

# HOWARD TERMINAL

---

## Community Benefits Agreement Orientation

Saturday, January 11, 2020

Oakland, CA

**Howard Terminal Waterfront Ballpark Community Benefits Agreement**

**Forum #1**

***“Leveling the Playing Field with Equity, Engagement and Economy”***

**Saturday, January 11, 2020**

**11:30 a.m. – 3:00 p.m.**

**Preservation Park, Nile Hall, Oakland**

**AGENDA**

*The purpose of this meeting is to:*

- *Establish a common understanding of Equity as the foundation for CBA process*
- *Create a positive/ transparent culture for the engagement and affirm shared vision (City, Port, A’s and community)*
- *Present the community benefits agreement overall process*
- *Initial development of and self-selection to topic cohorts*

Agenda Item	Presenter
Registration / Lunch / Getting Settled	All
1) Welcome and Meeting Purpose a) Engaging and Working Together b) Agenda Review  c) Comments	Surlene Grant, Co-Facilitator Principal, Envirocom Communications Strategies, LLC Leslie Salmon-Zhu, Graphic Recorder  City of Oakland Port of Oakland Oakland Athletics
2) Overview – The Community Benefits Agreement	Veronica Cummings, Stakeholder Engagement Lead, City of Oakland
3) Equity Discussion	Darlene Flynn, Director, Dept. of Race and Equity, City of Oakland
4) Overview of Equity Baseline Report	Veronica Cummings
Questions	
5) CBA Process Roles and Responsibilities, Public Participation and Schedule	Surlene Grant, Co-Facilitator Envirocom Communications Strategies, LLC
Questions	
6) Introduction to the Topic Cohorts	Tamara Moore, Co-Facilitator Envirocom Communications Strategies, LLC
Questions	
Relocate to breakout rooms	ALL

7) TOPIC DISCUSSION Group	<ol style="list-style-type: none"> <li>1. Housing</li> <li>2. Transportation</li> <li>3. Economic Development / Jobs</li> <li>4. Environment</li> <li>5. Education</li> <li>6. Culture Keeping / History</li> <li>7. Community Health and Safety</li> </ol>
Reconvene in large room	
8) Group share from the breakouts – 3 mins/group	Tamara Moore and all
9) What's next January 16 Topic Cohort Meeting January 25 Steering Committee Meeting	Surlene and all

**Engaging and Working Together:**

- Every conversation in the room will be to the topic of creating the CBA
- Cell phone conversations and visiting will be done away from the meeting room.
- Use conversational courtesy
- “I agree to listen to you, and you in turn, agree to listen to me.”
- Be respectful of differences. Disagreements are okay, personal attacks are not.

**Proposed Guiding Principle:**

- All stakeholders share the desire to develop a CBA based on equity principles, inclusivity, shared knowledge and informed decision-making

# Areas of Focus for Howard Terminal Waterfront Ballpark COMMUNITY BENEFITS AGREEMENT





## Community Benefits Agreements (CBA) Quick Info

### What is a Community Benefits Agreement (CBA)?

A Community Benefits Agreement (CBA) is a legally binding contract between the developer of a project and representatives from the community in which the project is proposed. Although each CBA is unique to the community and project, typical CBA components include:

- **Local Hire:** A percentage of the jobs created by the project must be filled by members from the local community.
- **Job Training:** Developer provides funding for a jobs training center to create a pipeline of qualified candidates from the local community, primarily youth or displaced workers, to the jobs created by the project.
- **Livable Wage:** This requires jobs created by the project to pay a livable wage, which is not the same as minimum wage. A livable wage is usually higher than the federal minimum wage and calculated based on the city's cost of living.
- **Affordable Housing:** Requires a certain percentage of the housing units that are created as part of the development to be affordable for low- and middle-income households.

### How are CBAs created?

Historically, CBAs were negotiated between the developer and community-based organizations and/or coalitions. As CBAs' sophistication and policy implications increased, local governments became involved in the negotiations and often served as intermediaries, or even arbitrators.

### How are CBAs enforced?

CBAs are often enforced by a Community Advisory Committee that is composed of representatives from the community, the City, and the developer. However, there are cities that have created staff positions that are responsible for implementing, monitoring, and enforcing CBAs.

