



City of Oakland

Office of the City Clerk
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Meeting Minutes - FINAL

* 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>

Tuesday, June 28, 2016

1:00 PM

City Council Chamber, 3rd Floor

Roll Call / Call To Order

The Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community and Economic Development Committee convened at 1:16 P.M. with President Pro Tempore Reid presiding as Chairperson.

COMMITTEE MEMBERSHIP:

Present 3 - Annie Campbell Washington, Rebecca Kaplan, and Laurence E. Reid

Absent 1 - Lynette Gibson McElhaney

- 1 Approval Of The Draft Minutes From The Committee Meeting Of June 14, 2016
[15-1121](#)

This Informational Report was Received and Filed.

- 2 Determination Of Schedule Of Outstanding Committee Items
[15-1126](#)

This Informational Report was Received and Filed.

Aye: 3 - Campbell Washington, Kaplan, and Reid

Absent: 1 - Gibson McElhaney

- 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](#)

A motion was made by Kaplan, seconded by Reid, that this matter be Approved as to the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Campbell Washington, Kaplan, and Reid

Absent: 1 - Gibson McElhaney

- Subject: Army Base Real Estate Actions
From: Office of City Administrator
Recommendation: Adopt An 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](#)

A motion was made by Kaplan, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Campbell Washington, Kaplan, and Reid

Absent: 1 - Gibson McElhaney

- 2) 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
[15-1181](#)

A motion was made by Kaplan, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Campbell Washington, Kaplan, and Reid

Absent: 1 - Gibson McElhaney

(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](#)

The Committee directed staff to return to Council with a plan to cover the \$140,000 gap.

A motion was made by Kaplan, seconded by Reid, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Campbell Washington, Kaplan, and Reid

Absent: 1 - Gibson McElhaney

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](#)

Council President Gibson McElhaney made a motion to amended the referral of this item to include direction to staff to work the Oakland Cultural Center immediately to attempted to received the property by Quit Claim deed over the Council recess

This City Resolution was Scheduled.to the *Community & Economic Development Committee no specific date

Roll call was modified to show Council President Gibson-McElhaney present at 1:40 pm

Present 4 - Annie Campbell Washington, Lynette Gibson McElhaney, Rebecca Kaplan, and Laurence E. Reid

- 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](#)

A motion was made by Kaplan, seconded by Campbell Washington, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 4 - Campbell Washington, Gibson McElhaney, Kaplan, and Reid

- 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](#)

This City Resolution was Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

Aye: 4 - Campbell Washington, Gibson McElhaney, Kaplan, and Reid

- 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](#)

A motion was made by Kaplan, seconded by Gibson McElhaney, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 4 - Campbell Washington, Gibson McElhaney, Kaplan, and Reid

- 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](#)

A motion was made by Gibson McElhaney, seconded by Kaplan, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 4 - Campbell Washington, Gibson McElhaney, Kaplan, and Reid

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](#)

A motion was made by Kaplan, seconded by Gibson McElhaney, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Gibson McElhaney, Kaplan, and Reid

No: 1 - Campbell Washington

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](#)

A motion was made by Kaplan, seconded by Gibson McElhaney, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Gibson McElhaney, Kaplan, and Reid

No: 1 - Campbell Washington

Subject: Recyclers' ENA Extension; Acceptance of ACTC Grant; and Interim Bridge Funding to Complete Public Improvements

From: Office of The City Administrator

Recommendation: Adopt 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](#)

The Committee amended the legislation to subsection 2 – replace \$46m with \$68m and item 3 strike subsection 2 and replace with asking ACTC for additional assistance.

A motion was made by Kaplan, seconded by Gibson McElhaney, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Gibson McElhaney, Kaplan, and Reid

No: 1 - Campbell Washington

At 2:24 pm. Council member Kaplan recused herself in relation to item 10.

- 10** Subject: 12th Street Remainder Parcel Disposition And Development Agreement With Urbancore And EBALDC
From: Economic And Workforce Development
Recommendation: Adopt 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](#)

This Ordinance was Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

Recused: 1 - Kaplan

Aye: 3 - Campbell Washington, Gibson McElhaney, and Reid

13 THIS NUMBER INTENTIONALLY NOT USED

- 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](#)

The committee approved Option 2 of the staff recommendation proposing the \$73 fee; payment of fees by tenants in one annual sum, a status report in one year, implementation of a communications plan, and identification of those properties paying the fee.

A motion was made by Gibson McElhaney, seconded by Campbell Washington, that this matter be Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/5/2016. The motion carried by the following vote:

Aye: 3 - Campbell Washington, Gibson McElhaney, and Reid

Absent: 1 - Kaplan

- 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](#)

The Committee approved recommendations to select option 2 the \$73 fee and payment of fees by tenants in one annual sum, and included provisions for a report back in one-year, implement a communications plan and provide an update on properties paying the fee.

This City Resolution was Approve the Recommendation of Staff, and Forward.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

- 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 Ajustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Sustainably 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](#)

The Committee amended the resolution to: 1) Change the number of years from 3 to 2 years; 2) have owners to petition above 5% instead of the CIP; 3) strike #4 changing the amortization period fro capital imporvements to that of useful life of improvement; 4) on item 6 strike requirement that landlords pay interest on security deposits; 5) on Item 7 strike the monthly payments; and 6) on item 8 obtain clarification on equal access requirements pertaining to City materials.

This City Resolution was Approve the Recommendation of Staff, and Forward.to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/5/2016

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community and Economic Development Committee adjourned the meeting at 3:55 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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