

City of Oakland

*Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza, Room 201
Oakland, California 94612*



CITY OF
OAKLAND

Agenda - SUPPLEMENTAL

Tuesday, December 3, 2024

3:30 PM

City Council Chamber, 3rd Floor

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

PUBLIC PARTICIPATION

The Public May Observe And/Or Participate In This Meeting Many Ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/81640315395> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Meeting ID: 816 4031 5395
If asked for a participant ID or code, press #.

PUBLIC COMMENT WILL BE TAKEN ON EACH ACTION ITEM. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK BEFORE THE ITEM IS READ INTO THE RECORD. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- eComment. To send your comment directly to Council members go to <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes twenty-four (24) hours before meeting start time.
- To Comment In Person Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.
- To Submit An Electronic Speaker Card, Members Of The Public Must (1) Visit The City Of Oakland Meeting Calendar Website At: <https://oakland.legistar.com/Calendar.aspx> (2) Click the hyperlink labeled 'eComment' in the far right column of the meeting you wish to participate, (You Will Be Redirected To The Specific Meeting Webpage); And (3) Register To 'Sign In To Speak' For Each Agenda Item(s) You Wish To Speak to.

PLEASE NOTE, ELECTRONIC SPEAKER CARDS MUST BE SUBMITTED 24 HOURS BEFORE THE SCHEDULED MEETING START TIME.

***To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

• Once You Have Submitted Your Speaker Card - Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Taken. When your name is called please raise your hand in zoom (By Pressing “*9”) and Unmute Your Self By Pressing *6. You Will Be Permitted To Speak During Your Turn. Instructions On How To “Raise Your Hand” Is Available At: <https://support.zoom.us/hc/en-us/articles/205566129-raise-hand-in-webinar>.

Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

DEFINITION OF TERMS:

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

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

• Consent Item shall mean, for the purposes of the City Council agenda: 1) approval of Council minutes, and 2) any action or informational item placed on a Council agenda for a Regular Meeting or Special Meeting (i) as a Consent Item by the Rules and Legislation Committee, (ii) pursuant to Rule 28, or (iii) that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval by the members who are present: Consent Item shall not include: 1) any item having a high level of public interest or controversy as determined by the Standing Committee Chair, or the Rules and Legislation Committee, or pursuant to Rule 28; 2) any item that requires a public hearing or that otherwise is ineligible by law as a Consent Item.

• Non-Consent Item shall mean, for the purposes of a City Council agenda for a Regular Meeting or Special Meeting, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by a Standing Committee Chair, the Rules and Legislation Committee, or pursuant to Rule 28; or 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

Councilmember Rebecca Kaplan Will Participate By Teleconference At: 1 Frank H. Ogawa Plaza, 2nd floor, suite 244, Oakland, CA 94612

Pursuant To The Brown Act (Government Code Section 54953), The Agenda Must Be Posted At The Teleconference Location, The Teleconference Location Must Be Accessible To The Public And Members Of The Public Must Have The Ability To Observe The Meeting And To Comment On Agenda Items

1 Call To Order

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2

3 ACTIONS ON SPECIAL ORDERS OF THE DAY

("Ceremonial Items") Ceremonial Presentations, Including Proclamations, Individual Recognitions, etc.; and Reports Or Presentations From The Mayor, Other Public Officials, Or Special Guests

4 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):

5 CONSENT CALENDAR (CC) ITEMS:

6 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

- 6.1 Subject: Approvals For The California College Of The Arts Redevelopment Project
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution Certifying The Final Environmental Impact Report For The California College Of Arts Campus Redevelopment Project Located At 5212 Broadway And Adopting Findings Concerning Environmental Impacts, Mitigation Measures, And Rejection Of Alternatives, And Adopting A Statement Of Overriding Considerations And A Mitigation Monitoring And Reporting Program, All In Accordance With The California Environmental Quality Act

[25-0203](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C1](#)

[View Attachment C2](#)

[View Attachment D](#)

[View Attachment E](#)

[View Attachment F](#)

[View Attachment G](#)

[View Attachment H](#)

[View Legislation](#)

[View Supplemental Legislation - 11/21/2024](#)

Legislative History

10/24/24 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
A Title Change Was Read Into Record

And As A Public Hearing On The December 3, 2024 City Council Agenda

11/19/24 *Community & Economic Approved the Recommendation of Staff, and
Development Committee Forward to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

*The Committee Approved The Recommendation Of Staff To Forward This Item
The December 3, 2024 City Council Agenda As A Public Hearing*

*With Request to staff to continue working with the applicant and council staff
on brainstorming ways to address the interim usage, needs and challenges*

35 Speakers Spoke On This Item

11/21/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
As A Public Hearing

2) A Resolution Approving Text Amendments To The General Plan Land Use And Transportation Element To Change The Land Use Designation For The Parcel In Connection With The Project; And Making Appropriate CEQA Findings;
[25-0204](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C1](#)
[View Attachment C2](#)
[View Attachment D](#)
[View Attachment E](#)
[View Attachment F](#)
[View Attachment G](#)
[View Attachment H](#)
[View Legislation And Exhibit A](#)
[View Supplemental Legislation - 11/21/2024](#)

