



# City of Oakland

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

## Meeting Agenda

### \* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and 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, June 28, 2016

1:00 PM

City Council Chamber, 3rd Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call To Order

#### **COMMITTEE MEMBERSHIP:**

Vice Mayor Annie Campbell Washington, District 4; Council President Lynette Gibson McElhaney, District 3; Rebecca Kaplan, At Large; Chairperson: President Pro Tempore Larry Reid, District 7

1 Approval Of The Draft Minutes From The Committee Meeting Of June 14, 2016

[15-1121](#)

2 Determination Of Schedule Of Outstanding Committee Items

[15-1126](#)

**Attachments:** [View Report](#)

3 Subject: Army Base Real Estate Actions

From: Office of City Administrator

Recommendation: Adopt The Following Pieces of Legislation:

(1) Resolution Authorizing The City Administrator To Negotiate And Execute A Second Amendment To An Under-Freeway Easement With Caltrans To Facilitate Potential Development By Two Recyclers At The Former Oakland Army Base ; And

[15-1179](#)

**Attachments:** [View Report](#)

**Legislative History**

6/2/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/9/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

(2) Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To A Lease Disposition And Development Agreement (LDDA) With OMSS, LLC, To Delete The City's Obligation To Clear And Rough Grade A Portion Of The OMSS Development Site At The Former Oakland Army Base ; And

[15-1180](#)

**Legislative History**

6/2/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/9/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

(3) Ordinance Authorizing The City Administrator To Negotiate And Execute An Easement Agreement With East Bay Municipal Utility District For A 40 Foot-Wide Roadway On The Former Oakland Army Base ; And

[15-1181](#)

**Legislative History**

6/2/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/9/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

(4) A Resolution Authorizing The City Administrator To Negotiate And Execute A Utility Agreement With The Port Of Oakland In An Amount Not To Exceed \$200,000 For Fiscal Year 2016-17 And \$65,000 Annually Until December 31,2026 For The Provision Of Certain Utility Services At The Former Oakland Army Base

[15-1182](#)

**Legislative History**

6/2/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/9/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee

- 4** Subject: Authorizing Purchase Of Oak Center Cultural Center  
From: Council President Gibson McElhaney  
Recommendation: Adopt An Ordinance Authorizing The City To Purchase The Oak Center Cultural Center At 1121 14th Street To Redeem The Property For Back Taxes For A Price Equal To The Amount Of Property Taxes Owed Not To Exceed \$150,000 To Preserve A Vital Community Resource And Anchor Institution Of The Black Arts Movement And Business District

[15-0920](#)

**Legislative History**

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Community & Economic Development Committee
5/5/16	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the *Community & Economic Development Committee

- 5** Subject: MacArthur BART Transit Village Consent to Property Conveyance  
From: Economic Workforce And Development  
Recommendations: Adopt A Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC To A Joint Venture Between Boston Properties LP, Or Related Entity, And McGrath Properties, Inc., Or Related Entity, Of Parcels B-1 And B-2 Of The Macarthur Bart Transit Village For Development Of A Residential Mixed-Use Project, Pursuant To The Terms Of An Owner Participation Agreement Currently Between The Oakland Redevelopment Successor Agency And Macarthur Transit Community Partners, LLC, As Such Conveyance Is Not A Project Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164, 15183,15183.3, And 15168 And 15180

[15-1208](#)

**Attachments:** [view Report](#)

**Legislative History**

6/16/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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2) A Resolution Authorizing The City Administrator Or Designee To (1) Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC ("MTCP") To A Joint Venture Between Boston Properties, LP Or Related Entity, And McGrath Properties, Inc., Or Related Entity, Of Parcel B-1 And B-2 Of The Macarthur Bart Transit Village For Development Of One Residential Mixed-Use Project, Pursuant To The Terms Of A Development Agreement ("DA") Between The City Of Oakland And MTCP And (2) Consent To The Partial Assignment Of The Da, As Such Conveyance And Assignment Are Not Projects Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164, 15183, 15183.3, And 15168 And 15180

[15-1209](#)

**Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

**6** Subject: 2100 Telegraph Avenue Assignment  
From: Economic Workforce And Development  
Recommendation: Adopt A Resolution Authorizing The Assignment Op An Exclusive Negotiation Agreement ("ENA") With Tb2 Retail Complex, LLC Relating To The Development Of City-Owned Property Located At 2100 Telegraph Avenue To W/L Telegraph Owner, LLC, Or A Related Entity; And Authorizing A Six-Month Extension To The Term Of The ENA, And Authorizing Extensions Of Performance Deadlines, Relying On A California Environmental Quality Act ("CEQA") Exemption Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines

[15-1210](#)

**Attachments:** [View Report](#)

**Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

**7** Subject: Coliseum City Professional Services Contracts  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution Amending Resolution No. 85548 C.M.S., Which Authorized A Professional Services Contract With Keyser Marston And Associates, Inc., For The Coliseum City Project, To Extend The Contract For An Additional Year And Increase The Contract By \$350,000 Including Contingency For A New Total Amount Not To Exceed \$650,000

[15-1211](#)

**Attachments:** [View Report](#)  
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**Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

## 8 THIS NUMBER INTENTIONALLY NOT USED

- 9 Subject: Recyclers' ENA Extension; Acceptance of ACTC Grant; and Interim Bridge Funding to Complete Public Improvements  
From: Office of The City Administrator  
Recommendation: Adopt The following Pieces of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute A Fourth Amendment To The Exclusive Negotiating Agreement By And Between The City Of Oakland, California Waste Solutions, Inc., And Cass, Inc., Regarding Proposed Recycling Facilities On The North Gateway Development Area Of The Former Oakland Army Base Extending The Term Of The ENA Through September 30, 2016, With An Option By The City Administrator To Extend The ENA By Up To An Additional Ninety Days Thereafter ;And

[15-1217](#)

**Attachments:** [View Report](#)

### **Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

2) A Resolution Authorizing The City Administrator To Accept And Appropriate An Alameda County Transportation Commission ("ACTC") Measure BB Grant In An Amount Not To Exceed \$46 Million For Roadway Infrastructure Improvements And Truck Parking At The Former Oakland Army Base ; And

[15-1220](#)

### **Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

3) An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute Agreements And Related Documents, To Secure Interim Bridge Funding In An Amount Not To Exceed Fifty-Three Million, Two-Hundred Thousand Dollars (\$53,200,000) To Meet Critical Cash Flow Needs For The Completion Of Construction Of The City's Public Improvement Obligations At The Former Oakland Army Base ("Base"), Which Options Could Include, Among Other Alternatives: (1) Obtaining Loan(S) Secured By Cityowned Land At The Base Or An Assignment Of The City's Right To Receive Rents From Such City-Owned Land; (2) Providing An Option To A Developer To Acquire Development Rights To The North Gateway Area Of The Base If The City And Two West Oakland Recyclers Fail To Close Escrow On Such Property; And (3) Negotiating For An Army Base Ground Lease Tenant(S) To Prepay A Discounted Present Value Of The Tenant(S)' Long Term Ground Lease Rent To The City

[15-1221](#)

Legislative History

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

**10** Subject: 12th Street Remainder Parcel Disposition And Development Agreement With Urbancore And EBALDC

From: Economic And Workforce Development

Recommendation: An Ordinance: (1) Authorizing The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland And Urbancore Development, LLC Or Its Related Entities Or Affiliates ("Urbancore"), And East Bay Asian Local Development Corporation Or Its Related Entities Or Affiliates ("EBALDC"), For (A) Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue ("Property") For No Less Than \$8.0 Million, (B) A Seller Carryback Loan From The City To EBALDC In The Amount Of \$3.3 Million Plus The Cost Of Loan Origination, And (C) Development Of The Property As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A, And; (2) Adopting CEQA Exemptions (15183 & 15183.3) And Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR)

[15-1218](#)

Attachments:

[View Report](#)

[Attachment A - Lakehouse -](#)

Legislative History

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

- 11 Subject: 2015-16 Affordable Housing and Sustainable Communities Program:  
Amended Resolution for Project Invited to Submit Full Application  
From: Housing and Community Development Department  
Recommendation: Adopt A Resolution Authorizing The Application For And  
Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth  
Council And/Or The California Department Of Housing And Community Development  
For Coliseum Connections Located At 801-844 71 St Avenue In An Amount Not To  
Exceed \$14,883,316 Under The 2015-16 Affordable Housing And Sustainable  
Communities Program

[15-1219](#)

**Attachments:** [View Report](#)  
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- 12 Subject: RAP Fee Increase  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance: (1) Amending Ordinance No. 13320 C.M.S.  
(The 2015-16 Master Fee Schedule) To Increase The Rent Program Service Fee From  
\$30 Per Unit To Up To \$104 Per Unit; And (2) Amending Chapter 8.22 (Rent  
Adjustment Program) Of The Oakland Municipal Code To Provide That Tenants May  
Choose Whether To Pay Their Portion Of The Rent Program Service Fee In A Lump  
Sum Or In Monthly Installments

[15-1222](#)

**Attachments:** [View Report](#)

**Legislative History**

6/16/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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- 13 Subject: Statement Of Policy On Adopting Regulations For Short Term Residential  
Rentals  
From: Council President Lynette Gibson McElhaney, Vice Mayor Annie Campbell  
Washington and Councilmembers Abel Guillén And Councilmember Dan Kalb  
Recommendation: Adopt A Resolution To Issue An Official Statement Of Policy To  
Implement Regulations Pertaining To Short Term Residential Rental Housing Via  
Transient Residential Hosting Platforms Pursuant To Future Amendments To Oakland  
Municipal Code And Oakland Planning Code

[15-1224](#)

**Legislative History**

6/16/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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- 14 Subject: Ordinance Amending Chapter 8.22, Article I (Rent Adjustment)  
From: Councilmembers Kalb, Gibson McElhaney and Guillen  
Recommendation: Adopt An Ordinance Amending Chapter 8.22, Article I (Rent Adjustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Substantially Rehabilitated Properties; (2) Require That Owners File Petitions For Rent Increases In Excess Of The Annual Consumer Price Index Increase (3) Change The Amortization Period For Capital Improvements To That Of The Useful Life Of The Improvement; (4) Clarify That Certain Types Of Work Are Not Capital Improvements; (5) Amend Timelines For Filing Petitions; (6) Require Owners To Pay Interest On Security Deposits; And (7) Amending Chapter 8.22, Article Iv To Permit Tenants To Choose To Pay Their Portion Of The Program Fee Either In A Lump Sum Or In Six Monthly Installments  
[15-1226](#)

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**Legislative History**

6/16/16

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

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

**Adjournment**

\* 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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If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

**Office of the City Clerk - Agenda Management Unit**

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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.**