



City of Oakland

Office of the City Clerk
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Oakland, California 94612
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Meeting Minutes - FINAL *Special Community & Economic Development Committee

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

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

Tuesday, October 14, 2014

1:30 PM

Council Chambers - 3rd Floor

*** PLEASE NOTE CHANGE IN TIME & LOCATION ***

The Oakland City Council Community & Economic Development Committee convened at 1:40 p.m., with council member Gibson McElhaney presiding as Chairperson.

Present 4 - Lynette Gibson McElhaney, Patricia Kernighan, Libby Schaaf, and Laurence E. Reid

Roll Call / Call To Order

Present 4 - Lynette Gibson McElhaney, Patricia Kernighan, Libby Schaaf, and Laurence E. Reid

1 Approval Of The Draft Minutes From The Committee Meeting Held On September 30, 2014

Councilmember Schaaf made a motion, seconded by Councilmember Kernighan, to approve as submitted. The motion carried by the following vote: 3 Ayes, 1 Absent Reid

2 Determination Of Schedule Of Outstanding Committee Items

Councilmember Schaaf made a motion, seconded by Councilmember Kernighan, to approve as submitted. The motion carried by the following vote: 3 Ayes. 1 Absent Reid

[CED101414](#)

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- 3** Subject: Tenant Protection Ordinance
From: Councilmember Dan Kalb
Recommendation: Adopt An Ordinance Prohibiting Various Harassing Behaviors By Landlords Against Tenants And Providing Civil Remedies For Violations [TITLE CHANGE]
[14-0043](#)

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The committee approved recommendations as amended, which included the title change as follows:

Adopt An Ordinance Prohibiting Various Harassing Behaviors By Landlords And Providing Civil Remedies For Violations

A motion was made by Member Schaaf, seconded by Member Gibson McElhaney, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on October 21, 2014. The motion carried by the following vote:

Aye: 2 - Gibson McElhaney, and Schaaf

No: 1 - Kernighan

Absent: 1 - Reid

- 4 Subject: Agricultural Regulations & Other Planning Regulation Changes
From: Councilmembers Kaplan, Kalb And Gibson McElhaney
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Update The City's Agricultural Regulations; And Make Other Miscellaneous Planning Code Text, Map, And Height Area Amendments, Including But Not Limited To: 1) Clarifying The Process And Exceptions To The Maximum Yard Requirements; 2) Standardizing Design Review Procedure Language; 3) Clarifying The Definitions Of "Live/Work" And "Work/Live"; 4) Streamlining The Process For Allowing Alcoholic Beverage Manufacturers To Sell Their Products On Site; 5) Modifying The Cup Findings For Hotels; 6) Adding "Taxi And Light-Based Fleet Services" To The Activity Chart For The CIX-1, CIX -2, IG, And IO Zones; 7) Modifying The Minimum Lot Frontage And Width Requirements In The CIX -IC And CIX-ID Zones; 8) Clarifying The Application Of The S-19 Combining Zone; 9) Adding Height Area Designations To Certain CC Zoned Parcels In West Oakland; 10) Changing The Zoning From CIX-IA To CIX-IB For Certain Properties In The 3rd And 7th Street Corridors In West Oakland; 11) Adding The T Overlay To Two Blocks Between 3rd And 5th, Market And Brush Streets; 12) Adjusting The Boundary Between The CC-2 And RM-2 Zones Near The Intersection Of 7th And Peralta Streets; 13) Modifying The Regulation Of Pharmacies In The D-BV Zones; 14) Amending The Wood Street Zoning District Development Standards In Support Of Redevelopment Of The 16th Street Train Station; And 15) Making Other Minor Zoning Text Changes To Improve The Clarity Of The Planning Code, And Make Appropriate California Environmental Quality Act Determinations
[13-0328](#)

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The Committee approved recommendations as amended to include:

1. Remove Animal products and livestock production from the definition of community gardens

2. Make an exception for bees and apiaries

Allow those areas that currently have approval for community gardens to continue to operate under the old definition of community garden which allows animals

A motion was made by Member Schaaf, seconded by Council President Kernighan, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on November 5, 2014 Public Hearing The motion carried by the following vote:

Abstained: 1 - Reid

Aye: 3 - Gibson McElhaney, Kernighan, and Schaaf

- 5 Subject: Establish 1% For Public Art In Private Development Projects
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt Chapter 15.70 Public Art Requirements, Which Establishes A New Requirement Of .5% For Residential Or 1% For Nonresidential Of Private Development Project Costs For Public Art And Codifies An Existing Requirement Of 1.5% Of The City's Capital Improvement Project Costs For Public Art, Adopted By The City Council Through Ordinance No. 11086 C.M.S.
[14-0036](#)

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A motion was made that this matter be Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on October 21, 2014. The motion carried by the following vote:

Abstained: 1 - Reid

Aye: 3 - Gibson McElhaney, Kernighan, and Schaaf

- 6 Subject: Exclusive Negotiating Agreement For 2101 Telegraph Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With TB2 Retail Complex, LLC Or A Related Entity, For Development Of A Mixed-Use Project On City owned Property Located At 2100 Telegraph Avenue; And Authorizing An Exclusive Negotiating Period Of Two Years And One Optional Six-Month Administrative Extension
[14-0070](#)

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A motion was made by Vice Mayor Reid, seconded by Member Gibson McElhaney, that this matter be Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council. The motion carried by the following vote:

Aye: 4 - Gibson McElhaney, Kernighan, Schaaf, and Reid

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

There were X Open Forum speakers.

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Community & Economic Development Committee adjourned the meeting at 4:31 p.m.

* In the event of a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however no final City Council action can be taken.

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