



# 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 - SUPPLEMENTAL

### \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Tuesday, February 18, 2020

5:30 PM

City Council Chamber, 3rd Floor

#### **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.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Nikki Fortunato Bas, District 2; Noel Gallo, District 5; President Pro Tempore Dan Kalb, District 1; Council President Rebecca Kaplan, At Large; Lynette McElhane, District 3; Vice Mayor Reid, District 7; Loren Taylor, District 6; Sheng Thao, District 4*

3 OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

4 ACTIONS ON SPECIAL ORDERS OF THE DAY  
(Ceremonial Presentations, Reports/Presentations From The Mayor,  
Council Acknowledgements/Announcements):

- 4.1 Subject: Celebrating Black History And Heritage Month  
From: Councilmember McElhaney, Councilmember Taylor, And Vice Mayor Reid  
Recommendation: Adopt A Resolution In Celebration Of Black History Month Honoring  
Courageous Black Individuals And Organizations, Who Through Their Innovative,  
Groundbreaking Work, Have Promoted Positive Change And Uplift For The City Of  
Oakland  
[20-0147](#)

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

Legislative History

1/30/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**4.2 The Item Regarding The "2020 California Distinguished School Awards' Was  
Removed From This Agenda Via Rule 28**

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF FEBRUARY 4, 2020  
[20-0182](#)

Attachments: [View Report](#)

- 6 **MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS  
(Requests To: Reschedule Items From Consent To Non-Consent  
To The Next Council Agenda, Speak On Consent Calendar, Register Votes,  
Change Order Of Items, Reconsiderations, Pull Items Held In Committee):**

7 **CONSENT CALENDAR (CC) ITEMS:**

- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health  
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired  
Immunodeficiency Syndrome ("AIDS") Epidemic  
[20-0155](#)

Attachments: [View Report](#)

**7.2** Subject: Declaration Of Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A  
Local Public Health Emergency With Respect To Safe, Affordable Access To Medical  
Cannabis In The City Of Oakland  
[20-0156](#)

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

**7.3** Subject: Declaration Of A Local Emergency On Homelessness  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness  
Crisis  
[20-0157](#)

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

**7.4** Subject: Exotic Animal Performances Ban Ordinance  
From: Pro Tempore Kalb And Councilmember Gallo  
Recommendation: Adopt An Ordinance Amending Titles 1 And 6 Of The Oakland  
Municipal Code To Add Provisions Prohibiting In The City Of Oakland Performances Of  
Animals For Public Entertainment  
[18-1927](#)

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

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF  
THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 4, 2020; VOTE: 8  
AYES*

**Legislative History**

5/30/19	*Rules & Legislation Committee <i>Councilmember Gallo requested to be added as a Co-Sponsor</i>	Scheduled to the *Community & Economic Development Committee
6/27/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/31/19	*Special Rules and Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/16/20	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/28/20	*Special Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 3 speakers on this item*

2/4/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/4/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**7.5** Subject: Create The Commission On Homelessness  
From: Council President Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland's Homeless Commission Ordinance, Codified In Oakland Municipal Code Section 4.56.060, Established Pursuant To Measure W, The Vacant Property Tax Measure Passed By Voters In 2018, To Add Additional Oversight And Responsibilities  
[18-2517](#)

**Attachments:** [View Report](#)  
[View Supplemental Report](#)  
[View Supplemental Report 2/14/2020](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 4, 2020; VOTE: 8 AYES*

**Legislative History**

12/5/19 \*Rules & Legislation Committee Scheduled to the \*Life Enrichment Committee  
*The Committee accepted that this item be scheduled to the 2nd Committee Meeting in 2020*

1/28/20	*Life Enrichment Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>The Committee amended the legislation to reflect the following changes;</i>  1) Page 2, Section A, striking "other funds" and replacing with "Measure W and 2020 Measure Q Homelessness Funds";  2) Page 2, Section B, Striking "6" and replacing with "4";  3) Page 2, Section C, part 1) after "low-income households" adding "those at 55% AMI and below";  4) Page 2, Section C, part 2) striking "other funds" and replacing with "Measure W and 2020 Measure Q Homelessness Funds";  5) Page 2, Section C, part 3) striking "before March 15th, and then may respond to the Mayor's proposed budget after May 1st but before June 1st"  <i>There were 12 speakers on this item.</i>
2/4/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
2/4/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>The Council amended the legislation to reflect the following change;</i>  1) Page 2, Section A, striking "other funds" and replacing with " 2018 Measure W and 2020 Measure Q Homelessness Funds";