### What should I know about the Howard Terminal CBA?

The City of Oakland is working closely with residential community members, advocates, Community-Based Organizations, the Oakland A's, and the Port of Oakland to develop an equity-centered Howard Terminal CBA through a collaborative Steering Committee structure. The Steering Committee members will be selected by their peer community members and stakeholders at the **Howard Terminal CBA Topic Cohort Meeting** on Monday, February 10, 2020. If you are interested in learning more and/or getting involved with the Howard Terminal CBA, please attend this meeting! Food and childcare will be provided.

### How can I learn more about CBAs?

A great place to start is reading "**Community Benefits 101**" on the Partnership for Working Families' web site at <https://www.forworkingfamilies.org/page/communitybenefits-101>.

### How can I stay updated about upcoming community meetings and events?

Visit <https://bit.ly/htballpark> to sign up for email updates!

**Contact:** Veronica C. Cummings, Stakeholder Engagement Lead in the City Administrator's Office, [vcummings@oaklandca.gov](mailto:vcummings@oaklandca.gov)

## Chart of Stadium CBAs

<b>Past CBAs</b>	<b>Wages</b>	<b>Hiring</b>	<b>Public Facilities</b>	<b>Affordable Housing</b>	<b>Philanthropy</b>	<b>Enforcement</b>
Nashville MLS Stadium (2018)	All Developer employees paid a minimum wage of \$15.50/hour, does not increase annually for inflation.	Uses federally designated “Promise Zones” near Project site as target zones and establishes first-referral program which the Developer must use before going to other sources for new hires.	Developer reserves 4,000 sq. ft. for a childcare facility as well as 4,000 sq. ft. for an incubator for local low-income merchants and artisans.	12% of all residential units will be designated as affordable housing for families earning <60% of the AMI; an additional 4% will be for residents earning 61-80% of AMI, and another 4% for families earning 81-120% of AMI. Must use a nonprofit to connect local residents with this housing.	Numerous commitments are made including donating 50 tickets per game to local organizations, donating soccer equipment to local schools, funding 10 scholarships for low-income youth to play club soccer, and a commitment to 500 volunteer-hours annually.	A Community Advisory Committee is formed with two representatives each from the Developers, Coalition, and local residents; this Committee is responsible for monitoring compliance with the CBA and resolving any disputes that arise.
FC Cincinnati Stadium (2018)	All employers must earn a minimum wage of \$15/hour, this does not increase annually for inflation.	Target groups are local residents, low-income Cincinnati residents, and formerly incarcerated residents. Developer and City will select an organization (funded by Developer) to create a First-Source Referral System. Developer will also host at least two local job fairs.	Developer commits to building futsal courts and will include local art projects depicting the history of the local community at the new stadium.	Developer funds a \$100k study on the Project’s impact on local housing market and take measures to mitigate this impact; gives the rights to designated parcels of land to the Port to develop into mixed-income residential housing.	Developer will contribute \$100k per year to support community programs and community building; will also create and fund a local youth soccer program as well as form a college scholarship program for graduates of the local high school.	The CBA is overseen by 17member Community Advisory Council with all representatives being recommended by the various organizations represented in the CBA and then appointed by the Mayor; defaults of the CBA result in a 60-day period to fix the breach, followed by mediation and, if necessary, binding arbitration.

<b>Past CBAs</b>	<b>Wages</b>	<b>Hiring</b>	<b>Public Facilities</b>	<b>Affordable Housing</b>	<b>Philanthropy</b>	<b>Enforcement</b>
Bucks Stadium (2016)	All employees must earn a Living Wage; starts at \$12/hour and reaches \$15/hour by 2023.	Defines specific local low-income neighborhoods as target hiring zones and sets goal for 50% of all Project employees to reside in these zones; also establishes first-source hiring hall to connect these residents with open jobs.	N/A	N/A	N/A	Any disputes around the CBA are first sent to representatives of the Alliance and the Developer; if still not resolved they will be sent to independent and binding arbitration.
DC United Stadium (2014)	N/A	Developer shall provide up to 12 summer youth jobs (ages 16-25) and 12 seasonal jobs to learn about the sports and entertainment industry.	Developer will make the stadium and related facilities available to community non-profits for events at least 3 days per year and upon request will provide free meeting space for nonprofits when possible.	N/A	Developer will continue its soccer program at local elementary schools, provide 25 scholarships annually for its soccer summer camp, purchase a full-page ad in the local newspaper annually, and create a program to promote childhood literacy and healthy lifestyles at local schools.	CBA Enforcement Committee will be formed with representatives from the Coalition, Developers, and City; will meet regularly to monitor progress and make any recommendations to ensure all commitments are met.

