

DRAFT



City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

***Special Concurrent Meeting of the Redevelopment Agency and Council Community & Economic Development Committee**

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Wednesday, November 12, 2008

3:00 PM

Hearing Room One - 1st Floor

Roll Call / Call to Order

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Councilmember Present: 4 - Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Oakland City Council Community and Economic Development Committee convened at 3:05 p.m., with Councilmember Brunner presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on October 14, 2008

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A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, to *Approve the Minutes. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

2 Determination of Schedule of Outstanding Committee Items

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A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, to *Approve with the following amendments. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

FROM THE NOVEMBER 12, 2008 FINANCE AND MANAGEMENT COMMITTEE AGENDA

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#4 Subject: Oakland Army Base Settlement Agreement - Caltrans
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The April 18, 2002 Oakland Army Base Settlement Agreement To Extend Caltrans' Use Of 26 Acres Of The West Gateway Area Property From April 2013 To April 2016 And To Accept From Caltrans A One-Time Easement Fee Of At Least \$10,835,283 In Exchange For The Extension (TITLE CHANGE);
[07-1730](#)

**Scheduled to *Community & Economic Development Committee on
12/2/2008**

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2) An Agency Resolution Authorizing The Agency Administrator To:
1) Negotiate And Execute An Amendment To The April 29, 2005 Under-Freeway Easement From Caltrans To Expand The Agency's Easement Uses To Include Vehicles And Vehicle Storage; 2) Negotiate And Execute A Phase II Tidelands Trust Exchange Agreement For Oakland Army Base Under-Freeway Property And Take Any Actions Necessary To Implement The Agreement; 3) Negotiate And Execute An Amendment To The May 23, 2005 Purchase And Sale Agreement With Caltrans For 6.5 Acres Of Oakland Army Base Property; And 4) Negotiate And Execute An Easement In Favor Of Caltrans For A San Francisco Bay Trail Connection To Maritime Street
[07-1730-1](#)

**Scheduled to *Community & Economic Development Committee on
11/2/2008**

3) A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute An Amendment To The April 18, 2002 Army Base Settlement Agreement To Extend Caltrans' Use Of 26 Acres Of The West Gateway Area Property From April 2013 To April 2016, And 2) Negotiate And Execute An Amendment To The May 23, 2005 Purchase And Sale Agreement With Caltrans For 6.5 Acres Of Oakland Army Base Property(TITLE CHANGE)
[07-1730-2](#)

**Scheduled to *Community & Economic Development Committee on
12/2/2008**

**FROM THE NOVEMBER 12, 2008 COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE AGENDA**

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#3 Subject: Economic Development Framework
 From: Community and Economic Development Agency
 Recommendation: Action On A Report And Recommendation To Approve An Economic
 Development Framework That Aligns Staff Activities, Consultants And Other Resources To
 Enhance Business Attraction, Retention, Expansion And Creation
[07-1662](#)

**Scheduled to *Community & Economic Development Committee on
12/16/2008**
[View Report.pdf](#)

#11 Subject: Civicorps Schools Agreement
 From: Office of the City Administrator
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two
 Year Professional Services Agreement, With Two One-Year Options For Renewal, With
 Civicorps Schools For Implementation Of The Excess Litter Fee Program In An Amount Not
 To Exceed \$400,000 Each Year (TITLE CHANGE)
[07-1756](#)

**Scheduled to *Community & Economic Development Committee on
12/2/2008**
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[View Supplemental Report.pdf](#)

3 Subject: Economic Development Framework
 From: Community and Economic Development Agency
 Recommendation: Action On A Report And Recommendation To Approve An Economic
 Development Framework That Aligns Staff Activities, Consultants And Other Resources To
 Enhance Business Attraction, Retention, Expansion And Creation
[07-1662](#)
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A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, that this matter be Continued to the *Community & Economic Development Committee, due back on December 16, 2008. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee continued this item to the December 16, 2008 Community and Economic Development Committee Agenda.

The following individual(s) spoke and did not indicate a position on this item:

- *Sanjiv Handa*
- *George Burt*
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4 Subject: Third Wave Consulting - Professional Services Contract
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Professional Services Contract With
Third Wave Consulting In An Amount Not To Exceed \$36,000.00 For The Design,
Configuration And Implementation Of A Customer Relationship Management Application Of
Salesforce.Com To Be Partially Paid For With Redevelopment Agency Funds
[07-1777](#)
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A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, that this matter be Continued to the *Community & Economic Development Committee, due back on December 2, 2008

The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee continued this item to the December 2, 2008 Community and Economic Development Committee Agenda and directed staff to provide the following information: 1) An alternative funding source; and 2) The total cost of the application and licensing.