**7.6** Subject: Mark Twain Homes Amended And Restated Predevelopment Loan Agreement  
From: Housing And Community Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Or Her Designee To Amend And Restate An Unsecured Predevelopment Loan Agreement With Oakland And The World Enterprises, Inc., To Increase The Total Loan Amount From \$50,000 To \$350,000 Using Affordable Housing Trust Funds (Fund 1870), For Predevelopment Activities Associated With The Affordable Housing Project Located At 3525 Lyon Street, To Be Known As Mark Twain Homes; And Making California Environmental Quality Act Findings For This Action  
[20-0125](#)

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

[View Legislation](#)

[Legislative History](#)

1/30/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7.7 Subject: Amending Resolution No. 87756 C.M.S., A Second Chance Act Grant  
From: Human Services Department  
Recommendation: Adopt A Resolution Amending Resolution No. 87756 C.M.S., Which, Among Other Things, Accepted And Appropriated A Second Chance Act Grant Not To Exceed \$100,000 Annually From Alameda County Probation Department For Violence Intervention Services, To Reflect The Correct Funds To Which The Grant Is Appropriated [20-0136](#)

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

[View Legislation](#)

**Legislative History**

1/30/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*This item will be placed on the Consent Calendar.*

- 7.8 Subject: City of Oakland And IAFF, Local 55 Salary Ordinance Tentative Agreement  
From: Human Resources Management Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving The Tentative Agreement To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 Representing Employees In Representation Unit FQ1 From November 1, 2020 Through December 31, 2023; And [20-0126](#)

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

[View Report - Attachment A](#)

[View Report - Attachment B](#)

[View Legislation](#)

**Legislative History**

1/30/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*This item will be placed on the Consent Calendar.*

2) An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S. (The Salary Ordinance) To Provide Wage Increases To Represented Employees In Representation Unit FQ1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 As Follows: An Increase Of 2.5% Effective The First Full Pay Period Following January 1, 2021; Increase Of 1.5% Effective The First Full Pay Period Following July 1, 2021; Increase Of 2% Effective The First Full Pay Period Following January 1, 2022; Increase Of 1% Effective The First Full Pay Period Following July 1, 2022; Increase Of 2% Effective The First Full Pay Period In December 2023; And An Additional Increase Of 2% Effective The First Full Pay Period Following January 1, 2021 For The Classification Of Engineer Of Fire; And  
[20-0127](#)

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 3, 2020*

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*This item will be placed on the Consent Calendar.*

3) An Ordinance Amending Salary Schedule Of Ordinance 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To The Salaries Of The Unrepresented Chief Of Fire, Deputy Chief Of Fire Department And Assistant Chief Of Fire Department, Representation Units UR1 And UU1; The Wage Increases Shall Be As Follows: An Increase Of 2.5% Effective The First Full Pay Period Following January 1, 2021; Increase Of 1.5% Effective The First Full Pay Period Following July 1, 2021; Increase Of 2% Effective The First Full Pay Period Following January 1, 2022; Increase Of 1% Effective The First Full Pay Period Following July 1, 2022; And Increase Of 2% Effective The First Full Pay Period In December 2023  
[20-0128](#)

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 3, 2020*

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*This item will be placed on the Consent Calendar.*

**7.9** Subject: Housing, Residential Rent And Relocation Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointments Of  
Terrence Williams As A Landlord Member, And Tanaiia Hall As A Tenant Member To The  
Housing, Residential Rent And Relocation Board  
[20-0139](#)

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

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
2/6/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*This item will be placed on the Consent calender.*

**7.10** Subject: Cultural Affairs Commission Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Roy  
Chan, Jennifer Easton, Michael Orange, Vanessa Whang, Kevin Choice, J.K. Fowler,  
Michelle Lee, Diane Sanchez, Richard Raya, Charmin Roundtree-Baaqee, And Theo  
Aytchan Williams To The Cultural Affairs Commission  
[20-0179](#)

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

**7.11** Subject: Privacy Advisory Commission Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Appointment Of Omar H. De La  
Cruz As A Member Of The Privacy Advisory Commission  
[20-0180](#)

