

**CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION**

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE ALAMEDA POINT SITE A PROJECT, FOR THE PERIOD FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, the City of Alameda (City and Alameda Point Partners, LLC (APP) entered into that certain Development Agreement for the Alameda Point – Site A project dated as of August 31, 2015 (Development Agreement); and

WHEREAS, APP has initiated a Periodic Review of the Development Agreement with the City of Alameda, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on June 27, 2022, and examined pertinent documents; and

WHEREAS, the Planning Board finds that APP has complied with the terms and conditions of the Development Agreement for the Site A Development Project, for the period from January 1, 2021 through December 31, 2021, as summarized in the Annual Report Letter submitted by APP for Planning Board review, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that APP has complied in good faith with the terms and conditions of the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.