



# 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

## \*Community & Economic Development Committee

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

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

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**Tuesday, February 25, 2014**

**2:00 PM**

**Sgt. Mark Dunakin Room - 1st Floor**

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Councilmember Present: 4 - Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
*The Oakland City Council Community & Economic Development Committee convened at 2:07 P.M., with Vice Mayor Reid presiding as Chairperson.*

### **Roll Call / Call To Order**

Councilmember Present: 4 - Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid

- 1 Approval Of The Draft Minutes From The Committee Meeting Held On February 4, 2014  
**A motion was made by Member Gibson McElhaney, seconded by Member Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid

- 2 Determination Of Schedule Of Outstanding Committee Items  
**A motion was made by Member Gibson McElhaney, seconded by Council President Kernighan, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid

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3           Subject:     Affordable Housing NOFA Funds  
              From:       Department Of Housing And Community Development  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Appropriating \$1,078,483 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities; And  
[13-0339](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
*The Committee approved recommendations as amended to change the fund number to 2830.*  
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[84855 CMS.pdf](#)

2) A Resolution Increasing The Amount Of An Affordable Housing Preservation And Rehabilitation Loan To East Bay Asian Local Development Corporation For The Marcus Garvey Commons Affordable Housing Development Located At 1769 Goss Street And 1766 7th Street By \$200,000 For A Total Loan Amount Of \$934,000 And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project; And  
[13-0339-1](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
[84856 CMS.pdf](#)

3) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$1,575,000 To Meta Housing Corporation For The Civic Center 14 TOD Rental Project Located At 632 14th Street; And  
[13-0339-2](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
[84857 CMS.pdf](#)

4) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,750,000 To East Bay Asian Local Development Corporation For The 11th And Jackson Apartments Rental Project Located At 1110 Jackson Street; And  
[13-0339-3](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
[84858 CMS.pdf](#)

5) A Resolution Increasing The Amount Of An Affordable Housing Loan To Related Companies Of California And Acts Community Development Corporation For The 94th And International Affordable Housing Development Located At 94th Avenue And International Boulevard By \$2,150,000 For A Total Loan Amount Of \$7,747,000; And  
[13-0339-4](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
*The Committee approved recommendations as amended to change the fund number to 2830.*  
[84859 CMS.pdf](#)

6) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$750,000 To Habitat For Humanity East Bay/Silicon Valley For The Oakland Home Renovation Program; And  
[13-0339-5](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
[84860 CMS.pdf](#)

7) A Resolution Increasing The Amount Of An Affordable Housing Loan To California Hotel Oakland, LP, For The California Hotel Affordable Housing Development Located At 3501 San Pablo Boulevard By \$210,000 For A Total Loan Amount Of \$8,631,000  
[13-0339-6](#)

**A motion was made by Council President Kernighan, seconded by Member Gibson McElhaney, that this matter be \*Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on March 4, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
*There were 2 speakers on this item.*

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*DUE TO THE PRESENCE OF COUNCILMEMBER KALB, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE MEETING OF THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 2:36 P.M.*

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4 Subject: Amendments To Capital Improvement Regulations  
From: Department Of Housing And Community Development  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving An Amendment To The Rent Adjustment Program Regulations Revising Regulation 10.2.3 (2)(3) (Appendix A) To Allow Amortization Periods Up To 20 Years, To Impose A 10 Percent Cap On Any Capital Improvement Pass Through In A 12-Month Period, And To Require That Owners File A Petition For A Capital Improvement Rent Increase; And  
[13-0341](#)

**A motion was made by Member Schaaf, seconded by Member Gibson McElhaney, that this matter be Continued to the \*Community & Economic Development Committee, due back on March 11, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
*The Committee also requested staff provide the following information in a supplemental report:*

1. *Does the City have the ability to track types of capital improvements, either currently or after changes are made?*
2. *Does the City have the ability to track displacement?*
3. *Information on whether costs are fully recovered by landlords.*
4. *Whether capital improvements rent increases are being utilized for seismic retrofits?*
5. *Whether the City can determine whether capital improvement rent increases are really deferred maintenance?*
6. *Will changes increase fighting?*
7. *Can the City measure whether requiring landlords to file petitions would help or hinder the process for landlords and tenants?*
8. *Whether current staffing levels could support a landlord petition process and whether some of the burden of the process can be put on the property owners?*

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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Capital Improvements To File Owner Petitions  
[13-0341-1](#)

*There were 45 speakers on this item.*

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT 2:44  
P.M. AND RECONVENED AS THE COMMUNITY & ECONOMIC  
DEVELOPMENT COMMITTEE.*

5 Subject: Amendments To Debt Service Regulations  
From: Department Of Housing And Community Development  
Recommendation:

A. Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Amendments To The Rent Adjustment Regulations, Appendix A, Section 10.4 To Require That Debt Service Increases For Newly Purchases Rental Properties Not Exceed Debt Service Calculated On A Standard Financing Model, To Limit Debt Service Rent Increases To A One-Time Cap Of Seven Percent Over The Current Allowable Rent Increase, To Require A Rent Increase Based On Debt Service Be Filed Within Three (3) Years Of The Date Of Closing On The Purchase And To Adopt A Grandparent Clause; And  
[13-0342](#)

**A motion was made by Member Schaaf, seconded by Member Gibson McElhaney, that this matter be Continued to the \*Community & Economic Development Committee, due back on March 11, 2014. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Gibson McElhaney, Council President Kernighan, Member Schaaf and Vice Mayor Reid  
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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Debt Service To File Owner Petitions  
[13-0342-1](#)

Subject: Amendments To Debt Service Regulations  
From: Department Of Housing And Community Development  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Adopt Amendments To The Rent Adjustment Regulations Appendix A, Section 10.4 To Provide For A Grandparent Clause For Rental Properties With A Purchaser At The Enactment Of Elimination Of Debt Service As A Justification For A Rent Increase; And  
[13-0342-2](#)

[84896 CMS.pdf](#)

Subject: Amendments To Debt Service Regulations  
From: Department Of Housing And Community Development  
Recommendation: Adopt An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Sections 8.22.020 And 8.22.070) To Eliminate Debt Service As A Justification For A Rent Increase  
[13-0342-3](#)

*There were 29 speakers on this item.*

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**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

*There were 2 Open Forum speakers.*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Community & Economic Development Committee adjourned the meeting at 5:01 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.

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**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.**

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*City Clerk and Clerk of the Council*