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

**7.12** Subject: Parks And Recreation Advisory Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Donna M.  
Duhe And Isaac D. Kos-Read To The Parks And Recreation Advisory Commission  
[20-0181](#)

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



**S7.13** Subject: Status Of Measure KK Projects And Expenditures  
From: Finance Department  
Recommendation: Receive An Informational Report On The Status Of The Affordable  
Housing And Infrastructure Bond (Measure KK) Projects And Expenditures  
[20-0072](#)

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

[View Measure KK - Attachment B](#)

**Legislative History**

1/16/20	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/11/20	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There was 1 speaker on this item*

**S7.14** Subject: Summarily Vacate Utilities Easement 3611 E 12th Street  
From: Transportation Department  
Recommendation: Adopt A Resolution Summarily Vacating A Portion Of The Utilities  
Easement For The Fruitvale Transit Village Phase II-A Project At 3611 East 12th Street  
[20-0069](#)

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

**Legislative History**

1/16/20	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/11/20	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There was 1 speaker on this item.*

**S7.15** Subject: Bike Share Program Agreement With Bay Area Motivate L.L.C  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator To Finalize And Execute An Amendment To The Bike Share Franchise Agreement With Bay Area Motivate L.L.C. That Provides For The Expansion Of The Regional Bike Share Program By Introducing Electric-Assist, Self-Locking Bikes Consistent With The City's Bicycle Sharing Policy; And [20-0144](#)

**Attachments:**      [View Report](#)  
[View Report - Attachment A](#)  
[View Report - Attachment B](#)  
[View Report - Attachment C](#)  
[View Report](#)  
[View Supplemental Report 2/7/2020](#)

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/11/20	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 3 speakers on this item.*

2) An Ordinance Amending Ordinance 13355 C.M.S. Granting An Exclusive Franchise To Bay Area Motivate, L.L.C. To Operate A Bike Share Program  
[20-0145](#)

**Attachments:**      [View Report](#)  
[View Supplemental Report 2/7/2020](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 3, 2020*

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/11/20	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 3 speakers on this item.*

**S7.16** Subject: Impact Fees Annual Report  
From: Planning And Building Department  
Recommendation: Receive The Annual Report On The Affordable Housing,  
Transportation, Capital Improvements, And Jobs/Housing Impact Fees  
[20-0119](#)

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

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
2/11/20	*Community & Economic Development Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 4 speakers on this item*

**S7.17** Subject: Measure D- Oakland Fund For Children & Youth/Kids First! Extension  
From: The Life Enrichment Committee  
Recommendation: Adopt An Ordinance To Reauthorize And Extend For Twelve Years An  
Amendment Of The Charter Of The City Of Oakland (Article XIII Section 1300)  
Establishing The Kids First! Oakland Fund For Children And Youth As Approved By The  
Passage Of The 2009 Kids First! Voter Initiative Measure D  
[18-2532](#)

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

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS  
ORDINANCE.*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 3, 2020*

**Legislative History**

12/3/19	*Special Life Enrichment Committee	Scheduled to the *Rules & Legislation Committee
12/5/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee <i>The Committee accepted that this item be scheduled to the 1st Committee Meeting in February 2020 in Council Chambers</i>
2/11/20	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 30 speakers on this item.*

**S7.18** Subject: State Grant For Out-Of-School Time Art At Oakland Public Library  
From: Oakland Public Library  
Recommendation: Adopt A Resolution To: 1) Accept And Appropriate Out-Of-School Time Grant Funds From The California State Library In An Amount Not To Exceed \$250,000 Through June 30,2022; And 2) Waive The Request For Proposals/Qualifications Requirements; And 3) Award A Contract To The Museum Of Children's Arts (MOCHA) In An Amount Not To Exceed \$200,000 To Provide Weekly Out-Of-School Time Art Programs At Oakland Public Library Sites Through The Two-Year Grant Period Ending June 30, 2022

[20-0122](#)

