

Oakland Tribune

1901 Harrison St., Ste. 1100
Oakland, CA 94612
510-723-2850

2050974

OAKLAND, CITY OF
KRYSTAL SAMS, CITY CLERK'S OFC.
1 FRANK H. OGAWA PLZ., 2ND FL.
OAKLAND, CA 94612-1923

PROOF OF PUBLICATION

FILE NO. Landingham City Center T5 T6

Oakland Tribune

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/04/2022

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Rio Vista, California.
this 4th day of November, 2022.


Advertising Clerk

Legal No. **0006710954**

NOTICE AND DIGEST

AN ORDINANCE: (A) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE:

(1) A SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OAKLAND AND STRADA T5, LLC, WHICH AMONG OTHER THINGS (A) WILL CONVERT THE EXISTING AGREEMENT TO A LEASE DISPOSITION AND DEVELOPMENT AGREEMENT, FOR DEVELOPMENT OF A UNIVERSITY CAMPUS ON THE CITY CENTER T5/T-6 PROPERTY LOCATED ON THE BLOCK BOUNDED BY BROADWAY, 11TH STREET, 12TH STREET AND CLAY STREET; (B) EXTEND THE TERM UP TO 15 MONTHS WITH NONREFUNDABLE MONTHLY EXTENSION FEES OF \$6,000; AND (C) PROVIDE TWO OPTIONAL ADMINISTRATIVE SIX-MONTH EXTENSIONS EACH FOR A NONREFUNDABLE EXTENSION FEE OF \$40,000; AND

(2) A 99-YEAR GROUND LEASE OF THE PROPERTY BETWEEN THE CITY AND SAMUEL MERRITT UNIVERSITY OR ITS AFFILIATE AND RELATED DOCUMENTS FOR (A) BASE RENT OF \$1 PER YEAR PREPAID ON THE COMMENCEMENT DATE, (B) MONTHLY CONSTRUCTION RENT OF 50 PERCENT OF MINIMUM RENT COMMENCING ON THE RENT COMMENCEMENT DATE FOR THE CONSTRUCTION PERIOD, (C) INITIAL MINIMUM RENT OF \$236,400 COMMENCING AT THE END OF THE CONSTRUCTION PERIOD, (D) A CREDIT OF THE \$50,000 GOOD FAITH DEPOSIT APPLIED TO CONSTRUCTION RENT AND/OR MINIMUM RENT, AND (E) ONE-TIME RENT CREDIT NOT TO EXCEED \$500,000 FOR REMEDIATION OF THE PROPERTY; AND

(B) ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

This Ordinance authorizes the City Administrator to negotiate and execute Second Amendment to the Disposition and Development Agreement dated November 6, 2015, between the City of Oakland ("City") and Strada T5 LLC (as amended by a First Amendment dated February 4, 2020 ("Existing DDA") related to the portion property commonly known as T-5/T-6, bounded by Broadway, 11th Street, 12th Street and Clay Street ("Lot 2" or the "Property"). The Second Amendment, among other things, would (a) convert the Existing DDA to a Lease Disposition and Development Agreement ("LDDA") for development of the Property as a university campus, (b) extend the term of the LDDA up to 15 months for a nonrefundable fee of \$6,000, and (c) provide two optional six-month administrative extensions each for a nonrefundable fee of \$40,000.

The Ordinance also authorizes the City Administrator to negotiate and execute a 99-year Ground Lease the Property with the nonprofit Samuel Merritt University or its affiliate ("SMU"), pursuant to the LDDA, for a (a) base rent of \$1 per year prepaid on the commencement date, (b) monthly construction rent of 50 percent of minimum rent commencing on the rent commencement date for the construction period, (c) initial minimum rent of \$236,400 commencing at the end of the construction period, (d) a credit of the \$50,000 good faith deposit applied to the construction rent and/or the minimum rent, and (e) a one-time rent credit not to exceed \$500,000 for remediation of the Property.

Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening **October 18, 2022**, and passed to print with **8 Ayes**. Final adoption has been scheduled for the City Council meeting Wednesday evening November 9, 2022 1:30 p.m., VIA Teleconference.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

ASHA REED, City Clerk
OT 6710954; Nov. 4, 2022

Proof of Publication 13707GM