Legislative History

10/24/24 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
A Title Change Was Read Into Record

And As A Public Hearing On The December 3, 2024 City Council Agenda

11/19/24 *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
The Committee Approved The Recommendation Of Staff To Forward This Item The December 3, 2024 City Council Agenda As A Public Hearing

35 Speakers Spoke On This Item

11/21/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
As A Public Hearing

3) An Ordinance Approving A Rezoning Amendment To Change The Zone Classification Of The Parcel From Mixed Housing Residential - 4 Zone (RM-4, Height Area 35 And Neighborhood Commercial - 1 Zone (CN-1) Height Area 95 To Community Commercial - 2 Zone (CC-2) Height Area 95 In Connection With The Project; And Making Appropriate CEQA Findings; And

[25-0205](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C1](#)

[View Attachment C2](#)

[View Attachment D](#)

[View Attachment E](#)

[View Attachment F](#)

[View Attachment G](#)

[View Attachment H](#)

[View Legislation And Exhibits A And B](#)

[View Supplemental Legislation And Exhibits A And B- 11/21/2024](#)

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

FINAL PASSAGE (Second Reading) WILL BE PASSED ON DECEMBER 17, 2024; TBD

Legislative History

10/24/24 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
A Title Change Was Read Into Record

And As A Public Hearing On The December 3, 2024 City Council Agenda

11/19/24 *Community & Economic Approved the Recommendation of Staff, and
Development Committee Forward to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

*The Committee Approved The Recommendation Of Staff To Forward This Item
The December 3, 2024 City Council Agenda As A Public Hearing*

35 Speakers Spoke On This Item

11/21/24 *Rules & Legislation Scheduled to the * Concurrent Meeting of
Committee the Oakland Redevelopment Successor
Agency and the City Council

As A Public Hearing

4) A Resolution (1) Approving The Combined Preliminary Development Plan/Final Development Plan, Design Review, Variance, Conditional Use Permit And Vesting Tentative Map, For The California College Of The Arts Campus Redevelopment Project (Project) Located At 5212 Broadway; (2) Authorizing The City Administrator To Amend The Façade Improvement Program (FIP) To Implement The Historic Resources Mitigation Measure Specific To The Project; And (3) Making Appropriate California Environmental Quality Act Findings

[25-0206](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C1](#)

[View Attachment C2](#)

[View Attachment D](#)

[View Attachment E](#)

[View Attachment F](#)

[View Attachment G](#)

[View Attachment H](#)

[View Legislation](#)

[View Supplemental Legislation - 11/21/2024](#)

Legislative History

10/24/24 *Rules & Legislation Scheduled to the *Community & Economic
Committee Development Committee
A Title Change Was Read Into Record

And As A Public Hearing On The December 3, 2024 City Council Agenda

11/19/24 *Community & Economic Approved the Recommendation of Staff, and
Development Committee Forward to the * Concurrent Meeting of the
Oakland Redevelopment Successor Agency
and the City Council

*The Committee Approved The Recommendation Of Staff To Forward This Item
The December 3, 2024 City Council Agenda As A Public Hearing*

35 Speakers Spoke On This Item

11/21/24 *Rules & Legislation Scheduled to the * Concurrent Meeting of
Committee the Oakland Redevelopment Successor
Agency and the City Council

As A Public Hearing

6.2 Subject: Master Site License Agreement For Solar And Battery Energy Systems At Critical Municipal Facilities
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance (1) Authorizing The City Administrator To Negotiate And Execute With AVA Community Energy (AVA), A California Not-For-Profit Joint Powers Authority (JPA), A Master Site License Agreement To Install, Operate, And Maintain Photovoltaic Solar And Battery Energy Storage Projects For A Commercial Operation Term Of Twenty-Five (25) Years Each Not To Exceed December 31, 2052, At A Rate Of Zero Dollars (\$0.00) Per Year And Subject To Potential Early Termination Damages For The Following Ten (10) Municipal Facilities: A. Oakland Ice Center At 519 18th Street; B. Oakland Municipal Services Center At 7101 Edgewater Drive; C. East Oakland Sports Center At 9161 Edes Avenue; D. 81st Avenue Public Library At 1021 81st Avenue; E. Main Public Library At 125 14th Street; F. Fire Station No. 1 At 1603 Martin Luther King Jr Way; G. Fire Station No. 3 At 1445 14th Street; H. Fire Station No. 15 At 455 27th Street; I. Fire Station No. 17 At 3344 High Street; And J. Fire Station No. 20 At 1401 98th Avenue; (2) Making Findings That The Licenses For A Below Fair Market Value Are In The Best Interests Of The City; And (3) Adopting Appropriate California Environmental Quality Act (CEQA) Findings [25-0259](#)

Sponsors: Office Of The City Administrator

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

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

FINAL PASSAGE (Second Reading) WILL BE PASSED ON DECEMBER 17, 2024; TBD

Legislative History

11/7/24 *Rules & Legislation Scheduled to the * Concurrent Meeting of
Committee the Oakland Redevelopment Successor
Agency and the City Council

*Pursuant To Rule 24, A Statement Was Made On Record As To The Item
Bypassing Committee*

As A Public Hearing

7 ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

8 This Item Regarding The " VISION Professional Services Renewal" Has Been Removed From The Agenda And Scheduled To The December 3, 2024 Special City Council Agenda Pursuant To Rule 28(a) Of Resolution 90066 C.M.S.

