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APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER REBECCA KAPLAN

FILED
OFFICE OF THE CLERK
OAKLAND

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. 13831 C.M.S.

AN ORDINANCE AMENDING ORDINANCE NO. 13782 C.M.S. AND ORDINANCE NO. 13793 TO REPLACE PROLOGIS, L.P. OR ITS AFFILIATE, WITH OAKLAND PRO SOCCER LLC (“OPS”), THE OWNER OF THE OAKLAND ROOTS AND SOUL SOCCER TEAMS, OR ITS AFFILIATE OR AN ENTITY IN WHICH OPS EITHER HAS AN OWNERSHIP INTEREST, OR WITH WHICH OPS WILL BE A TENANT, AS THE BUYER OF PROPERTY OWNED BY THE CITY OF OAKLAND AND THE COUNTY OF ALAMEDA, EACH WITH AN UNDIVIDED 50 PERCENT INTEREST, LOCATED AT 1150 AND 1220 HARBOR BAY PARKWAY, ALAMEDA, CALIFORNIA,; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the City of Oakland (“City”) and the County of Alameda (“County”) each own 50 percent undivided interest (the “City’s Interest” and the “County’s Interest” respectively) in certain real property comprised of approximately 16.84 acres located at 1150 and 1220 Harbor Bay Parkway, Alameda, California, with buildings totaling approximately 118,847 square feet (collectively, the “Property”), which was formerly the Oakland Raider’s football team headquarters and training facility; and

WHEREAS, on December 17, 2021, the County, as lead co-tenant, entered into a Field and Sports Training Facility License Agreement, as amended, with Oakland Pro Soccer LLC, a California limited liability company (“OPS”), for use of the training facility portion of the Property as a practice facility for its soccer teams, the Oakland Roots men’s professional soccer team and the Oakland Soul women’s pre-professional soccer team; and

WHEREAS, on February 20, 2024, the City Council adopted Ordinance No. 13782 C.M.S., which authorized the City Administrator to negotiate and execute a purchase and Sale Agreement with the County and Prologis, L.P., a Delaware limited partner (“Prologis”), as buyer, for the sale of the Property for Twenty-Four Million Dollars (\$24,000,000) conditioned on a lease to OPS; and

WHEREAS, on May 7, 2024, the City Council adopted Ordinance No. 13793 C.M.S., which authorized the City Administrator to negotiate and execute a Purchase and Sale Agreement with the County to acquire the County’s Interest for Eleven Million Eight Hundred Fifty Dollars (\$11,850,000) and to sell it, together with the City’s Interest, to Prologis or its affiliate, as buyer,

for Twenty-Four Million Dollars (\$24,000,000); and

WHEREAS, pursuant to Ordinance No. 13793 C.M.S., the City and County entered that certain Real Property Purchase and Sale Agreement (1150 and 1220 Harbor Bay Parkway, Alameda) dated as of August 6, 2024, as amended, which authorized the City to purchase the County's Interest and sell it, together with City's Interest, to Prologis; and

WHEREAS, pursuant to Ordinance No. 13782 C.M.S., the City and the Prologis entered that certain Real Property Purchase and Sale Agreement (1150 and 1220 Harbor Bay Parkway, Alameda) dated as of August 6, 2024, as amended, which authorized the City to sell the Property to Prologis, L.P., a Delaware limited partner ("Prologis") conditioned upon acquisition by the City of the County's Interest and on a lease of the Property with OPS; and

WHEREAS, the back-to-back closings were scheduled to occur on November 18, 2024, however, Prologis declined to buy the Property; and

WHEREAS, OPS has informed City staff that it intends to provide a new offer for the purchase and sale of the Property; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby amends Ordinance No. 13782 C.M.S. and Ordinance No. 13793 C.M.S. to replace Prologis, with OPS or its affiliate or an entity in which OPS either has an ownership interest in or with which OPS will be a tenant, as the buyer of the Property.

SECTION 2. The City Council hereby finds and determines, on a separate and independent basis, that this action will not result in direct or indirect physical change in the environment and does not in-and-of-itself constitute a "project" pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378. In the alternative, if it is deemed to be a project under CEQA, the common sense exemption (CEQA Guidelines 15061(b)(3)) applies to the project since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional

SECTION 4. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: DEC 17 2024

AYES - ~~FIFE~~, GALLO, JENKINS, KALB, KAPLAN, ~~RAMACHANDRAN~~, REID, AND
PRESIDENT FORTUNATO BAS - 6

NOES - 0

ABSENT - 0

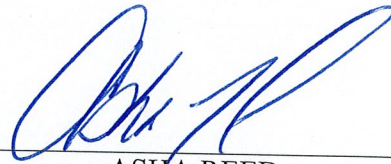
ABSTENTION - 0

2 - Excused - Fife
Ramachandran

Introduction Date

DEC - 3 2024

ATTEST: _____



ASHA REED

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

Date of Attestation: _____

DEC 23 2024

NOTICE AND DIGEST

AN ORDINANCE AMENDING ORDINANCE NO. 13782 C.M.S. AND ORDINANCE NO. 13793 TO REPLACE PROLOGIS, L.P. OR ITS AFFILIATE, WITH OAKLAND PRO SOCCER LLC (“OPS”), THE OWNER OF THE OAKLAND ROOTS AND SOUL SOCCER TEAMS, OR ITS AFFILIATE OR AN ENTITY IN WHICH OPS EITHER HAS AN OWNERSHIP INTEREST, OR WITH WHICH OPS WILL BE A TENANT, AS THE BUYER OF PROPERTY OWNED BY THE CITY OF OAKLAND AND THE COUNTY OF ALAMEDA, EACH WITH AN UNDIVIDED 50 PERCENT INTEREST, LOCATED AT 1150 AND 1220 HARBOR BAY PARKWAY, ALAMEDA, CALIFORNIA; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

An Ordinance amending Ordinance No. 13782 C.M.S. and Ordinance No. 13793, to replace Prologis, L.P. or its affiliate, with Oakland Pro Soccer LLC (“OPS”), the owner of the Oakland Roots and Soul soccer teams, or its affiliate or an entity in which OPS either has an ownership interest, or with which OPS will be a tenant, as the buyer of property owned by the City of Oakland and the County of Alameda, each with an undivided 50 percent interest, located at 1150 and 1220 Harbor Bay Parkway, Alameda, California; and adopting California Environmental Quality Act findings.