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

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
2/11/20	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**S7.19** Subject: Resilient Fruitvale Cities Of Services Program  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Awarding Grants In A Total Amount Not To Exceed \$13,759 For The Resilient Fruitvale Cities Of Service Program To: 1) Canticle Farm, 2) Jill Mclennan Arts And Community As Fiscal Sponsor For Jingletown Art And Business Community Organization, 3) Oakland Unified School District For Melrose Leadership Academy, 4) The Spanish Speaking Unity Council Of Alameda County, And 5) The Spanish Speaking Unity Council Of Alameda County As Fiscal Sponsor For Latino Task Force

[20-0123](#)

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

[View Report - Attachment A](#)

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
2/11/20	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 3 speakers on this item.*

**S7.20** Subject: 2018 And 2019 State Homeland Security Grant Award  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution: (1) Accepting And Appropriating Fiscal Year 2018 And Fiscal Year 2019 State Homeland Security Grant Funds In The Amount Of Fifty-Two Thousand Dollars (\$52,000) As A Sub-Recipient Of Alameda County And From The Governor's Office Of Emergency Services (Cal OES) For The Communities Of Oakland Responding To Emergencies (CORE) Program; (2) Authorizing Use Of The General Purpose Fund To Cover The Cost Of Central Service Overhead Charges Affiliated With Said Grant: And (3) Accepting And Appropriating Any Additional Funding For Said Grant In An Amount Not To Exceed Fifty Percent (50%) Of The Original Grant Amount Annually For The Next Two (2) Fiscal Years Through June 30, 2022  
[20-0129](#)

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

**Legislative History**

1/30/20	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
2/11/20	*Public Safety Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There was 2 speakers on this item*

**8 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION & DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS**

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:**

9.1 Subject: 0 Mandela Parkway Appeal  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The  
Following Three Options:

1) A Resolution Denying The Appeal By Unite Here Local 2850, And Thus Upholding The  
Oakland Planning Commission's Approval Of 1) A Major Conditional Use Permit To  
Construct A Six Story Building Consisting Of 220 Rooms Measuring Approximately  
142,813 Square Feet Of Floor Area, 2) A Minor Conditional Use Permit For Transient  
Habitation (Hotels) And Non-Residential Tandem Parking, 3) A Variance Of The Front  
Setback And 4) Related California Environmental Quality Act (CEQA) Findings For The  
Proposed Building Located At 0 Mandela Parkway Oakland Ca. (Project Case No.  
PLN16394); Or

[18-1391](#)

**Attachments:**

[View Report](#)

[View Supplemental Report 11/15/2019](#)

[View Supplemental Report 2/7/2020](#)

**Legislative History**

2/7/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>As A Public Hearing</i>	
2/26/19	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 8:32 p.m.</i>	
	<i>50 individuals spoke on this item.</i>	
	<i>Councilmember McElhaney made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the item was continued to go before the March 12, 2019 Special City Council. The motion passed by 7 Ayes: Bas, Gallo, Kalb, McElhaney, Taylor, Thao and President Kaplan; 1 Excused: Reid</i>	
3/7/19	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/21/19	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Referred to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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4/4/19	*Rules & Legislation Committee	Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
5/9/19	*Rules & Legislation Committee	Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
7/11/19	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
9/19/19	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/19/19	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>45 individuals spoke on this item.</i>	Continued to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Councilmember McElhaney made a motion Seconded by President Pro  
Tempore Kalb to continue this item to the 2nd City Council meeting February  
2020 with direction to return with a supplemental report that include the  
following:*

- 1. Analysis related to the impact on employees on the demanded for affordable  
housing and Social Services in Oakland*
- 2. Analysis of how many cities in Alameda County have the same Planning  
Code Section*
- 3. Measure Z Monitoring*

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council  
Consideration To Deny the Appeal With Additional Conditions; Or  
[18-2464](#)

**Legislative History**

- 11/19/19 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Councilmember McEhanev made a motion Seconded by President Pro Tempore Kalb to continue this item to the 2nd City Council meeting February 2020 with direction to return with a supplemental report that include the following:*
1. Analysis related to the impact on employees on the demanded for affordable housing and Social Services in Oakland
  2. Analysis of how many cities in Alameda County have the same Planning Code Section
  3. Measure Z Monitoring

3) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Uphold The Appeal  
[18-2465](#)

**Legislative History**

- 11/19/19 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Continued to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  
*Councilmember McEhanev made a motion Seconded by President Pro Tempore Kalb to continue this item to the 2nd City Council meeting February 2020 with direction to return with a supplemental report that include the following:*
1. Analysis related to the impact on employees on the demanded for affordable housing and Social Services in Oakland
  2. Analysis of how many cities in Alameda County have the same Planning Code Section
  3. Measure Z Monitoring

