As Rinihmu Pulte'Irekne In Joaquin Miller Park Into City Land Use Jurisdiction, (2) Negotiate And Enter Into A Property Tax Exchange Agreement Between The County Of Alameda And The City Of Oakland Related To The Annexation, And (3) Take All Other Actions Necessary To Effectuate The Annexation; And Making California Environmental Quality Act Findings

For questions regarding this report, please contact Brendan Moriarty, Director of Real Estate and Special Projects at [bmoriarty@oaklandca.gov](mailto:bmoriarty@oaklandca.gov) or (510) 238-6354.

Respectfully submitted,

  
Sofia Navarro (Jun 27, 2025 09:28 PDT)

Ashleigh Kanat, Director  
Economic & Workforce Development

Prepared by:

Brendan Moriarty  
Director of Real Estate and Special Projects

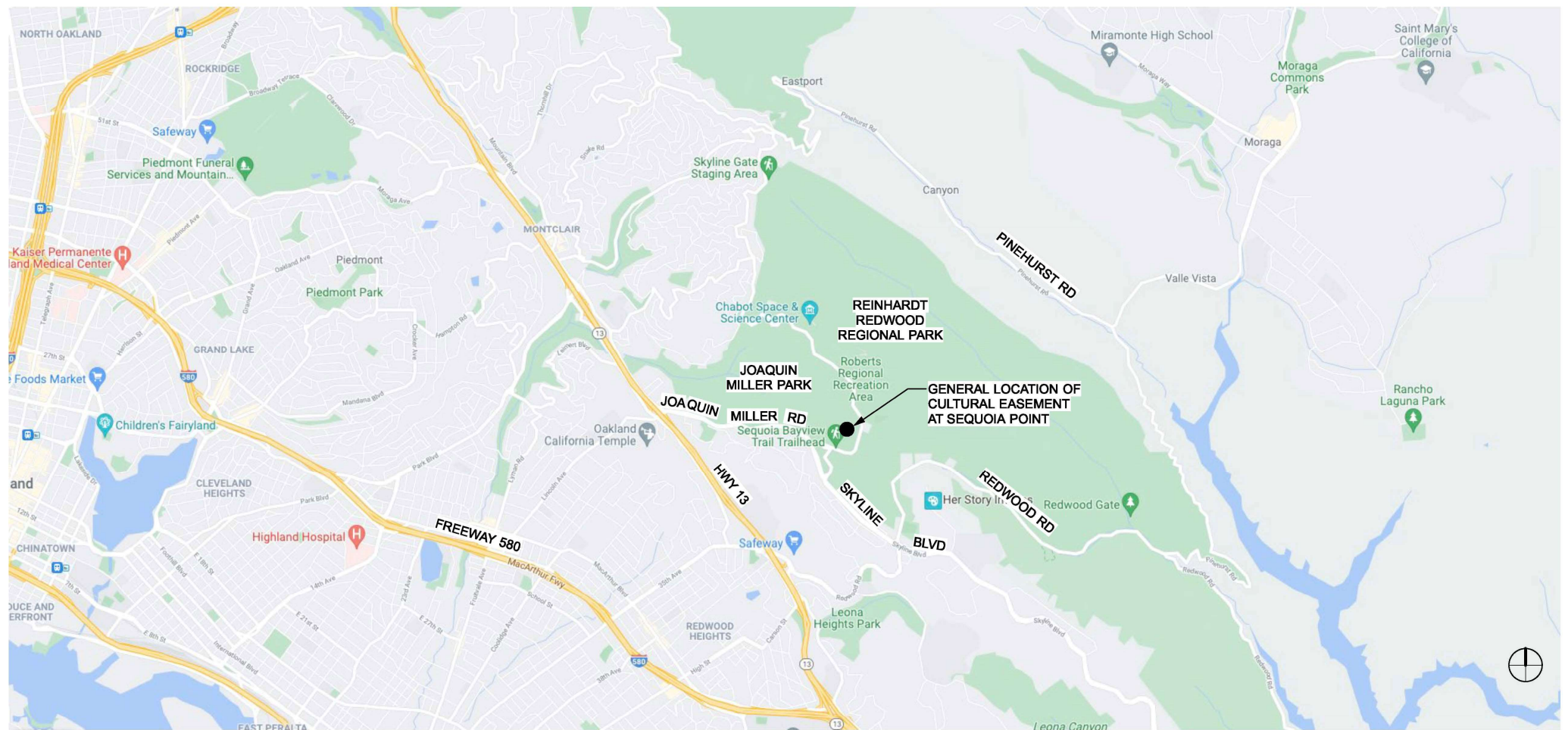
Reviewed by:

