

2024 MAY 23 AM 9:38

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

REVISED PUBLIC SAFETY COMMITTEE  
MAY 14, 2024  
APPROVED AS TO FORM AND LEGALITY

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 902568 C.M.S.

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**RESOLUTION ADOPTING THE OAKLAND SAFETY FACILITIES PLAN, IDENTIFYING SITES FOR ACQUISITION, DEVELOPMENT AND/OR IMPROVEMENTS, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO NEGOTIATIONS FOR SPECIFIED IMPROVEMENTS TO EXISTING SAFETY FACILITIES AND ACQUISITION AND DEVELOPMENT OF NEW SAFETY FACILITIES, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, a 2017 feasibility study by a multidisciplinary consultant team recommended replacement of the existing Oakland Police Department Administration Building (PAB) with new facilities able to meet current and future needs and contemporary life safety standards; and

**WHEREAS**, the PAB, currently located at 455 7th Street on the block bounded by 7th Street, Broadway, Washington Street and 6th Street (the Current Site), is an ideal location for mixed-use transit-oriented development which could complement and connect the Broadway corridor, waterfront, Old Oakland, Chinatown and beyond and better serve community needs; and

**WHEREAS**, the Current Site is not ideal for police administration functions; and

**WHEREAS**, City Council Resolution No. 89037 authorized the relocation of the PAB functions from the Current Site to new locations to meet contemporary standards, provide better conditions for safety personnel, and provide better service to the public; and

**WHEREAS**, City Council Resolution No. 89037 also authorized the issuance of a Notice of Development Opportunity for a mixed-use development project meeting certain requirements on the Current Site; and

**WHEREAS**, the City's Economic and Workforce Development Department provided a memorandum dated March 21, 2023 (the PAB Memo) to the City Council regarding the replacement of the existing PAB and safety facilities in Oakland: [https://cao-94612.s3.us-west-2.amazonaws.com/documents/Combined-Info-Memo-PAB-3.2023\\_2023-03-21-182855\\_nskk.pdf](https://cao-94612.s3.us-west-2.amazonaws.com/documents/Combined-Info-Memo-PAB-3.2023_2023-03-21-182855_nskk.pdf); and

**WHEREAS**, the PAB Memo recommended locating some PAB functions at separate locations, rather than locating multiple safety functions at one site, and acknowledged that there are existing separate sites, which need to be taken into account in the future plan; and

**WHEREAS**, there is also identified, a need for new 911 dispatch facilities and a new crime lab with access to the modern equipment and technology; and

**WHEREAS**, the PAB Memo recommends that the City of Oakland pursue additional delivery and financial options for the development of needed safety facilities in order to enable their rapid and financially viable deployment and improve the safety and quality of life in the City of Oakland; and

**WHEREAS**, the City Council finds it urgent and expeditious to expand, update, relocate, and improve the City's safety facilities; to ensure reliable responsiveness from Police, Fire and other essential functions; to strengthen the ability to analyze evidence and solve crimes; to provide appropriate space for personnel and the public; to improve training, education, and records; to provide for driver training, emergency preparedness training, and other vital functions to protect our workforce and our community, all as described in Exhibit A (collectively, the Oakland Facilities Plan); which Oakland Facilities Plan will enable a more effective use of the Current Site; now, therefore, be it

**RESOLVED:** That the City Council adopts the Oakland Facilities Plan described on Exhibit A; and be it

**FURTHER RESOLVED:** That the City Council identifies the following new sites to develop in connection with the City's safety facilities: (a) a new state-of-the-art crime lab and multi-departmental 911 dispatch and communications center (with high speed data access and uninterruptable power supply) near the West Oakland BART station and (b) new multi-departmental facilities in the Coliseum area, including training, 360-degree state of the art training range, education facilities, records, storage, driver training, CORE facilities, academy, public permits and administrative and information services; and be it

**FURTHER RESOLVED:** That the City Council identifies the following existing sites to improve in connection with the City's safety facilities: (a) City Hall Plaza to improve the use and space of the existing Oakland Police Department office and (b) Eastmont to improve the existing Eastmont police facility, expand capacity, add command/operations functions, and add community-serving spaces; and be it