**9.2** Subject: 1750 Broadway: Appeal By East Bay Residents For Responsible Development  
From: Planning And Building Department  
Recommendation: Adopt One Of The Following Three Options:

- 1) A Resolution Denying The Appeal (APL19013) By East Bay Residents For Responsible Development (EBRRD) Led By Adams Broadwell, Joseph & Cardozo And Upholding The Planning Commission's Environmental Determination And Approval Of A Major Conditional Use Permit For Building Construction Over 200,000 Square Feet And Regular Design Review For The Project Located At 1750 Broadway, Oakland Ca (PLN18369); Or  
[18-2484](#)

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

**Legislative History**



12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council  
Consideration To Deny the Appeal With Additional Conditions; OR

[18-2486](#)

**Legislative History**

12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To  
Uphold The Appeal

[18-2488](#)

**Legislative History**

12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

9.3 Subject: 1750 Broadway Project (Appeal By Residents Of 1770 Broadway)  
From: Planning And Building Department  
Recommendation: Adopt One Of The Following Three Options:

1) A Resolution Denying The Appeal By The Residents Of 1770 Broadway Led By Joseph Hornof (APL19010) And Upholding The Planning Commission's Environmental Determination And Approval Of A Major Conditional Use Permit For Building Construction Over 200,000 Square Feet And Regular Design Review, For The Project Located At 1750 Broadway, Oakland Ca (PLN18369); Or

[18-2490](#)

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

**Legislative History**

12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or

[18-2491](#)

**Legislative History**

12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

3) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Uphold The Appeal

[18-2492](#)

**Legislative History**

12/5/19	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>To Be Heard As A Public Hearing</i>	
	<i>The Committee accepted that this item be scheduled to the 2nd City Council Meeting in 2020</i>	
1/30/20	*Rules & Legislation Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

**10 THIS NUMBER INTENTIONALLY NOT USED**

**11** Subject: Modifications To Condominium Conversion Ordinance  
From: President Pro Tempore Kalb  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter  
16.36, Condominium Conversions, To: (1) Extend The Conversion Rights Requirement To  
Two- To Four-Unit Residential Buildings; (2) Require That A Conversion Rights  
Agreement Be Recorded At Latest 60 Days After The Building Permit For The Generating  
Residential Building Is Issued; (3) Enhance Tenant Rights And Notice Requirements To  
Tenants; And (4) Make Other Modifications; And To Direct City Administrator Or  
Designee To Study Alternative Methods Of (A) Ensuring One-For-One Replacement Of  
Rental Units In The City As A Result Of Condominium Conversions And (B) Increasing  
Affordable Home Ownership And Reducing Displacement Of Renters Subject To  
Conversion; And Adopt CEQA Exemption Findings  
[NEW TITLE]  
[18-2106](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 1/10/2020](#)  
[View Supplemental Legislation 2/7/2020](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF  
THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 4, 2020; VOTE: 5  
AYES 1 ABSTAINED REID 1 ABSENT GALLO 1 RECUSED TAYLOR*

**Legislative History**

7/11/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/31/19	*Special Rules and Legislation Committee	Scheduled to the *Community & Economic Development Committee

