

CITY OF OAKLAND

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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Alexa Jeffress
Interim Director, EWD

SUBJECT: SUPPLEMENTAL - 500 Kirkham DDA
Amendment

DATE: October 8, 2019

City Administrator Approval

Date:

10/10/19

RECOMMENDATION

Staff Recommends That The City Council Adopt One Of The Following Pieces Of Legislation:

1) An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City of Oakland And 500 Kirkham, LLC To (1) (a) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (b) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (c) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees Are Made According To The Extension Schedule Shown In Exhibit A, And (d) Require Evidence Of A Funding Commitment For The West Oakland Shuttle, And (2) Make The Determination That An Addendum Pursuant To CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, and 15183.3; Or

2) An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City of Oakland And 500 Kirkham, LLC To (1)(A) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (B) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (C) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees are Made According To The Extension Schedule Shown In Exhibit A, (D) Require 500 Kirkham, LLC To Pay A \$1 Million Workforce Training Payment Directly To The Following Entities In The Amounts Specified (i) \$300,000 To The West Oakland Job Resource Center; (ii) \$300,000 To The Workforce Collaborative; (iii) \$200,000 To Civicorps; (iv) \$200,000 To The West Oakland Youth Center, By The Date And With The Form of Evidence Specified By the City Administrator, And (E) Require Evidence of A Funding Commitment For The West Oakland Shuttle, And (2) To Make The Determination That An Addendum Pursuant To

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CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, and 15183.3.

REASON FOR SUPPLEMENTAL

At the September 24, 2019 Community and Economic Development (CED) Committee meeting, Councilmember Lynette Gibson-McElhaneys District 3 (D3) Office introduced an amendment to staff's recommendation regarding how the \$1 million Workforce Training Payment will be distributed. The CED Committee accepted the amendment and made the recommendation to remove the City Administrator's authority to accept, deposit and appropriate the \$1 Million Workforce Training Payment from Developer. Instead, the Committee recommended that the \$1 Million Workforce Training Payment be paid directly to the following four organizations in the following amounts, by the date and with the form of evidence specified by the City Administrator:

- (a) \$300,000 for the West Oakland Job Resource Center;
- (b) \$300,000 to The Workforce Collaborative;
- (c) \$200,000 to Civicorps; and
- (d) \$200,000 to the West Oakland Youth Center.

The CED Committee's proposed changes to the original proposed Ordinance triggered the need for this supplemental report and are shown in an updated redline draft of the Ordinance. If City Council adopts the CED Committee's recommendation instead of staff's recommendation, the following underscored section below will be added to the title of the original proposed Ordinance:

An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City of Oakland And 500 Kirkham, LLC To (1)(A) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (B) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (C) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees are Made According To The Extension Schedule Shown In Exhibit A, (D) Require 500 Kirkham, LLC To Pay A \$1 Million Workforce Training Payment Directly To The Following Entities In The Amounts Specified (i) \$300,000 To The West Oakland Job Resource Center; (ii) \$300,000 To The Workforce Collaborative; (iii) \$200,000 To Civicorps; (iv) \$200,000 To The West Oakland Youth Center, By The Date And With The Form of Evidence Specified By the City Administrator, And (E) Require Evidence of A Funding Commitment For The West Oakland Shuttle, And (2) To Make The Determination That An Addendum Pursuant To CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, and 15183.3

Under separate cover, the D3 Office will submit a report detailing how the above four beneficiaries of the Workforce Training Payment will spend their funding allocations.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt One Of The Following Pieces Of Legislation:

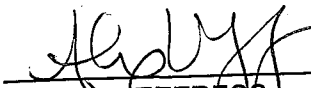
1) An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City of Oakland And 500 Kirkham, LLC To (1) (a) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (b) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (c) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees Are Made According To The Extension Schedule Shown In Exhibit A, And (d) Require Evidence Of A Funding Commitment For The West Oakland Shuttle, And (2) Make The Determination That An Addendum Is Exempt From CEQA Pursuant To CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, and 15183.3; Or

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For questions regarding this report, please contact Hui-Chang Li at hli@oaklandca.gov or 510.238.6239.

Respectfully submitted,


ALEXA JEFFRESS
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Development Department

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