



AGENDA REPORT

PROPOSED ACTION: Resolution: Approve the Port’s Participation in the Jack London Square Improvement District for Ten Years, Approve and Authorize the Executive Director to Execute the Amended and Restated Jack London Improvement District Public Trust Agreement for a Ten-Year Service Period, Approve the Port Share Plan for the Jack London Improvement District for Year 2024, and Authorize to Remit Payment of \$195,070.67 to the City of Oakland Treasurer for Year 2023, for Certain Services Provided Within the Jack London District (CRE)	
<u>Submitted By:</u> Jonathan Veach, Chief Real Estate Office; Danny Wan, Executive Director	
<u>Parties Involved:</u> Jack London Improvement District, Oakland CA, Savlan Hauser, Executive Director; City of Oakland, City Treasurer	<u>Amount</u> \$195,070.67; FY2023-2024 Operating Expense
EXECUTIVE SUMMARY: The Jack London Improvement District (JLID) is a Business Improvement District that enhances and improves the greater Jack London District (District) using funds through a property tax assessment levied on property owners within the District. The JLID was first established in 2013, and in 2023 the Oakland City Council voted to renew the District. The Port of Oakland’s (Port) participation in the JLID requires a JLID Public Trust Agreement, which expired in 2023, as well as annual approvals of Port contributions into the District. Port staff requests approval of the Port’s participation in the renewed JLID (through December 31, 2033) and the accompanying Amended and Restated JLID Public Trust Agreement, as well as approval of the Port Share Plan for Year 2024 and payment of amounts owed for Year 2023.	

BACKGROUND & ANALYSIS

A. Original JLID

On July 16, 2013, the JLID was first formed after a majority approval vote was obtained from property owners within the Jack London District boundaries. The Port voted in support of the formation of the JLID after executing a Public Trust Agreement with the City of Oakland (City) and the JLID Steering Committee, in collaboration with staff from the California State Lands Commission and California Attorney General’s Office. The purpose of the JLID is to enhance and improve the greater Jack London District by providing various street beautification services, security patrols, marketing materials, directional signage, public art installations, and other similar services and amenities designed to improve the quality of life for District residents, businesses and property owners in the area, as well as to improve the visitor experience for patrons and

stakeholders frequenting the District. The JLID is funded through a property tax assessment levied on all property owners within the District boundaries, the amount of which varies by land use type and location within the District. The City collects the property taxes owed on an annual basis and distributes those funds to the JLID pursuant to the terms of a Disbursement Agreement executed by the JLID and the City.

The Disbursement Agreement incorporates the provisions of the Public Trust Agreement both as an exhibit and in several specific references, to ensure that the use of the Port's assessment is consistent with Public Trust restrictions on the use of Port funds. The Public Trust Agreement requires that the JLID develop an annual budget and proposed Port Share Plan, detailing the intended uses of the Port assessment funds for the year, consistent with the limitations and conditions detailed in the Public Trust Agreement. This Port Share Plan must be approved each year by the Board of Port Commissioners prior to the payment of the annual assessment amount to the City.

Both the original JLID and the JLID Trust Agreement expired in 2023.

B. Renewed JLID

On July 18th, 2023, the Oakland City Council unanimously approved the renewal of the JLID under the City of Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999) and the laws of the State of California. The JLID has a 10-year life beginning January 1, 2024 and ending December 31, 2033.

As a property owner in the District, the Port must consent to participate in this renewed JLID and must also enter into an Amended and Restated JLID Trust Agreement with the City and the JLID Advisory Board, substantially and materially in the form attached as **Attachment A**. The Board must authorize any payments to the JLID for a particular year.

The JLID Board of Directors has identified two key priorities to focus work on in 2024, which include responding to public safety issues and creating more welcoming gateways to Jack London Square. Jack London Square, along with Downtown Oakland, is still challenged with attaining full recovery from the pandemic and merchants are working to navigate new ways of attracting business. The District proposes to use funds collected from the 2024 Port assessment of \$251,362.09 to provide clean and safe services within the District, as authorized by a proposed Amended and Restated JLID Public Trust Agreement.

The JLID focuses the majority of its resources on creating and maintaining clean and safe streets and continues its contract with service provider Block-By-Block to provide litter removal, graffiti removal, sidewalk plantings, and other streetscape cleaning and beautification efforts on streets and sidewalks leading to and abutting Jack London Square. A copy of the 2024 Port Share Plan is attached as **Attachment B**.

These services continue to be a critical component of the JLID operations and help to address the street litter, unlawful dumping of trash, and graffiti issues that arise throughout the District regularly, among other tasks.

Additionally, Port Staff is requesting authorization to remit payment of \$195,070.67 for the Port's 2023 assessment, which was delayed due to staffing transitions at the Port and delays finalizing the 2023 Management Plan.

Port staff believes that the proposed 2024 Port Share Plan is consistent with the terms of the proposed Public Trust Agreement and that the proposed services will provide a proportionate special benefit to the Trust. If the Board concurs with this recommendation and votes to approve the Port Share Plan, the Port will then transmit the assessment amount to the City Treasurer for disbursement into the JLID account.

OTHER FINDINGS AND PROVISIONS

ENVIRONMENTAL REVIEW

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

- Categorically exempt under the following CEQA Guidelines Section:
Choose an item.
- Not a "Project" under CEQA, as defined in Public Resources Code § 21065.
- Other/Notes:

BUDGET

- Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR
 - Operating
 - Non-Operating
 - Capital

Analysis: There is no budget impact from the proposed action to approve this matter as these expenses were anticipated and included in the adopted non-departmental operating expense portions of the budget.

STAFFING

- No Anticipated Staffing Impact.
- Anticipated Change to Budgeted Headcount.

Reason:

Other Anticipated Staffing Impact (e.g., Temp Help).

Reason:

MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA):

Applies? No (Not Aviation or Maritime CIP Project) – proposed action is not covered work on Port’s Capital Improvement Program in Aviation or Maritime areas above the threshold cost.

Additional Notes:

LIVING WAGE (City Charter § 728):

Applies?

No (CRE) – proposed action entails tenancy outside of the Maritime or Aviation areas and therefore not subject to Living Wage requirements.

Additional Notes:

SUSTAINABLE OPPORTUNITIES:

Applies? **No.**

Reason: There are no sustainability opportunities related to the proposed action because it does not involve a development project, purchasing of equipment, or operations that present sustainability opportunities.

GENERAL PLAN (City Charter § 727):

Conformity Determination:

No Project – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.

STRATEGIC PLAN. The proposed action would help the Port achieve the following goal(s) and objective(s) in the Port’s Strategic Business Plan:

- | | |
|--|--|
| <input type="checkbox"/> Grow Net Revenues | <input type="checkbox"/> Modernize and Maintain Infrastructure |
| <input checked="" type="checkbox"/> Improve Customer Service | <input type="checkbox"/> Pursue Employee Excellence |
| <input checked="" type="checkbox"/> Strengthen Safety and Security | <input checked="" type="checkbox"/> Serve Our Community |
| <input checked="" type="checkbox"/> Care for Our Environment | |