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REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

2010 DEC -9 PM 1:04
AGENDA REPORT

TO: Office of the Agency Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: December 14, 2010

RE: **An Agency Resolution Authorizing a Professional Service Agreement in an Amount not to Exceed \$750,000 with LSA Associates, Inc. for the Preparation of an Environmental Impact Report for the Victory Court Ballpark Development Proposal**

SUMMARY

The Redevelopment Agency of the City of Oakland ("Agency") is preparing an Environmental Impact Report (EIR) for the possible development of a major league baseball stadium (the "Ballpark") at a site commonly referred to as Victory Court. Staff recommends that the Agency adopt a resolution authorizing the Agency Administrator to enter into a professional service agreement in an amount not to exceed \$750,000 with LSA Associates, Inc. (LSA) for the preparation of an EIR for the proposed Ballpark.

FISCAL IMPACT

Funding for the contract in an amount not to exceed \$750,000 with LSA will be transferred from Central District Tax Allocation Bond Series 2005 (tax-exempt) (Fund 9533), Capital Improvement Project - Economic Development Organization (94800), Uptown Garage (21st & Telegraph) Project (P128670) to a new project number that will be created in the same Fund.

The reallocation of \$750,000 from the Uptown Garage (21st & Telegraph) Project to a new project for the proposed Ballpark EIR will reduce available funding to \$18.3 million for the Agency's plans to provide public parking in the Uptown and/or Broadway/Valdez Districts. These are Agency funds and there will be no impact on the City.

BACKGROUND

Since 2009, staff has worked with representatives of Major League Baseball (MLB) to evaluate four different sites for the potential development of a Ballpark for the A's in Oakland. During this period, MLB representatives identified Victory Court, a site that is generally bounded by Oak Street to the west, Embarcadero to the south, the Lake Merritt Channel to the east and I-880 to the north, as their preferred place for the possible development of a Ballpark in Oakland. At this time, the City of Oakland, as the Lead Agency for the Ballpark, and the Agency desire to continue with the preparation of a Draft EIR to study the potential environmental consequences of a Ballpark at Victory Court.

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December 14, 2010

KEY ISSUES AND IMPACTS

In August 2010, staff issued a Request for Qualifications (RFQ) for a lead consultant to prepare the EIR for the Ballpark. Staff received five proposals for the preparation of the EIR in September 2010.

Staff reviewed the responses to the RFQ. Each proposal was evaluated based on the qualifications of the firms, relevant experience with major sporting venues in California, and successful completion of large scale project EIRs. As a result of this process, LSA was selected for the preparation of the ballpark EIR.

The lead consultant will assemble a consultant team that complies with the City's Local and Small Local Business hiring requirements.

PROJECT DESCRIPTION

The proposed Ballpark consists of a baseball stadium with 39,000 seats, located east of Fallon Street, with adjacent development in the project area including up to 180,000 square feet of retail, up to 540,000 square feet of office and up to 700 residential units and approximately 2,500 off-street parking spaces. The proposed project may also include the potential for land acquisition and include the extensions of 2nd, 3rd and 4th Street from Oak Street to Fallon Street, and the development of new open space adjacent to the Lake Merritt Channel.

LSA will prepare an EIR pursuant to the California Environmental Quality Act (CEQA) to study and address the potential physical and environmental consequences of a Ballpark at Victory Court for each of the environmental topics outlined in CEQA. These topics include aesthetics, biological resources, hazards/hazardous materials, public services, utilities/service systems, cultural resources, hydrology/water quality, noise, recreation, air quality, greenhouse gas emissions, geology/soils, land use/planning, population/housing, and transportation/traffic.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed EIR is a study of the potential physical and environmental impacts of developing a possible future Ballpark at Victory Court. As such, there are no sustainable economic opportunities associated with the authorization of the proposed professional services agreement with LSA for the preparation of an EIR. However, if development of the Ballpark is approved, the proposed project will facilitate the redevelopment of an underutilized area in the Central District Redevelopment Project Area, and substantially improve the economic stability and future growth of the commercial districts surrounding the Ballpark.