<b>Past CBAs</b>	<b>Wages</b>	<b>Hiring</b>	<b>Public Facilities</b>	<b>Affordable Housing</b>	<b>Philanthropy</b>	<b>Enforcement</b>
Yankee Stadium (2006)	N/A	N/A	The City is obligated to replace the public space used for the Project.	N/A	Committed \$40 million in charitable donations.	No community members were a part of the CBA so they have no legal standing to enforce the terms agreed upon.
Atlantic Yards NYC (2005)	N/A	Target groups are low-income residents with decreasing priority the further away from the Project site; these groups will receive training and be notified of positions by a first-source hiring program. Developer also has goal that the construction workforce will be at least 35% minorities and 10% women.	Developer will work with a health care provider to create a community health care center at the Project, work with the local government to found four charter schools, and create a building designated for a child care facility, youth center, and senior citizen center, and create at least 6 acres of public open space.	Developer will make 50% of residences affordable to low and medium-income families for a minimum of 30 years with priority given to residents who were displaced by the Project.	The Developer will create a nonprofit fund to fund sports programs in local disadvantaged communities, develop a Youth Enterprise Program, and host an annual Community Luncheon to present awards for the best local students, teachers, and principals.	Executive Committee is created with representatives from the Developer and each member organization of the Coalition; this Committee was supposed to select an Independent Compliance Monitor to ensure compliance but this never happened and many commitments have still not been met.

<b>Past CBAs</b>	<b>Wages</b>	<b>Hiring</b>	<b>Public Facilities</b>	<b>Affordable Housing</b>	<b>Philanthropy</b>	<b>Enforcement</b>
Ballpark Village (2005)	Living wage of \$10/hour with medical benefits (\$12/hour w/o); adjusts annually to match CPI.	Target groups are low-income residents; \$1.5 million donation establishes first-source hiring center. For the first two weeks of hiring, employers can only consider applicants from this center and there is a goal to have 30% of hires come from the first-referral center.	Developer will lease a space within the Project of 25-50 thousand sq. ft. at market rate to a grocery store for the surrounding community.	10% of residences must be affordable; 60% of these units must go to local residents; Developer must donate \$1.5 million for the construction of nearby off-site affordable housing.	Developer gives \$50k to the Commission for Arts and Culture that will exclusively be used for services in the neighborhoods adjacent to the Project.	The Developer and Coalition will create an Implementation Committee which meets quarterly to facilitate communication and to work through any issues raised by the Developer or Coalition. If issues cannot be resolved by this committee, mediation should be pursued and as last resort, either party can seek binding arbitration.
Staples Center (2001)	Goal of 70% of employees on Project Site paid a Living Wage as defined by City; expires after ten years.	Target groups are displaced residents and local low-income individuals; Developer to grant \$100,000 for first-source referral program and sets goal of 50% of all hires to be from this program.	Developer funds study about public space needs; commits to spending a minimum of \$1 million to create public parks and/or recreational facilities based on results from the study; will also build a 1-acre public plaza.	20% of residential units must be affordable to families earning less than 80% of the AMI; Developer will give \$650k in loans to help non-profits build offsite affordable housing.	N/A	Advisory Committee with representatives from Coalition and Developer meets quarterly to assist with the areas that need additional planning and to facilitate an ongoing dialogue.



# Oakland Race and Equity Baseline Indicators Report (Summary)

An Overview of Existing Conditions for East and West Oakland  
Compared to the City of Oakland to Inform the Howard Terminal  
Community Benefits Agreement

## Oakland Race and Equity Baseline Indicators Report Summary

The Department of Race and Equity published a Baseline Indicators Report Summary in 2019 to inform the development of an equity-centered Howard Terminal Community Benefits Agreement (“CBA”) for the Howard Terminal ballpark proposal by the Oakland Athletics (“A’s”). **Baseline conditions are measurable existing conditions that serve as a benchmark against which equity goals will be established for improvement in the lives of residents who are most impacted by racial inequity.** The report centers on addressing racial disparities by establishing and analyzing existing conditions for Oakland residents to inform the creation of specific Howard Terminal CBA elements and the measurements by which outcomes can be tracked over time.

In all indicators analyzed in this report, people of color- specifically Black and Native residents- fare worse than White residents. The impacts of enduring legacies of historic racially motivated public policy is present in the communities adjacent to the parts of Oakland that will be directly and indirectly impacted by the relocation and development of the proposed new Oakland A’s ballpark. West Oakland (94607) and East Oakland (94621)<sup>1</sup>, have concentrations and correlations of low opportunity conditions, people of color, and poverty that could be positively impacted through an equity driven CBA.

This baseline report examines relevant existing conditions for Oakland residents by looking at the following disparity indicators:

- **Median Annual Income:** What is the median annual income?
- **Unemployment Rate:** What are the unemployment rates?
- **Housing:** What are the levels of rent burden<sup>2</sup>?
- **Computer and Internet Subscription:** How many households do not have a computer? How many households do not have an internet subscription?
- **Educational Attainment:** What are the levels of educational attainment? What are the high school dropout rates by race?
- **Means of Transportation to Work<sup>3</sup>:** How do people commute to work when traveling by car or public transportation?
- **Health Outcomes:** What are the health disparities for the following indicators: asthma, cardiovascular disease, stroke, cancer, obesity<sup>4</sup>?

---

<sup>1</sup> <https://www.ondemandrealty.net/zip-code-map/>

<sup>2</sup> Rent burden is defined as paying more than 30% of one’s income on rent.

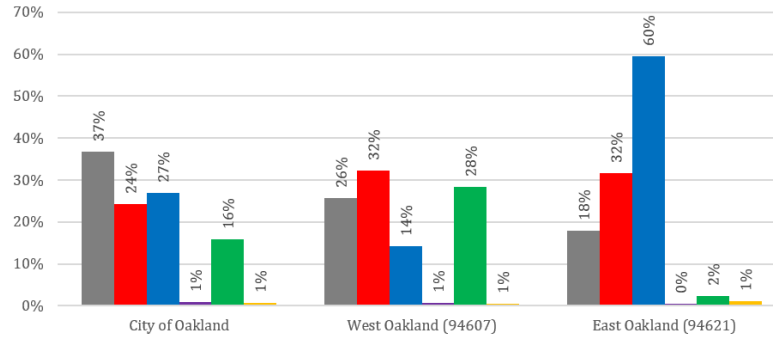
<sup>3</sup> Data was not available by race and zip code for people who use non-vehicle transportation modes such as walking or bicycling.

<sup>4</sup> For health outcome indicators, the same data disaggregated by race and zip code was sought for asthma, cardiovascular disease, stroke, cancer, obesity; however, this information was unavailable. Therefore, data for asthma emergency department visits from the Alameda County Public Health Department *East and West Oakland Health Data Existing Cumulative Health Impacts*<sup>4</sup> report are used as proxies.

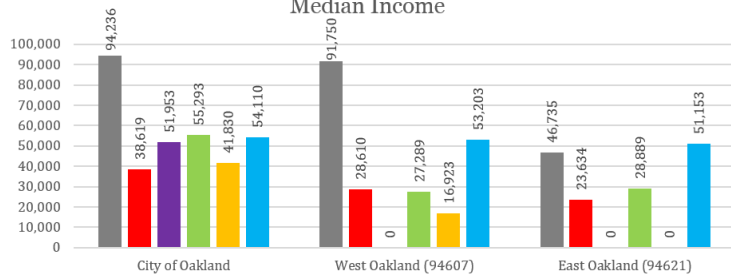
# Oakland Baseline Indicators Report Summary

- Black or African American
- American Indian or Alaska Native
- Native Hawaiian or Other Pacific Islander
- White
- Hispanic or Latino
- Asian

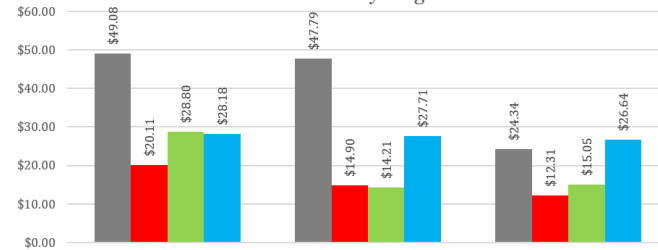
Population by Race



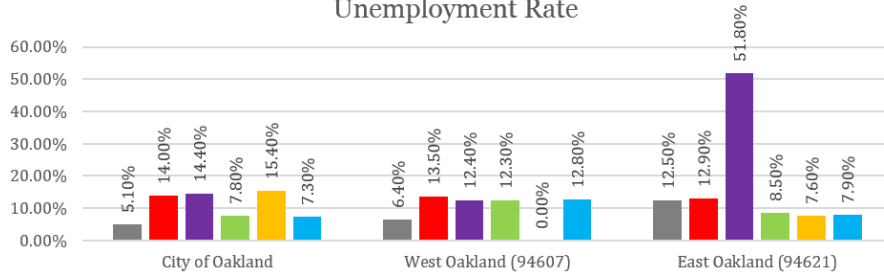
Median Income



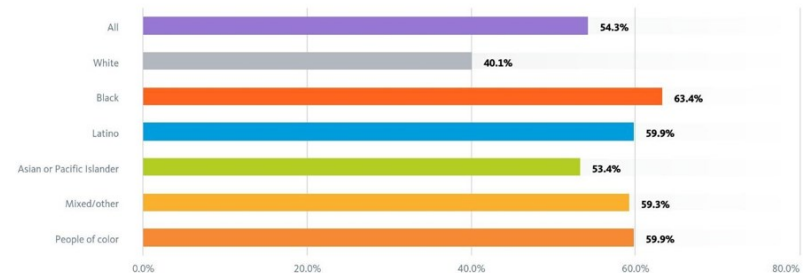
Median Hourly Wage



Unemployment Rate

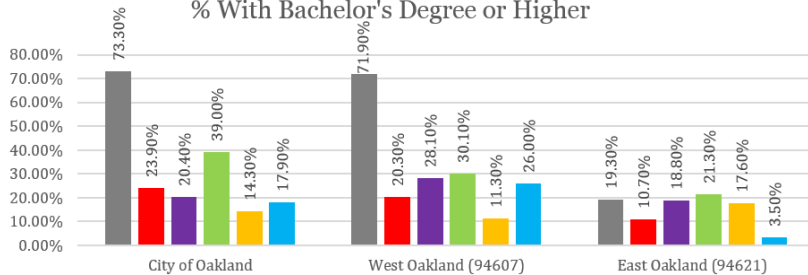


Housing burden by tenure and race/ethnicity: Oakland City, CA, Renters, 2015

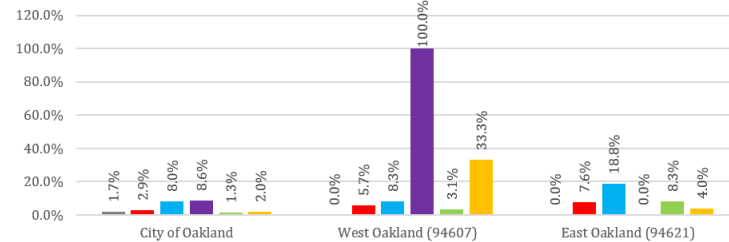


IPUMS  
PolicyLink/PERE National Equity Atlas, [www.nationalequityatlas.org](http://www.nationalequityatlas.org)

% With Bachelor's Degree or Higher



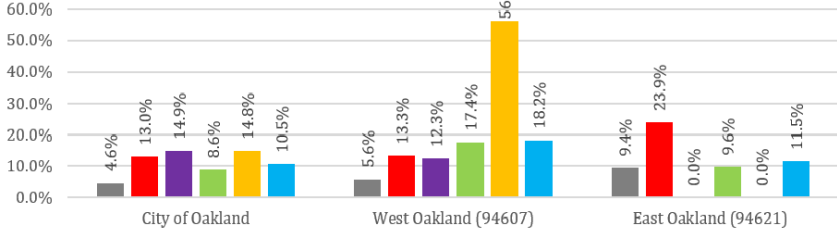
2016-2017 OUSD High School Drop Out Rate



