

SUPPLEMENTAL AGENDA REPORT

Resolution: Repealing Resolution No. 96084; Re-establishing Standing City-Port Liaison Committee and Approving Appointments of President Butner, Commissioner Leslie ~~and~~, and Commissioner Cluver to the City-Port Liaison Committee

MEETING DATE: 6/13/2019~~5/23/2019~~

AMOUNT: \$0

PARTIES INVOLVED: N/A

SUBMITTED BY: Danny Wan, Port Attorney

APPROVED BY: Danny Wan, Port Attorney

ACTION TYPE: Resolution

BACKGROUND

In 1996, the Board of Port Commissioners (“Board”) passed Resolution No. 96084, establishing the City-Port Liaison Committee (“Committee”). The initial focus of the ~~Committee~~ ~~committee~~ was to coordinate efforts and advise the City and the Port on the drafting and adoption of the Estuary Plan. Subsequent iterations of the Committee have met off and on to facilitate policy-level coordination between the Port and City on matters impacting Port operations and surrounding communities. The last meeting of the Committee was held on September 2, 2010 with three (3) members of the Board of Port Commissioners and four (4) members of the City of Oakland City Council (“Council”) on the Committee.

The President of the Board proposes to reconstitute the Committee to facilitate policy-level coordination between the City and the Port and advise the City Council and the Board respectively on joint planning and economic development issues with respect to the proposed redevelopment of the Howard Terminal site as well as other areas of City/Port coordination to further develop and enhance seaport and maritime related uses in the former Oakland Army Base.

ANALYSIS

Under the City Charter of the City of Oakland, the Board is the legislative body of the City having complete and exclusive power and duty to control the “Port area” and to enforce rules and regulations for the purposes of the port. The Port area includes all the water front properties and lands adjacent thereto, including trust lands granted to the City by the State of California. The City Council is the legislative body that adopts the general plan to which all

Port development must conform. All developments in the Port area must be permitted by the Port and any housing development approved by the Board must be consented to by the Council. Buildings in the Port area are also subject to the administrative permits issued by City's Building Inspector. The City and the Port share street, roads and utility infrastructure that connects the Port area and the rest of the City. The Port's operations and development both impacts and benefits surrounding communities in terms of jobs, economic vitality as well as environmental and health impacts.

Out of the city-wide effort in the 1990's to develop a comprehensive and coordinated plan for the Estuary waterfront came a recognition that the City and Port need to coordinate land use and economic development efforts in these waterfront areas. In 1996, the Port and the City established the City-Port Liaison Committee to study and coordinate efforts around the Estuary Plan. After the adoption of the Estuary Plan, the Committee have met off and on as needed to address policy-level coordination between the City and the Port on planning and economic development issues that may arise from time to time. The last meeting of the Committee took place on September 2, 2010 with three (3) members of the Board and four (4) members of the Council on the Committee.

Currently, the City and the Port are embarked on development projects in and around the Port area that require policy-level planning coordination between the City and the Port. The proposed Resolution would re-establish the City-Port Liaison Committee and charge the Committee with coordinating policy-level land-use planning and economic development efforts between the City and Port with respect to the following: ("Committee Scope"):

- The Oakland A's have proposed a ballpark stadium and commercial/residential development at the Howard Terminal in the Port area. On May 13, 2019, the Board approved an "Exclusive Negotiation Term Sheet" to proceed with negotiating real estate agreements with the Oakland A's. Because the Council will need to amend the general plan of the city to allow for the A's proposed development, the City is the lead agency in drafting the Environmental Impact Report. In addition to considering property agreements, the Port will also need to consider the issuance of a development permit to the Oakland A's and developers to, among other factors, ensure compatibility between the proposed development and the seaport and maritime operations that are within the Board's exclusive control and management.
- ~~The Second, the~~ City and the Port are in their implementing stages of developing each's respective areas of the former Oakland Army Base. Both and Port and the City are developing their areas for warehousing, transloading, and cargo transportation purposes related to seaport and commerce. The City and Port have jointly developed common infrastructure and share facilities, including utility trenches, roads and rail facilities.

The Committee may advise the Council and the Board on matters within the Committee Scope for actions that may be independently considered by Council and the Board. The proposed Resolution of the Board would repeal and replace Board Resolution No. 96084 to re-establish the Committee and to appoint the Port's representatives to the Committee. The

Resolution would also set forth the Committee Scope with which the Committee would be charged.

Because the Committee would be a standing committee established by action of the Board and Council, Committee meetings would be subject to the Brown Act and the rules of the City and Port Sunshine Ordinances respectively.

The Resolution would also designate and approve the Board Presidents' initial appointments to the City Port Liaison Committee as follows: President Cestra Butner (Chair), Commissioner Andreas Cluver and Commissioner Barbara Leslie. Port membership on the Committee would be subject to change pursuant to later Board action.

BUDGET & STAFFING

The meetings of the City Port Liaison Committee would require City and Port staff to prepare the agenda and reports of the Committee and to staff the Committee meetings.

RECOMMENDATION

Adopt the resolution re-establishing the City Port Liaison Committee and ratifying and approving City Port Liaison Committee members appointment.