

City of Oakland

*Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza, Room 201
Oakland, California 94612*



CITY OF OAKLAND

Meeting Minutes - FINAL

Tuesday, July 20, 2021

9:00 AM

Please See The Agenda To Participate In The Meeting

Virtual Tele - Conference Via Zoom

**Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council**

Pursuant to the Governor's Executive Order N-29-20, all members of the City Council as well as the City Administrator, City Attorney and City Clerk will join the meeting via phone/video conference and no teleconference locations are required

PUBLIC PARTICIPATION

The public may observe and/or participate in this meeting many ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/84979220775> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Webinar ID: 849 7922 0775

If asked for a participant ID or code, press #.

COMMENT:

ALL PUBLIC COMMENT ON ACTION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE MEETING UNDER ITEM 1. COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN UNDER OPEN FORUM AT THE END OF THE MEETING

There are three ways to submit public comments.

- eComment. To send your comment directly to Council members and staff BEFORE the meeting starts please click on <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes five (5) minutes before posted meeting time.
- To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.
- To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing "*9" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute your self by pressing *6.

If you have any questions, please email the Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date the meeting was convened at 9:00 AM

ROLL CALL / CITY COUNCIL

Present 8 - Sheng Thao, Loren Taylor, Nikki Fortunato Bas, Carroll Fife, Noel Gallo, Dan Kalb, Rebecca Kaplan, and Treva Reid

1 PUBLIC COMMENT:

COMMENT ON ALL ACTION ITEMS WILL BE TAKEN AT THIS TIME. COMMENTS FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM

There were 106 Public Comment Speakers

- 2 Subject: Term Sheet With The Oakland Athletics
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution Approving Non-Binding Terms Of A Development Agreement With The Athletics Investment Group LLC, D/B/A The Oakland Athletics, A California Limited Liability Company, Including Terms For, But Not Limited To, The Financial Plan, Community Benefits, And Non-Relocation, Related To The Proposed Oakland Waterfront Ballpark District Project To Be Developed On The Property Known As The Howard Terminal At The Port Of Oakland
[21-0412](#)

Attachments: [View Kaplan Report](#)
[View Report](#)
[View Report Attachments 1 through 6](#)
[View Legislation And Exhibit A](#)
[88744 CMS](#)

The Council Committee approved staffs recommendations with the following amendments:

Page 2, Adding a10th WHEREAS:

WHEREAS, the Alameda County Board of Supervisors considered the City's request to adopt a motion declaring its intent to contribute Alameda County's share of incremental property 3 taxes that will be generated from the Project into any future Enhanced Infrastructure Financing District (IFD) to be formed over the Project site, for the purpose of financing affordable housing, parks, and other infrastructure of community wide significance; and

Page 3 after the 1st WHEREAS Added:

- A. Support for a single (IFD) over the Property, including the pursuit of participation from both the City and Alameda County;**
- B. Request to continue to pursue a range of outside/additional funding resources, including regional, State, and Federal transportation/infrastructure funding, Including seeking Alameda County's participation in the onsite IFD;**
- C. Request for additional information regarding the Port's jobs policies;**
- D. Confirmation that tenant protection measures could be supported through the proposed community fund;**
- E. Confirmation of the Port's Seaport Compatibility Measures prior to any final Project approvals by Council;**
- F. Commitment to creating an informal group of City, Port , County, A's, community members and local experts to track implementation of DTSC toxics remediation requirements; and**

WHEREAS, the Howard Terminal Community Benefits Steering Committee (Steering Committee), consisting of representatives of the Oakland A's, City, Port of Oakland, and stakeholders from West Oakland, Old Oakland, Jack London District and Chinatown, was created to identify community needs related to the Project and prioritize solutions to address such needs; and

WHEREAS, the Steering Committee agreed to key principles for the Howard Terminal Community Benefits Agreement, including Operating Principle #5 “The CBA will include a permanent mechanism for ongoing community monitoring and enforcement to ensure that the CBA meets its objectives and has sufficient transparency and accountability”; and

WHEREAS, the Steering Committee developed recommendations to address community needs, and those recommendations were compiled into a “Community Benefits Recommendations Summary Report”; and