Environmental: The proposed EIR is a study of the potential physical and environmental impacts of developing a possible future Ballpark at Victory Court. As such, there are no sustainable environmental opportunities associated with the authorization of the proposed

professional services agreement with LSA for the preparation of an EIR. However, if development of the Ballpark is approved, the project will include application of such green building techniques as energy-conserving design and appliances, water-conserving fixtures and landscaping, recycled building materials, and low-waste construction techniques. The proposed Ballpark will also include an emphasis on the use of public transportation and pedestrian-friendly access to the sports facility.

Social Equity: LSA will assemble a consultant team that complies with the City's Local and Small Local Business hiring requirements. If development of the Ballpark is approved, the project will include opportunities for local and small local businesses.

RECOMMENDATIONS AND RATIONALE

The proposed professional services contract with LSA is necessary for the preparation of an EIR for the possible development of a Ballpark at Victory Court. Outside expertise is required for the preparation of the environmental review as required by CEQA.

ACTION REQUESTED OF THE AGENCY/CITY COUNCIL

CEDA staff is recommending approval of a resolution authorizing the Agency Administrator to enter into a professional service agreement in an amount not to exceed \$750,000 with LSA for the preparation of an EIR for the proposed Ballpark

Respectfully submitted,

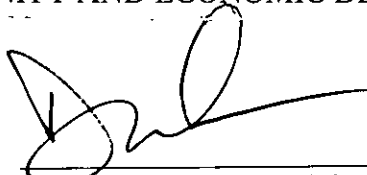


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Gregory Hunter, Deputy Director
Economic Development and Redevelopment

Prepared by:
Jens Hillmer, Urban Economic Coordinator
Redevelopment Division

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



Office of the Agency Administrator

Item: _____
CED Committee
December 14, 2010

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 DEC -9 PM 1:05

APPROVED AS TO FORM AND LEGALITY:

Hlee

Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

An Agency Resolution Authorizing a Professional Service Agreement in an Amount not to Exceed \$750,000 with LSA Associates, Inc. for the Preparation of an Environmental Impact Report for the Victory Court Ballpark Development Proposal

WHEREAS, the Redevelopment Agency (Agency) desires to prepare an Environmental Impact Report (EIR) for a potential ballpark development at Victory Court, which would include a new Major League Baseball (MLB) ballpark of up to 39,000 seats, and adjacent development that would include up to 180,000 square feet of retail, 540,000 square feet of office, and up to 700 residential dwelling units; and

WHEREAS, the Agency desires to contract with LSA Associates, Inc. (LSA) to prepare an Environmental Impact Report for the proposed ballpark development as required by the California Environmental Quality Act (CEQA); and

WHEREAS, the Agency selected LSA after issuance of a Request for Qualifications for the preparation of an EIR for the proposed ballpark development; and

WHEREAS, the Agency finds that the services provided pursuant to the proposed professional services agreement authorized hereunder are temporary and of a professional nature; and

WHEREAS, the Agency finds that the proposed professional service agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, funding for the professional service agreement with LSA in an amount not to exceed \$750,000 will be transferred from Central District Tax Allocation Bond Series 2005 (tax-exempt) (Fund 9533), Capital Improvement Project - Economic Development Organization (94800), Uptown Garage (21st & Telegraph) Project (P128670) to a new project number that will be created in the same Fund, and be it

RESOLVED: That the Agency hereby authorizes a professional service agreement with LSA in an amount not to exceed \$750,000, including contingency, to prepare an EIR for the proposed ballpark development; and be it

FURTHER RESOLVED: That the Agency Administrator is hereby authorized to negotiate and execute a professional service agreement with LSA; and be it

FURTHER RESOLVED: That funding for the professional services agreement with LSA in an amount not to exceed \$750,000 is hereby allocated from Central District Tax Allocation Bond Series 2005 (tax-exempt) (Fund 9533), Capital Improvement Project - Economic Development Organization (94800) to a new project number that will be created in the same Fund, and be it

FURTHER RESOLVED: That the Agency authorizes the Agency Administrator or his designee to take any action with respect to the professional service agreement consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any and all documents necessary to effectuate the intent of this resolution shall be reviewed and approved as to form by Agency Counsel prior to execution by the Agency Administrator or his designee.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN,
REID AND CHAIRPERSON BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland