



City of Oakland

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

Meeting Minutes - DRAFT Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Tuesday, July 10, 2018

5:30 PM

City Council Chamber, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:42 P.M.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Vice Mayor Campbell Washington present 6:07 p.m.

Excused 1 - Desley Brooks

Present 7 - Annie Campbell Washington, Noel Gallo, Lynette McElhaney, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

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

14 speakers spoke during Open Forum.

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

Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Wiley Pierce

Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Genivieve Coleman

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 19, 2018 18-0704

Attachments: [View Report](#)

A motion was made by Abel J. Guillén, seconded by Annie Campbell Washington, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

**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):**

*item 7.18 was removed from the CONSENT Calendar and added to the
NON-CONSENT portion of the agenda agenda.*

*Item 9.1 was withdrawn and will be rescheduled by the Rules and Legislation
Committee*

*Item 9.3 was withdrawn and will be rescheduled by the Rules and Legislation
Committee*

7 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

A motion was made by Kaplan, seconded by McElhaney, to approve the Consent
Agenda. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

- 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
18-0705

Attachments: [View Report](#)

[87231 CMS](#)

This City Resolution was Adopted.

- 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
18-0706

Attachments: [View Report](#)
[87232 CMS](#)

This City Resolution was Adopted.

- 7.3** Subject: Amending The Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Adopt An Ordinance Amending Ordinance No. 13448 C.M.S. (The
Fiscal Year 2017-18 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete
Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The
City Of Oakland, Referenced Herein
18-0448

Attachments: [View Report](#)
[View Supplemental Report 5-18-2018](#)
[View Supplemental report 7-6-2018](#)
[13496 CMS](#)

This Ordinance was Approved for Final Passage.

Excused: 1 - Brooks

Aye: 6 - Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

No: 1 - Campbell Washington

NO VOTE: 0

- 7.5** Subject: Travel Authorization - Councilmember Kalb
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Dan Kalb To Travel To Sacramento, California To Attend The League Of California Cities' Housing And Community Development Committee Meeting On June 8, 2018 And To Long Beach, California To Attend The League Of California Cities' Annual Conference On September 12-14, And Be Reimbursed For Necessary Expenses
18-0668

Attachments: [View Report](#)

[87233 CMS](#)

This City Resolution was Adopted.

- 7.6** Subject: Results Of The City Of Oakland June 5 General Election
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland Municipal Election Consolidation With The Statewide Direct Primary Election Held On Tuesday, June 5, 2018
18-0699

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.7** Subject: Freedom Of City Of Oakland Employees
From: Councilmember Kaplan, Councilmember Gallo, Councilmember Kalb
Recommendation: Adopt A Resolution Urging The Oakland City Administrator To Work With The Public Sector Unions In The City Of Oakland To Ensure Their Health And Success; And Supporting The Freedom Of City Of Oakland Employees To Participate In Unions Post A United States Supreme Court Decision On Janus vs. AFSCME
18-0635

Attachments: [View Report](#)

[View Supplemental Report 6-22-2018](#)

[87235 CMS](#)

This City Resolution was Adopted.

7.8 Subject: City Of Oakland Investment Policy For FY 2018-19
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year
2018-2019; And
18-0559

Attachments: [View Report](#)
[87236 CMS](#)

This City Resolution was Adopted.

2) A Resolution Pursuant To Government Code Section 53607 Delegating Investment
Authority Of The Oakland Redevelopment Successor Agency To The Agency Treasurer
For Fiscal Year 2018-2019
18-0560

Attachments: [View Report](#)
[2018-012 CMS](#)

This City Resolution was Adopted.

7.9 Subject: Automobile Fuel Contract
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The Award Of A Contract To Western
States Oil Company, The Lowest Responsive And Responsible Bidder, A Non-Local
Business Enterprise, For The Purchase Of Automotive Fuel, In An Amount Not-Toexceed
Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000) Per Year For A Three
(3) Year Term, July 1,2018 To June 30,2021, In Accordance With Its Bid Filed With The
City Clerk On April 25, 2018 In Response To RFQ 100418 Automotive Fuel 18-928-00,
And Authorizing The City Administrator To Extend The Agreement, Annually, For An
Additional Two (2) Years In An Amount Not-To-Exceed Three Million Seven Hundred Fifty
Thousand Dollars (\$3,750,000) Per Year For A Total Not-To-Exceed Contract Amount Of
Eighteen Million Seven Hundred Fifty Thousand Dollars (\$18,750,000) Over A Five (5)
Year Term, Without Return To City Council
18-0563

Attachments: [View Report](#)
[87237 CMS](#)

This City Resolution was Adopted.

- 7.10** Subject: Award Of Measure FF Support Services Contract
From: Office Of The City Administrators
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Professional Services Agreement To Centro Legal De La Raza In An Amount Not To Exceed \$480,000 To Provide Minimum Wage Education, Outreach And Enforcement Support Services For Measure FF, Oakland's Minimum Wage Law
18-0662
- Attachments: [View Report](#)
[87238 CMS](#)
- This City Resolution was Adopted.**
- 7.11** Subject: On-Call Transportation Planning Professional Services Agreements
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Transportation Planning Services To Three (3) Tier I Firms For Two-Hundred Fifty Thousand Dollars (\$250,000.00) Each To Acumen Building Enterprise, Inc; ActiveWayz Engineering, Inc; And Evan Brooks; And To Eight (8) Tier II Firms In The Amount Of Five-Hundred Thousand Dollars (\$500,000.00) Each To Alta Planning+Design; Arup North America Ltd; Dks Associates; Fehr And Peers Transportation Consultants; Kittelson Associates Inc.; Sam Schwartz Engineering; TJKM Transportation Consultants; And W-Trans.
18-0551
- Attachments: [View Report](#)
[View Supplemental Report](#)
[87239 CMS](#)
- This City Resolution was Adopted.**
- 7.12** Subject: Waterfront Trails Project Change Order Capacity Increase
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Increase The Construction Change Order Capacity Limit For The Embarcadero Cove And Livingston Pier Waterfront Trails Project (Number 1000683) With D-Line Constructors, Inc From Approximately Seven Percent (7%) To Twenty-Five Percent (25%) For A Total Change Order Limit Amount Of Fifty-Eight Thousand Four Hundred Dollars (\$58,400.00)
18-0654
- Attachments: [View Report](#)
[87240 CMS](#)
- This City Resolution was Adopted.**

- 7.13 Subject: Resolution To Award Emergency Contracts
From: Transportation Department
Recommendation: Adopt A Resolution Waiving Further Advertising And Competitive Bidding Authorizing The City Administrator, Or Designee, To Negotiate, Award And Execute Construction Contracts In An Amount Not To Exceed Two Million Nine Hundred And Thirty-Six Thousand, Three Hundred And Eighty-Four Dollars (\$2,936,384.00), Without Returning To Council In The Open Market, For Permanent Roadway Repair At Sixteen Winter Storm Landslide Sites
18-0655

Attachments: [View Report](#)

[87241 CMS](#)

This City Resolution was Adopted.

- 7.14 Subject: HYA On-Call Architecture Contract Increase
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification ("RFP/Q") Requirement And Authorizing The City Administrator To Increase The On-call Architectural Services Agreement With Hibser Yamauchi Architects (HYA) By An Amount Not-To-Exceed Seventy-Five Thousand Dollars (\$75,000.00), Bringing The Total Contract Amount From One Hundred Fifty Thousand Dollars (\$150,000.00) To Two Hundred Twenty-five Thousand Dollars (\$225,000.00.)
18-0653

Attachments: [View Report](#)

[87242 CMS](#)

This City Resolution was Adopted.

- 7.15 Subject: Hardship Payment Schedule For Lower Income Homeowners
From: Councilmember McElhaney And Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending The Uniform Residential Tenant Relocation Ordinance To Provide City Assistance For Low Income And Low Asset Homeowners To Pay Relocation Payments To Tenants Displaced By Owner And Relative Move In Evictions
18-0663

Attachments: [View Report](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board to be heard 7/24/2018

7.16 Subject: Amendment To Centro Legal De La Raza Contract
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing A Second Amendment To The Contract With Centro Legal De La Raza ("CLR") Extending Term For Provision Of Legal Services To Low Income Tenants For A Period Of No More Than Six Months And Increasing The Contract Amount To Cover The Extended Services By \$118,405 Increasing The Current Five-Year Contract To A Total Contract Amount Of \$755,905 Covering July 1, 2013 Through December 31, 2018
18-0651

Attachments: [View Report](#)

[87243 CMS](#)

This City Resolution was Adopted.

7.17 Subject: Harrison Hotel & San Pablo Hotel Loan Term Changes
From: Housing & Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Amending Resolution Nos. 70597 And 80571 C.M.S. To Extend The Maturity Date And Authorize The Reduction Of The Interest Rate Of The Existing Loan To The Harrison Hotel Affordable Housing Project; And

18-0572

Attachments: [View Report](#)

[87244 CMS](#)

This City Resolution was Adopted.

2) A Resolution Amending The Existing Affordable Housing Loan For The San Pablo Hotel Project At 1955 San Pablo Avenue To (1) Approve The Assignment And Assumption Of The Loan From San Pablo Hotel Associates To San Pablo Associates II, LP, (2) Terminate The City Regulatory Agreement And Amend And Extend The Former Redevelopment Agency Regulatory Agreement, (3) Extend The Loan Term, And (4); Reduce The Interest Rate To The Applicable Federal Rate; And

18-0573

Attachments: [View Report](#)

[87245 CMS](#)

This City Resolution was Adopted.

3) A Resolution Authorizing The Grant Of Federal Home Funds To Provide Operating Support And Technical Assistance To The Community Housing Development Corporation, Dignity Housing West, Inc., Construction Resource Center, And Friendship Community Development Corporation In An Aggregate Amount Not To Exceed \$315,000; And
18-0574

Attachments: [View Report](#)
[87246 CMS](#)

This City Resolution was Adopted.

4) A Resolution Appropriating An Additional \$166,000 To The Housing Predevelopment Revolving Loan And Grant Program
18-0575

Attachments: [View Report](#)
[87247 CMS](#)

This City Resolution was Adopted.

7.19 Subject: Adoption of the Oakland Cultural Plan
From: Cultural Affairs
Recommendation: Adopt A Resolution Adopting The Oakland Cultural Plan "Belonging In Oakland: A Cultural Development Plan"
18-0556

Attachments: [View Report](#)
[87248 CMS](#)

This City Resolution was Adopted.

7.20 Subject: FY 2016 State Homeland Security Grant Program Award
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To Accept And Appropriate The Fiscal Year 2016 State Homeland Security Grant In The Amount Of Fifty-Two Thousand Dollars (\$52,000) From The California Governor's Office Of Emergency Services (Cal OES) That Was Approved For The Communities Of Oakland Responding To Emergencies (CORE) Program
18-0584

Attachments: [View Report](#)
[87249 CMS](#)

This City Resolution was Adopted.

- 7.21 Subject: Mayors Appointment To The Community Policing Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kirby Thompson And Courtney Welch As Members Of The Community Policing Advisory Board
18-0723

Attachments: [View Report](#)
[87250 CMS](#)

This City Resolution was Adopted.

- 7.22 Subject: Mayors Appointment To The Oversight Commission
From: Office Of The Mayor
Recommendation: Resolution Confirming The Mayor's Reappointment Of Rebecca Alvarado, Curtis Flemming, Kevin Mcherson, Jody Nunez, And Letitia Henderson Watts As Members Of The Public Safety And Services Violence Prevention Oversight Commission
18-0724

Attachments: [View Report](#)
[87251 CMS](#)

This City Resolution was Adopted.

- 7.23 Subject: Appointment To The Children's Fairyland Board Of Directors
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jana Pastena To The Children's Fairyland Board Of Directors
18-0725

Attachments: [View Report](#)
[87252 CMS](#)

This City Resolution was Adopted.

- 7.24 Subject: Mayors Appointment To The Civil Service Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Beverly A. Williams To The Civil Service Board
18-0726

Attachments: [View Report](#)
[87253 CMS](#)

This City Resolution was Adopted.

- 7.25 Subject: Consolidation Of The City Of Oakland General Election
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of
Oakland General Municipal Election With The Statewide General Election To Be Held In
The City Of Oakland On Tuesday, November 6, 2018
18-0683

Attachments: [View Report](#)

[View Supplemental Report 7-13-2018](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Concurrent Meeting of the Oakland Redevelopment Successor Agency /
City Council / Geologic Hazard Abatement District Board to be heard 7/24/2018

- S7.26 Subject: Settlement - Elaine Brown v. Desley Brooks And City Of Oakland
From: City Attorney's Office
Recommendation: Adopt Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Elaine Brown V. Desley Brooks And City Of
Oakland, Alameda County Superior Court Case No. Rg16811619, City Attorney's File
No. 30904, In The Amount Of Two Million Two Hundred Thousand One Hundred Eight
Dollars And Twenty One Cents (\$2,200,108.21) On Behalf Of Defendant City Of Oakland
(City Council Negligence, Intentional Infliction Of Emotional Distress, Battery, Elder
Abuse)
18-0750

Attachments: [View Report](#)

[87254 CMS](#)

This City Resolution was Adopted.

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

There was 1 speaker on this item

A motion was made by Lynette McElhaney, seconded by Abel J. Guillén, that this
matter be Accepted. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

**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: Delinquent Business Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

18-0617

Attachments: [View Report](#)

This City Resolution be Withdrawn and Rescheduled.to go before the *Rules & Legislation Committee

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or

18-0618

Attachments: [View Report](#)

This City Resolution be Withdrawn and Rescheduled.to go before the *Rules & Legislation Committee

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
18-0619

Attachments: [View Report](#)

This City Resolution be Withdrawn and Rescheduled to go before the *Rules & Legislation Committee

9.3 Subject: Derby Avenue Parcel DDA And Land Sale
From: Economic And Workforce Development
Recommendation: Conduct Adopt An Ordinance Authorizing The City Administrator Or Designee, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland And Pacific West Communities, Inc, Or A Related Entity, On Terms And Conditions Described Herein, For The Sale Of The Derby Avenue Parcel (APN 025-0720-002-01) At The Appraised Fair Market Value Of \$500,000 For The Development Of An Aspire Public Charter School
18-0452