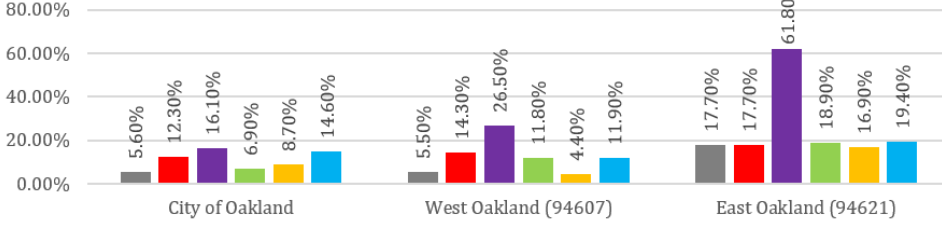


# Oakland Baseline Indicators Report Summary

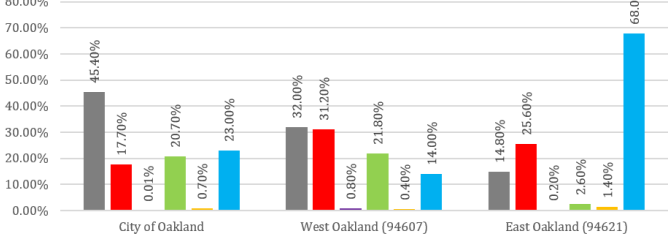
% Households without a Computer



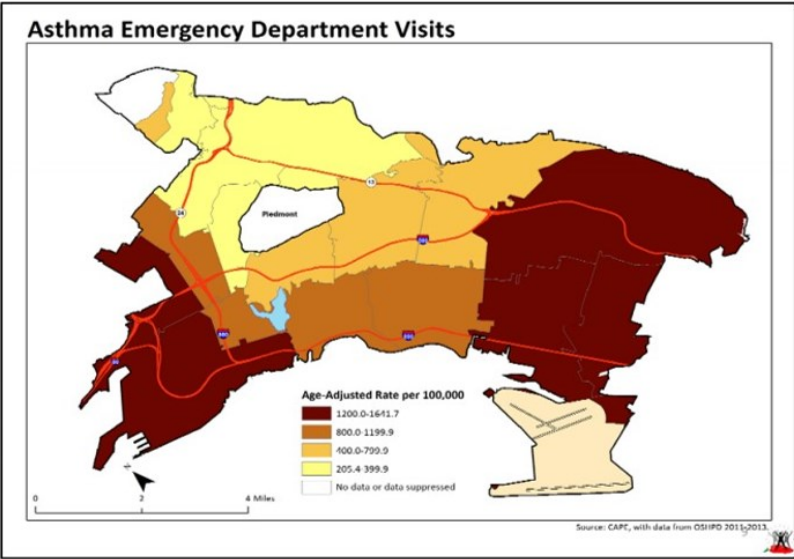
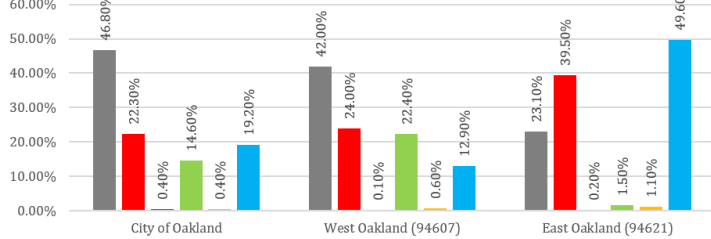
% Households Without Internet Subscription



Means of Transportation to Work: Drive Alone



Means of Transportation to Work: Public Transportation



# HOWARD TERMINAL WATERFRONT BALLPARK COMMUNITY BENEFITS AGREEMENT

## Community Comments

### TOPIC CATEGORIES

The information presented in this document was generated at the November 21, 2019 and December 7, 2019 Community Benefit Agreement Public Information meetings held at the West Oakland Senior Center. At those meetings, approximately 150 combined participants called out topics and important factors to them for the Community Benefits Agreement (CBA) and the process.