**FURTHER RESOLVED:** That the City Council identifies the following site to relocate current safety functions as needed during the construction period of new sites to be developed and existing sites to be improved as needed: Arena Center (aka Zhong Technology site); and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate Mandela Station Partners, LLC, or a related or affiliated entity, for the purposes of development a project proposal for City review and approval, and negotiating the terms and conditions of the development, construction, and leasing of a new 911 Dispatch/Communications facility and Crime Lab near the West Oakland BART station; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate with AASEG Land LLC, or a related or affiliated entity, for the purposes of development project proposals for City review and approval, and negotiating the terms and conditions of a public-private partnership for multi-departmental City public facilities in the Coliseum area, including a new training facility, multi-purpose and presentation facilities, driver training, 360-degree state of the art training range, education facilities, records, storage, CORE facilities, academy, public permits and administrative and information services; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to include in such negotiations with AASEG Land LLC, Coliseum area properties including; 633 Hegenberger Road, 7000 Coliseum Way, and 8001 S. Coliseum Way, to ensure coordinated planning for entry and egress, roadway alignment, land use and utilities, and coherent facilities; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate with Alameda County, and their successors and assigns, for the purposes of the acquisition of Alameda County's 50% undivided share of the properties at 7000 Coliseum Way and 8001 S. Coliseum Way, to support retention and development of public uses, protect tax-payers, and ensure the ability to design and develop effective and coherent roadway realignment, entry and egress and emergency preparedness, retain existing public uses, and add new public uses, including public safety facilities; or, in the alternative, if the owners of such properties shall be prepared to partner with the City on the development of facilities, then the City Administrator is authorized to pursue such partnership, rather than acquisition of the property; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate with TC II 7200 Bancroft, LLC, or a related or affiliated entity, for the purposes of development a project proposal for City review and approval, and negotiating the terms and conditions of the development, construction, and leasing of improved expanded facilities at Eastmont Town Center; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to conduct inter-departmental coordination and negotiation within the City and take other actions as necessary to improve the use, space, and functionality of the Oakland Police Department office located in Oakland City Hall Plaza; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate with Alameda County regarding the terms and conditions of the interim use of Arena Center property (the property formerly known as Zhong technology), at 6775, 7001 and 7195 Oakport Street, for interim relocation, as needed during the construction; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to seek, pursue, and apply for additional grants and financial support for the projects in this resolution, including seeking and applying for State and Federal funds; and be it

**FURTHER RESOLVED:** That the City Council, after independent review and consideration, finds this action will not result in a direct or indirect physical change in the environment and does not in-and-of-itself constitute a "project" pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to enter into agreements and take whatever action is necessary with respect to the proposed acquisition, development, and/or improvements of the identified sites consistent with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED:** That any agreements entered into in connection with the approved negotiations for the proposed acquisition, development, and/or improvements of the identified sites shall be reviewed and approved as to form and legality by the City attorney's Office prior to execution.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 4 2024

PASSED BY THE FOLLOWING VOTE:

AYES ~~FIVE~~, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS ~~7~~

NOES ~~0~~

ABSENT ~~0~~

ABSTENTION ~~0~~

1 EXCUSED: Fife

ATTEST:



ASHA REED

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

## Exhibit A.

### Oakland Safety Facilities Plan

The Oakland administration researched the issues related to Oakland's needs for improved facilities for public safety, and related functions, and produced a report, containing recommended next steps for the development of such facilities, including pursuing multiple facilities for different functions, and pursuing public-private partnerships.

In order to advance these needs and goals, and provide for quality service and public safety for city workers and for the public, this document identifies site improvements for each function, including interim location during construction of new facilities, locations to add new facilities, and locations to improve and expand existing facilities.