Page 3 after the 2nd WHEREAS Added:

- A. Identifying and minimizing the potential safety, economic, and environmental impacts of traffic and parking congestion on Chinatown's people, business and cultural institutions, which shall include, but is not limited to, defining an effective role for Chinatown representatives in implementing the Project's Transportation Management Plan;**
- B. Securing additional under freeway parking and prioritizing the use of Chinatown parking garages for cultural events when they occur at the same time as Ballpark events;**
- C. Working with the A's to promote patronage of Chinatown businesses by Ballpark event attendees as well as creating on-site business opportunities for Chinatown and other local businesses and promoting marketing for Chinatown history and culture; and**

WHEREAS, members of the West Oakland community expressed their desire that the needs of the West Oakland community be incorporated into any future efforts, including with respect to patronage of West Oakland businesses, traffic congestion, air quality and public health issues; and

WHEREAS: in order to provide clarity to all parties, and to ensure effectiveness of the next steps for the Project, the City Council seeks to provide general direction to the City Administrator regarding the terms of any future Development Agreement with the A's for the Project;

WHEREAS, the City Council expects the City Administrator to: (a) continue discussions and negotiations with the A's regarding the allocation of costs for necessary infrastructure in and adjacent to the Project site, and (b) make every reasonable effort to protect the City's General Fund as a part of any final Development Agreement; and now, therefore, be it

RESOLVED: That the Council hereby adopts the facts and findings set forth in the preceding “whereas” clauses and incorporates them into this Resolution; and be it

FURTHER RESOLVED: That the City Council approves the non-binding terms set forth in the attached Exhibit A and authorizes the City Administrator to negotiate with the A's a Development Agreement based upon such non-binding terms; and be it

FURTHER RESOLVED, That the City Administrator, in coordination with the City Attorney, shall analyze how a community oversight body, including members of

engaged coalitions and community organizations, can be established to ensure that community benefits included in any future Development Agreement are implemented, obligations regarding community benefits are legally enforceable; and be it

FURTHER RESOLVED, That any future community fund that may be established as a part of a future Development Agreement shall include a plan for anti-displacement tenant services (e.g. legal services, tenant counseling, emergency rental assistance) as a part of the Project's affordable housing and anti-displacement strategy; and be it

FURTHER RESOLVED, That the Council directs the City Administrator to: (a) pursue, with support from the A's, the Project-related items, including the use of Federal, State, Regional, and other funding sources for the Project's offsite transportation infrastructure, described in the memorandum published in the packet for this agenda item titled Howard Terminal Transportation Solutions; and (b) advise the Council of the details and outcomes of such efforts no later than when returning with a proposed Development Agreement for the Council's consideration; and be it

FURTHER RESOLVED: That the City Administrator shall return to Council for consideration and approval of any future Development Agreement regarding the Project, which Development Agreement shall be consistent with the terms set forth in Exhibit A, with the modifications that the (a) total affordable housing percentage shall be 35% (consisting of 15% onsite and 20% offsite); (b) A's shall not be responsible for the offsite transportation infrastructure; and (c) term of the non-relocation period shall begin on the date on which the A's play the first home game in the new Ballpark; and be it.

FURTHER RESOLVED: That to the extent that any additional work is needed to review and update the "Community Benefits Recommendations Summary Report" so as to equitably serve all four of the neighborhoods impacted by the Project, the City Administrator shall retain a consultant and coordinate with the Steering Committee to complete such additional work; and be it

FURTHER RESOLVED: That Alameda County is analyzing the City's request that the County participate in any future IFD to be formed over the Project site, and further that Council's approval of this non-binding Term Sheet assumes such participation; and be it

A motion was made by Sheng Thao, seconded by Nikki Fortunato Bas, that this matter be Adopted as Amended. The motion carried by the following vote:

Abstained: 1 - Fife

Aye: 6 - Thao, Taylor, Fortunato Bas, Kalb, Kaplan, and Reid

No: 1 - Gallo

NO VOTE: 0

ANNOUNCEMENTS

OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

42 Speakers spoke during open forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 3:00 PM., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Council adjourned the meeting at 1:17 p.m.

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.