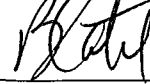


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

19 AUG 29 PM 4:24

Approved as to Form and Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87858 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO AN AMENDMENT TO AN EXCLUSIVE NEGOTIATION AGREEMENT WITH ACTS COMMUNITY DEVELOPMENT CORPORATION AND THE RELATED COMPANIES OF CALIFORNIA, AND/OR AFFILIATED ENTITIES TO EXTEND THE TERM FOR ONE YEAR WITH ONE OPTIONAL SIX-MONTH ADMINISTRATIVE EXTENSION FOR THE POTENTIAL LEASE DISPOSITION AND DEVELOPMENT OF A MIXED-USE AFFORDABLE HOUSING PROJECT ON SEVEN CONTIGUOUS CITY-OWNED PARCELS (APNS 044-4967-002, 044-4967-003, 044-4967-004-02, 044-4967-004-03, 044-4967-005, 044-4967-007-01, AND 044-4967-009) LOCATED AT 95TH AVENUE AND INTERNATIONAL BOULEVARD**

**WHEREAS**, the City owns a 0.66-acre parcel of land, comprised of seven contiguous parcels, located on International Boulevard between 94th Avenue and 95th Avenue, currently designated with Assessor's Parcel Numbers 044-4967-002; 044-4967-003; 044-4967-004-03; 044-4967-005; 044-4967-007-01; 044-4967-004-02; and 044-4967-009 (collectively, the "Property"); and

**WHEREAS**, City Council Resolution No. 87107 C.M.S., authorized the City of Oakland ("City") and Acts Community Development Corporation in partnership with The Related Companies of California (together the "Developer") to enter into an Exclusive Negotiation Agreement ("ENA") for the possible development of a mixed-use affordable housing project on the Property for a maximum term of 18 months; and

**WHEREAS**, on March 20, 2018, the City entered into a one-year ENA and later authorized a six-month administrative extension of the ENA with the Developer; and

**WHEREAS**, the Developer has completed predevelopment activity deliverables, including, but not limited to: physical site analysis, infrastructure cost assessments, concept plans, and environmental assessments, in coordination with Oakland Department of Transportation and Planning and Building Department staff; and

**WHEREAS**, the City and the Developer have been engaged in a period of preliminary study and exclusive negotiations for the proposed lease disposition of the Property for the project; and

**WHEREAS**, without any additional extensions, the ENA is currently set to expire on September 20, 2019; and

**WHEREAS**, the City desires to provide additional time to continue negotiations with the Developer; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or her designee, to negotiate and execute an amendment to the ENA with Acts Community Development Corporation in partnership with The Related Companies of California and/or affiliated entities to extend the current exclusive negotiating period for an additional twelve months with one six-month administrative option to extend the ENA; and be it

**FURTHER RESOLVED:** That the City Council finds and determines, after independent review and consideration, that this action is not subject to CEQA pursuant to Section 15262 (feasibility and planning studies), and Section 15061(b)(3)(general rule) of the CEQA Guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator is further authorized to negotiate and enter into an amendment to the ENA and any other agreements and take whatever action is necessary with respect to the ENA and the Property consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

SEP 17 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, ~~WILLIAMS~~ AND PRESIDENT KAPLAN -7

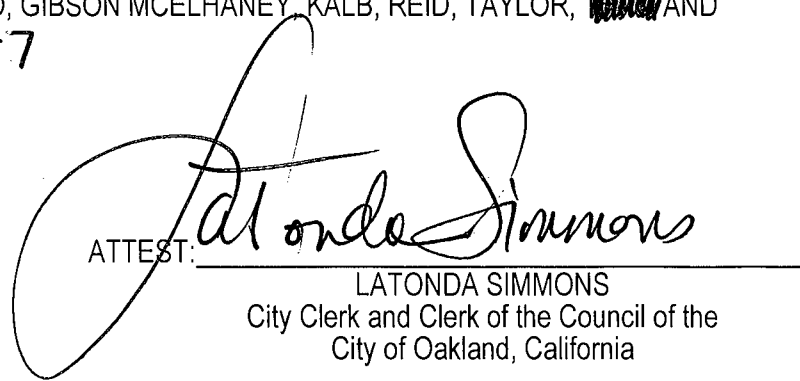
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Thao

ATTEST:



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