Kelley Kahn  
Assistant Director, Economic & Workforce  
Development

Attachments (2):

A: Location Map  
B: Property Map

Attachment A



**LOCATION MAP,  
CULTURAL EASEMENT  
BOUNDARY for  
SOGOREA TE' LAND TRUST**

**SEQUOIA POINT  
OAKLAND CA 94611**

Scale: N.T.S 1-20-2022

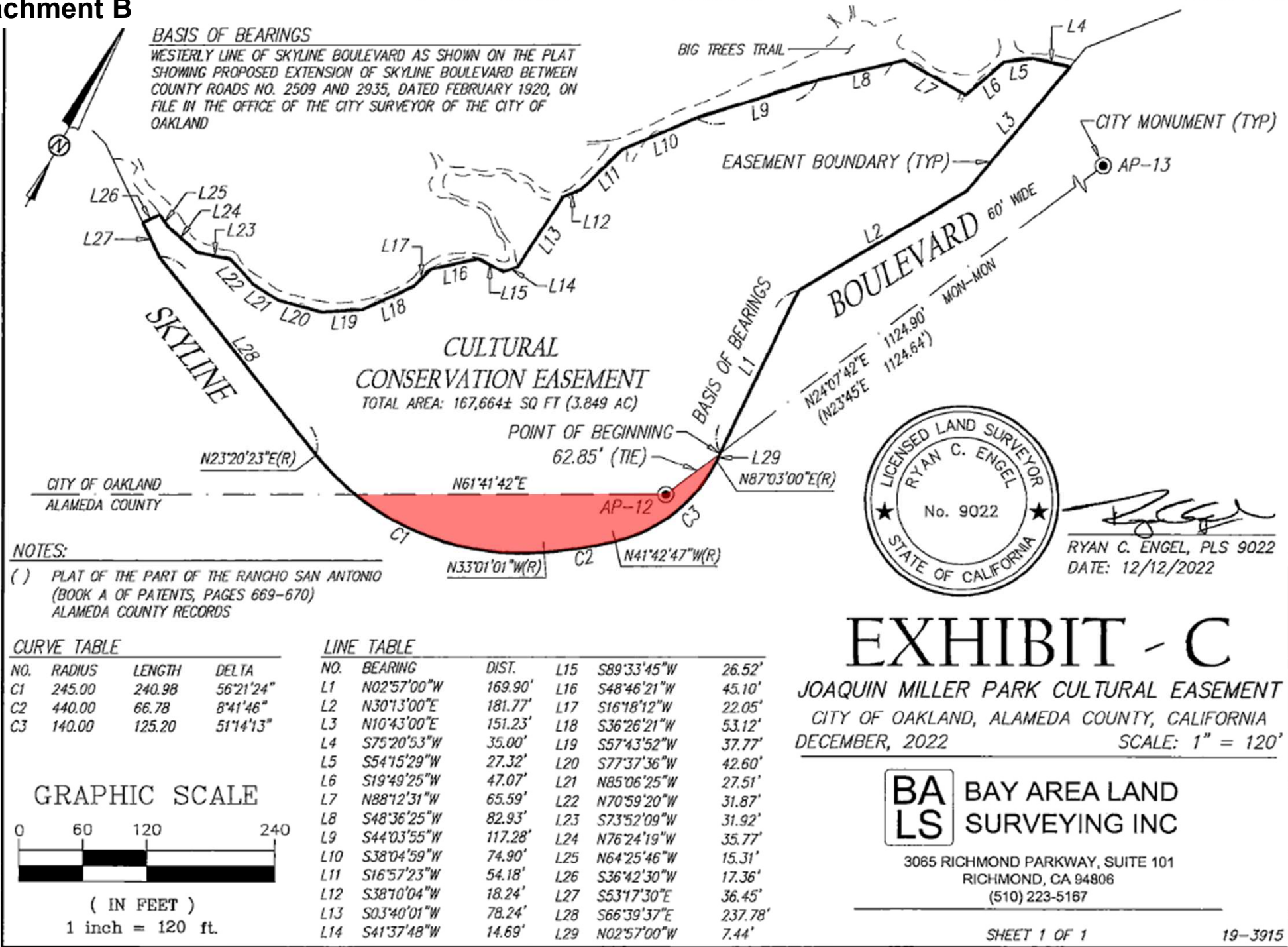


andrews + chang  
5427 Telegraph Ave #k  
Oakland CA 94609

SEQUOIA POINT LOCATION IS APPROXIMATE



# Attachment B



# Attachment B

