



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY VICE MAYOR KAPLAN AND COUNCILMEMBER FIFE

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ISSUE A NOTICE OF DEVELOPMENT OPPORTUNITY FOR A MIXED USE PROJECT, INCLUDING AFFORDABLE HOUSING, ON THE CITY-OWNED PARCEL BOUNDED BY 7TH STREET, BROADWAY, WASHINGTON STREET, AND 6TH STREET NOW OCCUPIED BY THE POLICE DEPARTMENT ADMINISTRATION BUILDING

WHEREAS, Oakland is facing multiple extraordinary challenges when it comes to meeting its housing needs: the COVID-19 pandemic, gentrification and displacement, high rates of unemployment, and homelessness; and

WHEREAS, according to the City's Housing Element Annual Progress Report for 2020, the City has met only 43% of its Regional Housing Needs Allocation (RHNA) goals for very low-income housing, 25% of its RHNA goals for low-income housing, 3% of its RHNA goals for moderate income housing, and 22% of its overall affordable housing goals; and

WHEREAS, there is also great need for commercial development space for retail stores, restaurants, shopping centers, and business offices; and

WHEREAS, the Oakland Police Department Administration Building (PAB), located at 455 7th Street on the block bounded by 7th Street, Broadway, Washington Street, and 6th Street, was built in 1962, consists of a nine-story tower, six-story mid-rise building, two-story Sally port, and single level basement, and comprises 266,510 square feet, and

WHEREAS, the PAB is an essential services building which houses the Office of the Chief, Office of Inspector General, Crime Lab, Crime Investigation, Field Operations, Academy and Training, Records, Property and Evidence, Identification Unit, administrative services, and former jail; and

WHEREAS, despite using Federal Emergency Management Agency (FEMA) and Measure I Bond funding in 2006 to upgrade the PAB to meet Uniform Building Code Seismic Force Level standards, the full retrofit was not completed due to budgetary constraints; and

WHEREAS, in both a 2015 and 2017 informational report to the Finance and Management Committee, the Director of Public Works reported that the PAB building envelope, HVAC system, lighting, electrical and plumbing, ADA compliance, fire protection, and elevators are all in need of major capital improvements or replacement, and

WHEREAS, it is clear the PAB has not undergone the needed renovations to ensure the department is housed in a state-of-the-art facility which meets necessary safety standards; and

WHEREAS, this parcel of City-owned land is ideally located directly off of the 880 freeway, and could be used to activate the Downtown Oakland pedestrian corridor; and

WHEREAS, the City's rules for disposition of real property for development, codified in Oakland Municipal Code Chapter 2.42, Article IV, require a public and competitive Notice of Development Opportunity (NODO) process to solicit development proposals prior to disposition; and

WHEREAS, California Government Code Section 54221(f)(1)(F)(ii) exempts properties from the Surplus Lands Act (SLA) that are put out to open, competitive bid to housing sponsors and designated local public entities, and that meet certain criteria; and

WHEREAS, in order to qualify for this exemption, the site must be developed with a mixed-use project that is greater than one acre in area and that includes no fewer than 300 housing units, a minimum of 25% of which are affordable at an affordable sales price or affordable rent to lower income households for at least 45 years (for ownership housing) or 55 years (for rental); and

WHEREAS, the City shall also make a concerted effort to ensure projects are awarded with an equity framework so that small, BIPOC, and women-owned firms are able to participate in the development of this project, and that it is designed and planned in a manner to meet community needs; now, therefore, be it

RESOLVED: That the City Administrator is authorized and directed to issue a Notice of Development Opportunity (NODO) for those interested in developing a mixed-use development project on the City-owned PAB parcel on the block bounded by 7th Street, Broadway, Washington Street, and 6th Street; and be it

FURTHER RESOLVED: That the NODO shall seek project proposals that include ground floor activation which improves the vitality of the pedestrian corridor, that are more than one acre in area, that include no fewer than 600 housing units, and that restrict at least one-third of the residential units to lower income households, as defined in California Health and Safety Code Section 50079.5, with an affordable sales price or an affordable rent, as defined in California Health and Safety Code Sections 50052.5 and 50053, for a minimum of 55 years; and be it

FURTHER RESOLVED: That local government entities, as defined in California Health and Safety Code Section 50079, and housing sponsors, as defined in California Health and Safety Code Section 50074, along with others, shall be invited to participate in the NODO process; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any other action with respect to the NODO consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO,
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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