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

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5 Subject: Revolution Foods Relocation And Expansion Loan Agreement
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing 1) A Coliseum Redevelopment Revolving Loan In An Amount Not To Exceed \$170,500, And 2) A Coliseum Commercial Tenant Improvement And Facade Improvement Grant In An Amount Not To Exceed \$90,000, To Revolution Foods, Inc. For The Company's Relocation And Expansion; And

[07-1686](#)

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A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Public Hearing. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee approved recommendations and amended the Agency Resolution as follows: 1) Change the 10th Whereas to a Resolved concerning the 27 permanent jobs and 2) Include in the Further Resolved the completion of the CEQA environmental review and exemption of their loans and grants

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[View Supplemental Report.pdf](#)

2) A Resolution Authorizing The Loan Of Enhanced Enterprise Community Loan Funds In An Amount Not To Exceed \$249,500 To Revolution Foods, Inc. To Assist The Company's Relocation And Expansion

[07-1686-1](#)

A motion was made by Vice Mayor Reid, seconded by Member De La Fuente, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Public Hearing. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee approved recommendations and amended the Resolution as follows: 1) Change the 3rd Whereas to a Resolved concerning the 27 permanent jobs and 2) Include in the 5th Whereas the completion of the CEQA environmental review and

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6 Subject: Streetscape Improvement Projects Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing \$175,000 Of Coliseum Redevelopment Project Funds To The City Of Oakland Under The Cooperation Agreement For The Final Design And Implementation Of The Fruitvale Alive Streetscape Project;

[07-1729](#)

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A motion was made by Member De La Fuente, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Absent: Vice Mayor Reid
Councilmember Aye: Chair Brunner, Member Chang and Member De La Fuente
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2) A Resolution Accepting And Appropriating \$2,000,000 In Metropolitan Transportation Commission (MTC) Transportation For Livable Communities Funds, \$619,700 In MTC Housing Incentive Funds, Allocating \$50,000 In Pledged District 4 "Pay-Go" Funds And \$50,000 In Pledged District 5 "Pay-Go" Funds, And Accepting And Allocating A Contribution Of Redevelopment Agency Funds In An Amount Not To Exceed \$175,000 Under The Cooperation Agreement, For The Final Design And Implementation Of The Fruitvale Alive Streetscape Project;

[07-1729-1](#)

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A motion was made by Member De La Fuente, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Absent: Vice Mayor Reid
Councilmember Aye: Chair Brunner, Member Chang and Member De La Fuente

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3) An Agency Resolution Allocating And Contributing Up To \$91,000 In Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement As Matching Funds For A Metropolitan Transportation Commission Housing Incentive Program Grant To Fund The 66th Avenue Streetscape Improvement Project; And
[07-1729-2](#)

A motion was made by Member De La Fuente, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Absent: Vice Mayor Reid
Councilmember Aye: Chair Brunner, Member Chang and Member De La Fuente

4) A Resolution Accepting And Appropriating \$700,000 Of Federal Surface Transportation Funds Through The Metropolitan Transportation Commission's Housing Incentive Program For The 66th Avenue Streetscape Improvement Project, Stating The Assurance Of The City Of Oakland To Complete The Project, And Accepting A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement Of \$91,000 And Allocating The \$91,000 As The Local Match
[07-1729-3](#)

A motion was made by Member De La Fuente, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Absent: Vice Mayor Reid
Councilmember Aye: Chair Brunner, Member Chang and Member De La Fuente

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

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7 Subject: Toler Heights Estates LLC - Sales Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Ordinance No. 12726 C.M.S., Which Authorized The Sale Of City-Owned Properties To Toler Heights Estates LLC, To Authorize A Price Reduction For 9724 And 9745 Thermal Street From \$416,000 To Eighty-Five Percent Of The Sales Price Minus The First Mortgage To Allow The Completion Of Two Market-Rate Homes
[07-1708](#)

A motion was made by Member Chang, seconded by Vice Mayor Reid, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Abstained: Vice Mayor Reid
Councilmember Aye: Chair Brunner, Member Chang and Member De La Fuente
[View Report.pdf](#)

8 Subject: City Of Oakland Housing Element Report
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) For Preparation Of The Oakland 2009 Housing Element Environmental Impact Report, In An Amount Not To Exceed Three Hundred Thirty-Nine Thousand, Eight-Hundred And Seven Dollars (\$339,807), And Allocating Ten Thousand, One Hundred And Ninety-Three Dollars (\$10,193) For Contract Compliance Fees, For A Total Project Amount Not To Exceed Three Hundred, Fifty Thousand Dollars (\$350,000)
[07-1709](#)
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A motion was made by Member Chang, seconded by Vice Mayor Reid, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on November 18, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente
The Committee approved recommendations and amended the Resolution to allocate the appropriation for the Contract Compliance Review.