- **New sites to develop:**
  - New state-of-the-art Crime lab, and multi-departmental communications dispatch facility (including OPD, Fire, 911, 311) with high speed data access, uninterruptable power supply, by West Oakland BART (Mandela).
  - New multi-agency Training facilities, including driver training course, 360-degree state of the art training range, education and meeting facilities, records, CORE, academy, public permits and information, and related public functions, in the Coliseum area.
  
- **Existing Sites to improve and expand:**
  - City Hall Plaza (improve use and space of existing OPD office in City hall plaza)
  - Eastmont (improve existing Eastmont police facility, expand capacity, add command/operations functions, expand community-serving space and functions).
  
- **Existing Sites to become available for new uses:**
  - Existing Oakland PAB
  - Existing 911 dispatch center
  
- **Interim site:**
  - Arena center (aka Zhone technology site) to use in the interim during construction.
  
- **To develop plans for the replacement or redevelopment of the Fire Stations currently located at:**
  - Coliseum area fire station, 1016 66th Ave, Oakland, CA 94621
  - San Antonio area fire station, 1235 International Blvd, Oakland, CA 94606
  - EOC (emergency operations center)



2024 MAY 24 AM 9:08

APPROVED AS TO FORM AND LEGALITY

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND



CITY ATTORNEY'S OFFICE

# OAKLAND CITY COUNCIL

ORDINANCE NO. 13795 C.M.S.

**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A FOURTH AMENDMENT TO THE LEASE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OAKLAND AND OMSS, LLC, FOR DEVELOPMENT OF AN ANCILLARY MARITIME SUPPORT FACILITY FOR TRUCK PARKING AND RELATED SERVICES AT 10 BURMA ROAD AND 2307 WAKE AVENUE, TO EXTEND THE OUTSIDE CLOSING DATE BY NINE MONTHS SUBJECT TO AN EXTENSION PAYMENT OF \$37,500, WITH AN ADDITIONAL THREE MONTH ADMINISTRATIVE EXTENSION SUBJECT TO AN EXTENSION PAYMENT OF \$12,500; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

**WHEREAS**, on July 30, 2014, the City of Oakland (“City”) and OMSS, LLC (“OMSS”) entered into that certain Ancillary Maritime Support Project Lease Disposition and Development Agreement (the “Original LDDA”) related to approximately 16.78 Acres of land located at 10 Burma Road and 2307 Wake Avenue (the “Property”) within the Gateway Development Area of the former Oakland Army Base for the development of an ancillary maritime support facility for truck parking and related services (the “Project”); and

**WHEREAS**, the Original LDDA, as amended by (1) that certain First Amendment to the Original LDDA dated August 31, 2017 (“First Amendment”), (2) that certain Second Amendment to the Original LDDA as amended by the First Amendment, dated as of May 3, 2022 (“Second Amendment”), (3) that certain Third Amendment to the Original LDDA as amended by the First Amendment and the Second Amendment, dated as of October 3, 2023 (“Third Amendment”), is referred to herein collectively, as the “LDDA”; and

**WHEREAS**, OMSS continues to make progress to implement the schedule of performance set forth in the LDDA, but requires additional time to fulfill its obligations under the LDDA, including submitting building, grading, public infrastructure and private infrastructure permit applications and paying permit application fees totaling more than \$500,000 for the initial improvements; and

**WHEREAS**, the proposed fourth amendment to the LDDA (“Fourth Amendment”) will extend the outside closing date under the LDDA by nine months (with a potential additional three-month extension) to facilitate completion by OMSS of the steps required under the LDDA to close

escrow and develop the Project contemplated under the LDDA.

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

**SECTION 1.** The City Council hereby authorizes the City Administrator to (a) execute a Fourth Amendment to the LDDA to extend the Outside Closing Date by nine (9) months to February 1, 2025 subject to a nonrefundable extension payment of \$37,500, with an additional three-month administrative extension subject to a nonrefundable extension payment of \$12,500; and (b) negotiate and execute such other additions, amendments or other modifications to the foregoing document that the City Administrator, in consultation with the City Attorney's Office, determines are in the best interests of the City, do not materially increase the obligations or liabilities of the City, and are necessary or advisable to complete the transaction contemplated by this Ordinance; and (c) to negotiate and execute such other documents as necessary or appropriate, in consultation with the City Attorney's Office, to implement the LDDA and development of the Property in order to consummate the transaction in accordance with this Ordinance, or to otherwise effectuate the purpose of this Ordinance and its basic purposes.