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12/3/19	*Special Community & Economic Development Committee <i>The Committee continued this item to be heard at the 1st committee meeting in January 2020 and accepted the following clean up language to the Ordinance;</i> <ul style="list-style-type: none"><li>• On page 6, 1st paragraph adding "by the effective date of this Ordinance."</li><li>• On page 7, 5th paragraph adding the word "notice"</li><li>• On page 8, 1st paragraph replacing the word "bureau" with "department"</li><li>• On page 11 adding a paragraph under section 16.36.0328</li><li>• On page 12 adding a paragraph under section 16.36.032C</li><li>• On page 12 adding a paragraph under section 16.36.040</li><li>• On page 13 modifying the term "the City" to "City", changing section number 16.36.020 to 16.36.031</li><li>• On page 15 modifying section 16.36.050(4) to include the changes above</li><li>• On page 24 modifying section 16.36.070</li><li>• On The Notice And Digest striking the word "generation" and "including specifically an impact fee study."</li></ul>	Continued to the *Community & Economic Development Committee
12/12/19	*Rules & Legislation Committee <i>The Committee accepted the Title Change read into record as follows:</i>  <i>Ordinance Amending Oakland Municipal Code Chapter 16.36, Condominium Conversions, To: (1) Extend The Conversion Rights Requirement To Two- To Four-Unit Residential Buildings; (2) Limit Conversion Rights To Residential Buildings With Building Permits Issued After Conversion Application; (3) Enhance Tenant Rights And Notice Requirements To Tenants; And (4) Make Other Modifications; And To Direct City Administrator Or Designee To Study Alternative Methods Of (A) Ensuring One-For-One Replacement Of Rental Units In The City As A Result Of Condominium Conversions And (B) Increasing Affordable Home Ownership And Reducing Displacement Of Renters Subject To Conversion; And Adopt CEQA Exemption Findings</i>	Accepted
1/14/20	*Special Community & Economic Development Committee  <i>There were 12 speakers on this item</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/21/20	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council  <i>There were 5 speakers on this item</i>	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2/4/20 \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved As Amended On Introduction and Scheduled for Final Passage to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There was a motion by Councilmember Kalb, seconded by Councilmember Bas to approve the ordinance on introduction with the following amendment:*

*Page 29, Section 8 adding an additional sentence that reads "  
Notwithstanding the sentence immediately above, if a subdivider has received their tentative parcel map prior to the effective date of this Ordinance and is converting a two- to four-unit building, the subdivider shall not be required to secure conversion rights pursuant to this chapter provided the subdivider obtains their approved final map within 24 months of the effective date of this Ordinance."*

2/6/20 \*Rules & Legislation Committee Accepted

*The committee clarified this item will go for final passage on February 18, 2020.*

- 12** Subject: Appointment Of Interim City Administrator  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution (1) Confirming The Mayor's Appointment Of Steven Falk As Interim City Administrator For The Period Commencing On March 12, 2020 And Ending At Midnight On July 10, 2020 Or Such Earlier Date As The Council Confirms Appointment Of A City Administrator Or The Mayor Terminates The Appointment; And (2) Authorizing The Mayor To Execute An Employment Agreement On Behalf Of The City With Mr. Falk

[20-0178](#)

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

**Legislative History**

2/6/20 \*Rules & Legislation Committee Scheduled to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*This item will be placed on Non Consent.*

- 13** Subject: Resolution In Support Of AB 1851 (Wicks): Faith-Based Affiliated Housing  
From: Council President Kaplan And Councilmember McElhaney  
Recommendation: Adopt A Resolution In Support Of AB 1851 (Wicks), Faith-Based Affiliated Housing Development Projects, To Reduce Or Eliminate Any Parking Requirements For Housing Development Projects Built On Religious-Use Parking Lots

[20-0142](#)

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

**Legislative History**

1/30/20 \*Rules & Legislation Committee Scheduled to the \*Rules & Legislation Committee

*Councilmember McElhaney request to be added as a co sponsor.*

2/6/20

\*Rules & Legislation  
Committee

\* Withdrawn and Rescheduled to the \*  
Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the  
City Council

*This item will be placed on the Non Consent calender.*

**14** Subject: Resolution In Support Of SB 795 (Beall)

From: President Pro Tem Kalb

Recommendation: Adopt A Resolution In Support Of Senate Bill 795 (Beall) That Would  
Establish The Affordable Housing And Community Development Investment Program In  
Order To Facilitate Collaboration On State-Approved Redevelopment Plans For  
Purposes Including Building More Affordable Housing

[20-0079](#)

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

**Legislative History**

1/16/20

\*Rules & Legislation  
Committee

Scheduled to the \*Rules & Legislation  
Committee

1/30/20

\*Rules & Legislation  
Committee

\* Withdrawn and Rescheduled to the \*Rules  
& Legislation Committee

2/6/20

\*Rules & Legislation  
Committee

\* Withdrawn and Rescheduled to the \*  
Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the  
City Council

2/6/20

\*Rules & Legislation  
Committee

\* Withdrawn and Rescheduled to the \*  
Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the  
City Council

*This item will be placed on the Non Consent calender.*

**CONTINUATION OF OPEN FORUM**

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of  
The Council)**

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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.**