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
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9 Subject: Vacant Building Registration
From: Councilmember Desley Brooks
Recoomendation: Adopt The Following Pieces Of Legislation

1) An Ordinance Amending The Oakland Muncipal Code To Add A New Chapter 8.54
Requiring The Registration Of Vacant Buildings; And
[07-1717](#)
[Play Video](#)

A motion was made by Member Chang, seconded by Member De La Fuente, that this matter be Continued to the *Community & Economic Development Committee, due back on January 13, 2009. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente
COUNCILMEMBER BROOKS WAS NOTED PRESENT AT 4:30 P.M. AND A QUORUM WAS DECLARED.

The Committee continued this item to the January 13, 2009 Community and Economic Development Committee Agenda and amended the Resolution at Section 8.54.070 - Fee Waivers and Waivers (A)(3)(b) After the last sentence include the following language: One-hundred-twenty(120) days after the granting of the waiver the Building Department shall determine if the building is still vacant. Upon determination that the building is still vacant the waiver shall be voided and the owner shall be sent notification of assessment of the annual processing and registration fees which were previously due. Within thirty (30) days thereafter the owner must submit a Statement of Registration form with the appropriate annual processing and registration fees. Failure to submit the form and the fees shall result in the property being immediately subject to enforcement, penalty, and collection actions provided herein; and a better definition for vacancy will be provided. The Committee further directed staff to provide the following information: 1) A detailed explanation regarding the entire fee and penalty process including the lien process? 2) Is 45 days long enough to determine if the residential or non-residential buildings are unoccupied? 3) How will the New Homeowner not get trapped with all the vacant building fees and penalties of the previous owner? 4) How do property owners find out about the Vacant Building Ordinance fees? 5) A review of the approach of collaborating with an interdisciplinary team (i.e. Real Estate Department) to assist with the Vacant Building Ordinance; 6) An analysis of accessing the MLS database for vacant building information; and 7) Clarify how the waiver program works and provide owners more time to apply for them. The Committee also requested that the Office of the City Attorney provide a legal analysis of whether or not the Financial Institutions can be required to pay the fees and penalties for their Vacant buildings. The Committee will send

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additional questions and comments to staff.

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2) An Ordinance Amending Ordinance No. 12880 C.M.S. (Master Fee Schedule) To Add New Fees For Registering Vacant Buildings

[07-1717-1](#)

[Play Video](#)

A motion was made by Member Chang, seconded by Member De La Fuente, that this matter be Continued to the *Community & Economic Development Committee, due back on January 13, 2009. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee continued this item to the January 13, 2009 Community and Economic Development Committee Agenda.

The following individual(s) spoke and did not indicate a position on this item:

- Councilmember Desley Brooks
- Maria Velasquez
- Andy Nelson
- Mae Reasie Bailey
- Lisabeth Ryder
- Gregory McConnell
- Annie Jean McKinzie
- Annie Bruff
- Steven Edrington
- Scott Peterson
- Sanjiv Handa

THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE SPECIAL CONCURRENT MEETING OF THE REDEVELOPMENT AGENCY AND COUNCIL COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

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10 Subject: Central Estuary Area Specific Plan - Contract Agreement
 From: Community And Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Two Million One Hundred And Thirteen Thousand Twenty Four Dollars (\$2,113,024) From The Coliseum Redevelopment Project Area To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The Central Estuary Area Specific Plan And Related Environmental Impact Report

[07-1680](#)

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A motion was made by Member De La Fuente, seconded by Vice Mayor Reid, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on December 9, 2008. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The Committee approved recommendations and amended the Resolution to reflect a 90% / 10% split between the Central City East Redevelopment Project Area and The Coliseum Redevelopment Project Area. The Committee further directed that this item go to the December 9, 2008 City Council Agenda because the PAC will review the amended resolution on December 1, 2008.

[View Report.pdf](#)

2) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Million One Hundred And Thirteen Thousand Twenty Four Dollars (\$2,113,024) And Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Community Design + Architecture For Development Of The Central Estuary Area Specific Plan In An Amount Not To Exceed Two Million Fifty One Thousand Four Hundred Eighty Dollars (\$2,051,480)

[07-1680-1](#)

A motion was made by Member De La Fuente, seconded by Vice Mayor Reid, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on December 9, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

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11 Subject: Civicorps Schools Agreement
From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two Year Professional Services Agreement, With Two One-Year Options For Renewal, With Civicorps Schools For Implementation Of The Excess Litter Fee Program In An Amount Not To Exceed \$400,000 Each Year (TITLE CHANGE)
[07-1756](#)

A motion was made by Member De La Fuente, seconded by Member Chang, that this matter be Continued to the *Community & Economic Development Committee, due back on December 2, 2008. The motion carried by the following vote:

Votes: Councilmember Aye: Chair Brunner, Member Chang, Vice Mayor Reid and Member De La Fuente

The committee contined this item to the December 2, 20008 Community and Economic Development Committee Agenda.

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
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Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

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The following individual(s) spoke under Open Forum:

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Community and Economic Development Committee adjourned the meeting at 5:35 p.m.

* In the event of a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however no final City Council action can be taken.

NOTE: TDD

City Clerk and Clerk of the Council