**SECTION 2.** City Council hereby authorizes that the extension payments of \$37,500 and potentially \$12,500 will be accepted and appropriated to the OBRA Leasing & Utility Fund (5671), Oakland Army Base Redevelopment Organization (85244), OBRA Leasing & Utility Project (1001542), OARB Bay Bridge Gateway Program (SC07).

**SECTION 3.** The City Council hereby finds that this action is exempt under California Environmental Quality Act ("CEQA") Guidelines section 15063(b)(3) (common sense exemption) since the action under consideration is limited to the Fourth Amendment to the LDDA, an extension of an existing real estate contract, which has no reasonable possibility of an effect on the environment. On a separate and independent basis, the City Council hereby finds that the anticipated environmental effects of this action have been adequately evaluated by the 2002 Oakland Army Base Redevelopment Plan Environmental Impact Report ("EIR"), as amended by the 2012 Addendum (together, the "2002 EIR/2012 Addendum"). Therefore, in accordance with California Public Resources Code Section 21166 and CEQA Guidelines Section 15164, the 2002 EIR/2012 Addendum will comprise the full and complete CEQA evaluation necessary and no further CEQA evaluation will be required for this action.

**SECTION 4.** All agreements associated with the Property and the Project shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution by the City and shall be placed on file with the City Clerk.

**SECTION 5.** The recitals contained in this Ordinance are true and correct and are an integral part of the City Council's decision.

**SECTION 6.** The record before this Council relating to this Ordinance, includes without limitation, the Agenda Report for this item and the attachments thereto.

**SECTION 7. 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 8. 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.

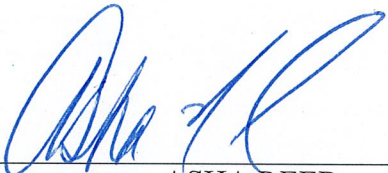
IN COUNCIL, OAKLAND, CALIFORNIA, JUN 4 2024

PASSED BY THE FOLLOWING VOTE:

AYES - ~~FIVE~~, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS - 7

NOES - 0  
ABSENT - 0  
ABSTENTION - 0

1 EXCUSED: FIFE

ATTEST:   
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

Introduction Date MAY 21 2024

Date of Attestation: June 13, 2024

**NOTICE AND DIGEST**

**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A FOURTH AMENDMENT TO THE LEASE DISPOSITION AND DEVELOPMENT AGREEMENT (LDDA) BETWEEN THE CITY OF OAKLAND AND OMSS, LLC, FOR DEVELOPMENT OF AN ANCILLARY MARITIME SUPPORT FACILITY FOR TRUCK PARKING AND RELATED SERVICES AT 10 BURMA ROAD AND 2307 WAKE AVENUE, TO EXTEND THE OUTSIDE CLOSING DATE BY NINE MONTHS SUBJECT TO AN EXTENSION PAYMENT OF \$37,500, WITH AN ADDITIONAL THREE MONTH ADMINISTRATIVE EXTENSION SUBJECT TO AN EXTENSION PAYMENT OF \$12,500; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

This Ordinance authorizes a fourth amendment to the Ancillary Maritime Support Project Lease Disposition and Development Agreement (as amended, the "LDDA") between the City of Oakland and OMSS, LLC, for development of an ancillary maritime support facility for truck parking and related services at 10 Burma Road and 2307 Wake Avenue in the Gateway Area of the former Oakland Army Base, with an to extend the Outside Closing Date (as defined in the LDDA) by nine (9) months to February 1, 2025 subject to an extension payment of \$37,500, with an additional three (3) month administrative extension subject to an extension payment of \$12,500; and adopting California Environmental Quality Act findings.