#### **Framework or Guidelines:**

- Equitable
- Inclusive
  - Diverse opinions
  - More community voices than others
- Educates / knowledge building
- Sustainable
- Adaptable

#### **Primary topic categories are:**

- Culture Keeping/History
- Community Health and Safety
- Economic Development/Employment
- Education
- Environment
- Housing
- Transportation

### SUGGESTED CBA FRAMEWORK / GUIDELINES

#### **CBA Development**

- Nation-wide model centered on mitigating historical / racial disparity
  - (use mitigating racial disparities to balance equity)
- Increase wealth for the most marginalized
- Invest in anti-displacement
- Local Focus → define the area
- No Local costs to fall on the community
- Addresses local impact (i.e. money, jobs)
- Community org engagement to hold A's responsible through the process
- Community should have lead approving rights
- Buy-in from regional agencies – especially for BART
- Make sure community benefits / how does project benefit beyond the property line
- Build Equity for the community
- Highlight and support those who do the work already
- Offer long-term multi-year benefits and programs to the community, prioritize over one-time issues
- Organize ideas by checklist. Identify value / who benefits to existing community
- Looking at specific measures so they (CBA, Developers, etc.) can be held accountable

#### **About the process**

- Inclusivity – including people who don't come to these meetings yet whose voices matter.
- One that has a larger community ratio or participants
- Executive Summary of all meetings, not long documents
- Community agreements around facilitation of meeting. Step up. Move up. Helps balance community voices.
- Concerned about democratic process
- Need buy-in of people
- Look at 2 outcomes
  - What happens if this process “flops”?
  - If process succeeds, how do we guarantee (success) “asies”???

#### **Implementation**

- Accountability
- Monitoring
- CBA should apply to all of Howard Terminal, not just the ballpark
- Community oversight group or post who enforces the CBA
- Implementation and enforcement (i.e. designating specific agencies or people to monitor the CBA's enforcement so that it doesn't fade away.)
- City enforcement

# PRIMARY TOPIC CATEGORIES

✓✓ used below denotes that an idea was suggested more than once. The number of marks is not reflective of the exact number of mentions.

## CULTURE KEEPING/ HISTORY

- Project mitigation versus (to correct) past history impacts
- In West Oakland restoration of Historical Inequity re: BART / Eminent Domain / "P.O" (post office?)
- W.O. Cultural corridor (Seventh Street)
- Nation-wide model center on mitigating historical / racial disparity
- Connection to existing Specific Plans (DOSP, WOSP, etc.)
- Art from local artists

## ECONOMIC DEVELOPMENT / EMPLOYMENT

### Employment (who)

- Local Jobs open to all community members
- Jobs to address racial, income inequality
- Provide diverse, accessible jobs for all levels
- Local Hires for --
  - Immigrants
  - Limited English Speaking
  - Youth
  - Formerly incarcerated
  - Based on zip code, tenure, former residents who were displaced

### Employment (type)

- Job training / workforce development
  - For homeless
  - For students in the community
- ✓✓ Jobs with...
  - 401k, other benefits
  - not just minimum wage jobs
  - Stable, predictable work
  - permanent, full-time,
  - Jobs with upward mobility
- ✓✓ Union jobs
- Provide opportunities for short term work for community – example: on-demand parking

### A's stadium

- Art from local artists
- Free days for locals, involve youth
- Prioritize tax increment money
- No higher taxes to the existing property(ies)
- Profit sharing
- 100% of profit return to the community

### Small Business Development and Partnership

- Access to capital / Technical assistance
- Investing in businesses
- Promote ownership
- Professional services
- Community Advisory Committee -> Retail Space
- Support Oakland-based businesses and entrepreneurs
- Encourage Patrons to shop in neighborhood districts
- W.O. - incentivize black ownership, legally
- Biz Start ups
- Mandate spaces for local Oakland and people of color
- Consider having the concessions be local
- Affordable Retail Space (with % Below Market Rate)

### Contracting / Construction /Leasing/ Ballpark

- Set mandatory 30% or greater of the work goes to Oakland-based businesses and workers.
- W.O. Contractors / racial hire policy (B-O-B?)
- Establish special workshop for Black and Hispanic small business inclusion
- Establish inclusion in project labor agreement for minority and women owned business participation