- 9 Subject: Multi-Story Non-Ductile Concrete Seismic Retrofitting
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Directing The City Administrator To Within Eighteen (18) Months (1) Study And Present To The City Council A Strategy For Developing A Citywide Program That Includes Mandatory Standards For Earthquake Hazard Reduction Of Existing Multi-Story Non-Ductile Concrete Buildings, And Developing An Inventory Of And Schedule For Mandatory Retrofitting Of Existing Multi-Story Non-Ductile Concrete Buildings, And (2) Present A Status Report On An Ordinance Requiring The Retrofitting Of Such Buildings In Order To Protect The Life And Safety Of Oakland Residents And Workers, With The Goal Of Presenting An Ordinance For The Program To The City Council Within Two Years
[25-0289](#)

Sponsors: Dan Kalb

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Legislation - 11/26/2024](#)

Legislative History

11/14/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
		<i>Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee</i>
		<i>On Non-Consent</i>

- 10 Subject: Amendments To The Rent Adjustment And Just Cause For Eviction Ordinances
From: President Pro Tempore Kalb
Recommendation: Adopt An Ordinance (1) Amending The Rent Adjustment Ordinance To
(A) Limit Banking Of CPI Rent Increases To Expire After Four Years And After Transfer Of
Property; (B) Prohibit Rent Increases For Owners Delinquent On Business Taxes; (C)
Extend Tenant Petition Deadlines From 90 Days To 180 Days And (2) Amending The Just
Cause For Eviction Ordinance To Prohibit No Fault Evictions For Owners Delinquent On
Business Taxes

[25-0185](#)

Sponsors: Dan Kalb

Attachments: [View Report](#)

[View Legislation](#)

[View Supplemental Report - 11/14/2024](#)

[View Supplemental Report - 11/26/2024](#)

[View Supplemental Legislation - 11/26/2024](#)

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

FINAL PASSAGE (Second Reading) WILL BE PASSED ON DECEMBER 17, 2024; TBD

Legislative History

10/10/24 *Rules & Legislation Committee Scheduled to the *Community & Economic
Development Committee

10/22/24 *Special Community & Economic Development Committee Continued to the *Community & Economic
Development Committee

*The Committee Continued This Item To The November 19, 2024 Community
And Economic Development Committee Agenda*

23 Speakers Spoke On This Item

10/24/24 *Rules & Legislation Committee Scheduled to the *Community & Economic
Development Committee

11/19/24 *Community & Economic Development Committee Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
The Committee Approved As Amended The Recommendation Of Staff To Forward This Item The December 3, 2024 City Council Agenda On Non-Consent

Amendments to the Supplemental Report That Includes:
1) *Changing the limit banking of CPI Rent Increase to expire after 5 years*

2) *Extend the provision that the banking expires unless the property is transferred to a spouse, son or daughter To include "sibling"*

3) *Changing the cutoff date from April 15 to April 30*

4) *To include language that excludes those that receive a payment plan due to financial hardship be exempt from part of this prohibition*

19 Speakers Spoke On This Item

11/21/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

On Non-Consent

11 Subject: Ordinance To Onsite Consumption
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance (1) Amending Oakland Municipal Code Chapters 5.80 And 8.30 By (A) Establishing Three Different Types Of Permits For Cannabis Consumption Lounges; And (B) Exempting Cannabis Consumption Lounges From The City's Existing Smoking Restrictions; And (2) Making Appropriate California Environmental Quality Act Findings
[25-0176](#)

Sponsors: Kaplan

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

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

FINAL PASSAGE (Second Reading) WILL BE PASSED ON DECEMBER 17, 2024; TBD

Legislative History

10/10/24 *Rules & Legislation Committee Scheduled to the *Public Safety Committee

10/17/24 *Rules & Legislation Committee Scheduled to the *Public Safety Committee

11/21/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee

On Non-Consent

12 Subject: Repeal Of Nuisance Eviction Ordinance
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Repealing The Eviction For Nuisance And Illegal Activity Ordinance (Oakland Municipal Code Chapter 8.23) In Its Entirety
[25-0316](#)

Sponsors: Office Of The City Attorney

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

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

FINAL PASSAGE (Second Reading) WILL BE PASSED ON DECEMBER 17, 2024; TBD
Legislative History

11/21/24 *Rules & Legislation Committee Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee

On Non-Consent

OPEN FORUM / PUBLIC COMMENTS

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 9:30 P.M., Unless Extended By Majority Vote Of The Council)

Americans With Disabilities Act

If you need special assistance, including translation services 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.