

December 18, 2009

Mr. Homayune Atiqee
Project Manager
Department of Toxic Substances and Control
700 Heinz Avenue
Berkeley, California 94710

Coalition Members:

Asian Pacific
Environmental Network

Urban Strategies Council

Oakland Community
Organizations

East Bay Alliance for a
Sustainable Economy

Dear Mr. Atiqee,

On behalf of the Oak to 9th Community Benefits Coalition, I am writing to express our support for the Oak to 9th project overall and look forward to the implementation of a thorough and effective clean-up plan so that the project can proceed in a timely fashion.

The Oak to 9th Community Benefits Coalition consists of East Bay Asian Youth Center (EBAYC), Urban Strategies Council, Oakland Community Organizations (OCO), Asian Pacific Environmental Network (APEN), and East Bay Alliance for a Sustainable Economy (EBASE). Our coalition worked for several years prior to the initial approval of this project to ensure that the resulting project will include affordable housing, local hire, and job training outcomes for neighborhood residents.

The coalition worked for the inclusion of on-site housing that will be affordable to the residents of the Chinatown, East Lake and San Antonio neighborhoods. This work resulted in the following housing commitments which are included in the Development Agreement and in the separate Cooperation Agreement that Coalition organizations signed with the City of Oakland in August 2006:

- Overall, 465 units will be affordable to households earning between 30% and 60% of the Area Median Income
- At least half of the affordable units will be family size units
- Up to a quarter of the affordable units will be senior housing
- The developer will assume land preparation and clean up costs amounting to an in-kind contribution of approximately \$7.5 million to offset affordable housing costs
- An annual public hearing in which City staff will report on the availability of affordable housing funds for this project
- Coalition consent before moving more than 77 units off-site

In addition, since the initial approval of this project, four organizations in the coalition—EBAYC, Urban Strategies Council, OCO, and EBASE—have been in negotiations with Oakland Harbor Partners (OHP) to strengthen the jobs commitments contained in Exhibit J of the Development Agreement. We are pleased to report that we have reached an agreement with OHP that we believe creates a pipeline into union construction careers for 300 Oakland residents.

This agreement includes:

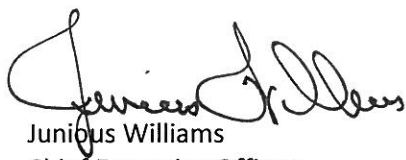
- A requirement that 300,000 construction hours, representing approximately 30% of all apprentice hours, be worked by Oakland residents who are newly entering the construction industry
- A developer contribution of \$1.65 million to fund Oakland pre-apprenticeship training programs, which will prepare 300 immigrants, at-risk youth, and former prisoners re-entering the workforce for placement on this project. Of this funding, \$900,000 will be specifically designated to serve residents in the neighborhoods most directly impacted by the Oak to Ninth development.

Furthermore,

- Contractors will be connected with the pre-apprenticeship programs to aid in the fulfillment of the hiring requirement
- Incentives for long-term job placements are included
- A joint monitoring committee with membership that includes the developer, the coalition, the Building Trades Council, and the pre-apprentice training programs will be established.
- Electronic certified payroll records will be required of all contractors.
- In the event that the developer fails to meet the hiring requirement, he must pay significant liquidated damages to be used to fund job training programs in Oakland.

The organizational members of the Oak to 9th Community Benefits Coalition believe this project is a win-win development for the project stakeholders as well as Oakland residents, especially in light of the jobs and affordable housing provisions outlined above. We hope that the environmental cleanup issues with the site have been satisfactorily addressed in the draft Response Plan and urge your approval of the plan so the project can proceed in an expeditious manner.

Sincerely,



Junious Williams
Chief Executive Officer
Urban Strategies Council
On Behalf of the Oak to Ninth Community Benefits Coalition