## COMMUNITY HEALTH AND SAFETY

- <sup>a</sup> Fund mental health programs for home less – job training services
- Also training for students in the community
- Community Policing – restorative justice
- Local security – grassroots run housing, OPD???
- Support the No More Killing Music Festival, June 7th 2020

## EDUCATION

- Investments in Education (Ages 0 -16) - Not just sports oriented
  - Day care
  - School
  - Vocational training
  - College
  - Partner with Community Colleges
  - Decent childcare
- Community Meeting Spaces
- Education tied to youth
- Education Scholarships
- Funding to education and non-profits
- Space for community organizations and educations and local businesses

## ENVIRONMENT

### Quality/Impacts/Planning

- Air Quality: Chinatown (Traffic)
- West Oakland (Trucks)
- Where will Diesel Trucks go?
- Outcome: Good clean air for everyone
- Other toxic constituents
- Protect Public
- Clean Energy
- Green Infrastructure
- Carbon Neutrality (local credits)

### Open Space

- New community parks and open space
- Reinvestment in existing open space
- Need Support for maintenance
- ✓✓ Trees – planting, maintenance, include youth
- A's revitalize ball fields also tickets for students and kids

## HOUSING

- More housing
- Subsidize rent increases

### Affordable Housing

- ✓✓ (Deep, 80% affordable, Working poor)
- Family-Oriented
- Low Income (not affordable) housing -> prioritizing formerly incarcerated people

### Anti-displacement

- Preservation
- Tenant Protections / Rights/ Counseling
- No displacement of existing residents

### Housing & Supportive Services—especially for homeless

- Alternatives to shelters and transitional programs
- Storage, access to electricity, sanitary space for toiletries
- Funds for mental health programs for homeless
- Job training services (listed in econ dev too)

## TRANSPORTATION

- “Transportation Justice”
- Traffic issues
- Public Transportation (**availability, more, free??**)
- Oakland A’s pay for the infrastructure

### Linkages/ Pathways

- Link Chinatown to Jack London Square via Webster Green
- BART Station at Jack London
- Explore mono-rail link with BART to ballpark to reduce drive alone cars on game days

### Parking / Access

- No Parking in the Community
- Parking (**availability, control, enforcement?**)
- Transportation & Parking enforcement

### Transit Technology

- W.O - Environmental impacts (GHG transit)
- Cyber trans would reduce traffic and parking issue

---

## Items to Study / Need for More Information

- What is the effect on the maritime industry? Maintain / sustain this economic resource?
- What is the effect on labor?
- How to reach the needs of community / data?
- How to remove barriers, especially for those most marginalized (black) first, legally?
- small local businesses ??? status
- What is the monetary package?
- Community benefits - discuss \$200 million



# Interest Form – Howard Terminal Waterfront Ballpark CBA Steering Committee Representative

NAME (please print clearly) \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

I am interested in serving on the Waterfront Ballpark Community Benefit Agreement Steering Committee. **In serving in this capacity, I will:**

- **Support the creation of a community-supported Community Benefits Agreement (CBA) that will move forward with the project proposal.**
- **Support an equity approach by striving to identify CBA components that meet the needs of those most impacted by racial disparities.**
- **Problem solve in ways that supports consensus or agreement when possible.**
- **Fairly represent the perspectives stemming from my selected topic cohort.**
- **Remain actively involved and accountable to provide information and advice to further the goals of those with whom I am collaborating and representing.**
- **Attend at least 8 monthly meetings from January through June 2020.**
- **Make myself available through emails, cell phone and meeting attendance to share ideas and comments with other cohort members and Steering Committee members.**

My specific topic group of interest is (please circle):

Economic Development / Jobs   Education   Culture Keeping / History   Community Health and Safety

Environment   Housing   Transportation

I live or work in one of the impacted communities indicated (please circle):

**Chinatown**                      **Jack London Square**                      **Old Oakland**                      **West Oakland**

What is your specific experience or contribution in this topic area?

---

---

a) What community groups or organizations do you belong to? (CBO's, churches, neighborhood groups, etc.) b) Is your group or organization a member of a coalition? If so, please list the name of the coalition.

---

---

How do you see your role in handling diverse viewpoints?

---

