

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 FEB 16 PM 5:41

Approved as to Form and Legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 83746 C.M.S.

RESOLUTION AUTHORIZING AN EXCLUSIVE NEGOTIATING AGREEMENT WITH JRDV URBAN INTERNATIONAL, HKS SPORTS AND ENTERTAINMENT, HKS INC., AND FOREST CITY REAL ESTATE SERVICES LLC, OR AFFILIATED ENTITIES, FOR DEVELOPMENT OF THE COLISEUM CITY PROJECT AT THE OAKLAND-ALAMEDA COUNTY COLISEUM COMPLEX AND ENVIRONS, AND AUTHORIZING PREDEVELOPMENT FUNDING OF THE DEVELOPER'S PLANNING WORK IN AN AMOUNT NOT TO EXCEED \$1.6 MILLION

WHEREAS, as listed in the First Amended and Restated Enforceable Obligation Payment Schedule, and as included in the Funding Agreement entered into by the City on March 3, 2011, approximately \$1.6 million has been allocated by the City Council from former Redevelopment Agency funds to offset predevelopment costs associated with the future development of the Coliseum City project on approximately 200 acres surrounding the Oakland-Alameda County Coliseum Complex; and

WHEREAS, the City envisions this area as an ideal location for a world class mixed use, sports, office, hotel and entertainment complex, all accessible to multiple modes of transportation, taking advantage of the proximity of the Oakland International Airport; and

WHEREAS, the City issued an advertised, competitive Request for Proposals for attracting developers and for contracting Specific Plans and related EIR services in October, 2011, with a deadline for submission of November 4, 2011; and

WHEREAS, six consultant teams responded by the deadline to the Request for Proposals; and

WHEREAS, after City, Redevelopment Agency and Port of Oakland staff interviewed the six consultant teams, the City selected JDRV Urban International, HKS Sports and Entertainment, HKS Inc., and Forest City Real Estate Services LLC as the preferred developer team for the Coliseum City project; and

WHEREAS, the City and the development team wish to enter into a period of preliminary study and negotiations over the project, understanding that this does not constitute a binding commitment on the part of the City to any developer or to participate in any project; and

WHEREAS, the development team is seeking predevelopment funding in the amount of \$1.6 million to cover a portion of their costs of predevelopment activities related to the project, and said funds have been transferred to the City in a fund to be yet determined from previous Coliseum fund balance (#9450); now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to negotiate, and enter into an Exclusive Negotiating Agreement with JRDV Urban International, HKS Sports and Entertainment, HKS Inc., and Forest City Real Estate Services LLC, or affiliated entities approved by the City Administrator, for purposes of studying and evaluating the feasibility of, and negotiating terms and conditions for, the potential development of the Coliseum City project at the Oakland-Alameda County Coliseum Complex and surrounding environs; and be it

FURTHER RESOLVED: That the exclusive negotiating period will be for 12 months from the date of this Resolution, with an option to extend said period for an additional six months at the discretion of the City Administrator or her designee; and be it

FURTHER RESOLVED: That the City Council hereby authorizes predevelopment grant funding to the development team in an amount not to exceed \$1.6 million to fund a portion of the development team's predevelopment costs associated with the Coliseum City project during the ENA period; and be it

FURTHER RESOLVED: That the predevelopment grant funding shall be provided on such terms and conditions as the City Administrator shall determine; and be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered the environmental determination, and the Council finds and determines that this action complies with CEQA because this action on the part of the City is exempt from CEQA , pursuant to the following CEQA Guidelines (each on a separate and independent basis): Section 15262 (feasibility and planning studies), Section 15306 (information collection), Section 15061(b)(3) (general rule), 15183 ("Projects consistent with a General Plan or Zoning"); and on a separate and independent basis, this action complies with CEQA because it relies on the previously certified Final Environmental Impact Report for the Land Use and Transportation Element of the Oakland General Plan (1998); and be it

FURTHER RESOLVED: That all documents shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution; and be it

FURTHER RESOLVED: That the City Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to negotiate and execute documents and take all other actions necessary with respect to the Exclusive Negotiating Agreement, the predevelopment funding, and the project consistent with this Resolution and its basic purpose.

MAR 6 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____

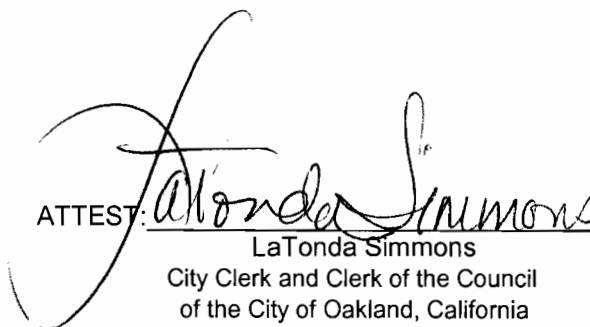
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, ~~WILLIAMS~~, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 7

NOES - 0

ABSENT - Kaplan - 1

ABSTENTION - 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California