Attachments: [View Report](#)

[View Supplemental Report 7-6-2018](#)

There were 36 speakers on this item

A motion was made by Lynette McElhaney, seconded by Noel Gallo, that this matter be * Withdrawn and Rescheduled to go before the *Rules & Legislation Committee. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

- 9.2** Subject: Planning Code Amendments For Transient Habitation Commercial Activities
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code Regulating Transient Habitation Commercial Activities (Hotels) To: 1) Require A Major Conditional Use Permit For Transient Habitation Commercial Activities, 2) Change The Central Business. District - Commercial Zone (CBD-C) And Wood Street District Zone - 8 (D-WS-8) To Require A Conditional Use Permit For Transient Habitation Commercial Activities; And 3) Require The Additional Findings In Planning Code Section 17.103.050 For Several Zoning Districts Where This Was Omitted For Transient Habitation Commercial Activities
18-0649

Attachments: [View Report](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:39 P.M. 3 individuals spoke on this item.

Councilmember Guillen made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney 1 No: Reid and 1 Excused: Brooks

A motion was made by Abel J. Guillén, seconded by Dan Kalb, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 7/24/2018. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 6 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, and Kaplan

No: 1 - Reid

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Real Estate Transfer Tax Tiered Rates Measure
From: Councilmembers Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The General Municipal Election On November 6, 2018, A Proposed Ordinance (1) Amending Oakland Municipal Code Section 4.20.020 Of The Real Property Transfer Tax To Establish Tiered Rates Based On Value Of Consideration; (2) Amending Section 4.20.080 To Reduce The Real Property Transfer Tax By .5% For "Low And Moderate Income First-Time Homebuyers"; (3) Adding Section 4.20.220 To Reduce The Real Property Transfer Tax By Up To One Third For Seismic Retrofit And Solar Energy System Installation Expenses Incurred By "Low And Moderate Income Homebuyers"; And, (4) Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication In Accordance, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 General Municipal Election
[TITLE CHANGE]
18-0670

Attachments: [View Report](#)

[View Supplemental Report 6-22-2018](#)

[View Supplemental Report 7-6-2018](#)

[Supplemental Report 7-6-2018](#)

[View Supplemental Kalb Report 7-6-2018](#)

[View McElhaney Report 7-20-2018](#)

[View Revised Report 7-20-2018](#)

There were 10 speakers on this item

A motion was made by Dan Kalb, seconded by Lynette McElhaney, that this matter be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 7/24/2018. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

NO VOTE: 0

7.18 Subject: 2016 Telegraph Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt A Successor Agency Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To (A) The Assignment By W/L Broadway Telegraph Owner VII, LLC To 2016 Telegraph Owner LLC, Or A Related Entity, Of The Assignor's Interest In The Disposition And Development Agreement For Development Of Property Located At 2000-2016 Telegraph Avenue And 490 Thomas L. Berkeley Way, And (B) The Transfer Of All Of The Ownership Interest In 2016 Telegraph Owner LLR, Or A Related Entity, To NASH - Holland 2016 Telegraph Investors, LLC, Or A Related Entity; And Authorizing A Fourth Amendment To The Disposition And Development Agreement To (1) Waive Performance And Payment Bond Requirements; (2) Waive The Successor Agency's Repurchase Right; (3) Extend The Date For Completion Of Construction From 30 To 36 Months; (4) Require Payment Of \$100,000 To The Successor Agency As Consideration For The Amendment; (5) Require That Holland Partner Group Investments, LLC, Or A Related Entity, Guaranty Completion; (6) Require That 2016 Telegraph Owner LLC, Or A Related Entity, Provide A Letter Of Credit In The Amount Of \$1,000,000 To The Successor Agency Payable In Up To Six Installments Only If The Project Is Not Completed Per Established Development Deadlines; And (7) Reduce A Contingent Payment Obligation From The Successor Agency To Telegraph Owner LLC, Or An Affiliate, From \$1,550,000 To \$1,525,000; Relying On The 2004 Uptown Mixed-Use Project Environmental Impact Report And The "2016 Telegraph Avenue Project CEQA Analysis" Addendum Thereto, Finding That The Project Is Exempt From Additional Environmental Review Pursuant To CEQA Sections 15162-15164, 15168, 15180, 15183 And 15183.3, And Adopting Related CEQA Findings 18-0564

Attachments: [View Report](#)

Pursuant to Rule 7(6) of Resolution 87044 C.M.S., this item 7.18 was removed from the CONSENT portion of the agenda and added to the NON-CONSENT portion of the agenda agenda.

There were 14 speakers on this item

This ORSA Resolution be Continued to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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)

Americans With Disabilities Act

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.