



City of Oakland

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

Meeting Minutes - DRAFT *Special Community & Economic Development Committee

Tuesday, July 9, 2024

1:00 PM

City Council Chamber, 3rd Floor

The Oakland City Council Community And Economic Development Committee Convened At 1:06 P.M. With President Pro Tempore Kalb Presiding As Chairperson.

COMMITTEE MEMBERSHIP:

Roll Call / Call To Order

Present 4 - Carroll Fife, Dan Kalb, Noel Gallo, and Kevin Jenkins

- 1 Approval Of The Draft Minutes From The Committee Meeting Of June 25, 2024
[24-0593](#)

Attachments: [View Report](#)

A motion was made by Kevin Jenkins, seconded by Noel Gallo, that this matter be Accepted. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 2 Determination Of Schedule Of Outstanding Committee Items
[24-0594](#)

Attachments: [View Report](#)

A motion was made by Noel Gallo, seconded by Carroll Fife, that this matter be Accepted as Amended. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

CHANGES MADE TO THE JULY 23, 2024 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE PENDING LIST

Subject: Overview Of 2024 Economic Development Action Plan And Status Of 2021 Economic Recovery Plans
From: Economic Workforce And Development Department
Recommendation: Receive An Informational Report On The Status Of The 2021 Economic Recovery Plan And An Update On The 2024-2029 Economic Development Action Plan
[24-0118](#)

Attachments: [View Report](#)

This Informational Report be * Withdrawn and Rescheduled.to go before the *Community & Economic Development Committee to be heard 9/24/2024

3 Subject: 2024/25 Annual Action Plan
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion, Adopt A Resolution (1) Accepting And Appropriating An Award Of United States Department Of Housing & Urban Development Grant Funds In The Amount Of \$14,260,551 For Community Development Block Grant (CDBG), Home Investments Partnership (Home), Emergency Solutions Grant (ESG), And Housing Opportunities For Persons With Aids (HOPWA) Programs For Fiscal Year 2024-2025; (2) Authorizing The City Administrator To Prepare And To Submit To The United States Department Of Housing And Urban Development The Annual Action Plan For Fiscal Year 2024-2025 For The CDBG, Home, ESG And HOPWA Programs; (3) Appropriating Up To \$850,000 In Revolving Loan Program Income To Support The City's Residential Lending/Housing Rehabilitation Programs And Any Amounts Collected In Excess Thereof For Housing Rehabilitation Activities And Other CDBG-Eligible Activities And Projects, Without Returning To Council; And (4) Authorizing The City Administrator To Negotiate And Execute Grant Agreements Under The Fiscal Year 2024-2025 CDBG, Home, ESG, And HOPWA Programs
[24-0476](#)

Attachments: [View Report And Attachment A](#)
[View Legislation And Exhibit A](#)

The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda As A Public Hearing

1 Speaker Spoke On This Item

A motion was made by Noel Gallo, seconded by Kevin Jenkins, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 4 Subject: Establish Construction Workforce Related Reporting Requirements
From: Councilmember Jenkins
Recommendation: Adopt An Ordinance Adding Chapter 15.80 To The Oakland Municipal Code To Establish Construction Workforce Related Reporting Requirements For Developments With At Least 100 Residential Units Or 100,000 Square Feet Of New Floor Area; And Making Appropriate California Environmental Quality Act Findings [24-0570](#)

Attachments: [View Report](#)
[View Legislation](#)
[View Supplemental Report- 7/1/2024](#)

The Committee Approved To Continue This Item To The October 8, 2024 Community And Economic Development Committee Meeting With Request To Staff To Provide The Following In A Supplemental Report:

- 1) Meet With Representatives From The Building Trades As Part Of Their Analysis***
- 2) Speak With State HCD As Part Of Their Analysis***

7 Speakers Spoke On This Item

A motion was made by Kevin Jenkins, seconded by Carroll Fife, that this matter be Continued to go before the *Community & Economic Development Committee, to be heard 10/8/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 5** Subject: Elevator Maintenance Ordinance
From: Office Of The City Attorney, Council President Fortunato Bas, President Pro Tempore Kalb, Councilmembers Fife And Reid
Recommendation: Adopt A Ordinance Requiring Operators Of Residential Properties With Elevators To Maintain Elevators In An Operable Condition And To Temporarily Relocate Any Resident Whose Access To And From Their Unit Is Substantially Restricted Due To The Resident's Disability Or Other Physical Condition Limiting Their Ability To Use Stairs When An Elevator Is Inoperable For More Than 24 Hours
[24-0561](#)

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

The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda On Non-Consent With Request To Staff To Provide The Following In A Supplemental Report:

- 1) Analysis On The City Of Berkeley's Program - Amount Of Units With Elevators And The Age Of Said Elevators***
- 2) Language That Allows Property Owners A 12 Hour Extension If They Are Unable To Get Service On The Elevators That Is Beyond Their Control***

2 Speakers Spoke On This Item

A motion was made by Carroll Fife, seconded by Dan Kalb, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 6** Subject: 2024 On-Call Economic Consultant Services Selection
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution (A) Awarding Professional Services Agreements For On-Call Economic Consultant Services For An Initial Three-Year Term With A Two-Year Option In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) Each To: (1) Century Urban, LLC, (2) Economic & Planning Systems, Inc., (3) Hausrath Economics Group, And (4) HR&A Advisors; And (B) Waiving The City's Local/Small Local Business Enterprise Program Requirements For Economic & Planning Systems, Inc.

[24-0560](#)

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

The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda On Consent

1 Speaker Spoke On This Item

A motion was made by Noel Gallo, seconded by Carroll Fife, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

7 Subject: Downtown Oakland Specific Plan (DOSP)
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution, As Recommended By The City Planning Commission: (A) Adopting The Downtown Oakland Specific Plan And Related General Plan Text And Map Amendments Including Amendments To The Estuary Policy Plan And The Land Use And Transportation Element; And (B) Certifying The Environmental Impact Report For The Downtown Oakland Specific Plan And Associated Legislative Actions And Making Related California Environmental Act Findings, And;
[24-0501](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Attachment C](#)
[View Attachment D](#)
[View Attachment E](#)
[View Attachment E - Appendix A](#)
[View Legislation](#)
[View Exhibit A](#)
[View Exhibit B](#)
[View Exhibit B - Attachment A](#)
[View Supplemental Report - 7/3/2024](#)

The Committee Approved As Amended The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda As A Public Hearing

Amendments To Read As:

- Of The Agenda Report On Page 23, The Hyperlinked Draft EIR To Reflect The Following Regarding Standard Conditions Of Approval (SCA) Regarding Diesel Stationary And Mobile Sources Of Subsection SCA-AIR-4
• ***Not using diesel trucks where feasible, as determined by the City.***
• ***Using the best available technology vehicles where feasible, as determined by the City.***

Of The SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#25) To Read As Follows:
Applicable To: All projects that involve a stationary pollutant source requiring a permit from BAAQMD, including but not limited to back-up diesel generators. The California Building Code requires back-up generators for all buildings over 70 feet tall.

Under Subsection B To Read As Follows:
i: Installation of non-diesel fueled generators, if technologically feasible, or;
ii: Installation of diesel generators with an EPA-certified Tier 4 engine or engines

that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. If higher standards are available for diesel generators at the time of project approval, the project applicant shall install diesel generators that meet that highest available standard.

8 Speakers Spoke On This Item

A motion was made by Carroll Fife, seconded by Kevin Jenkins, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

2) Adopt An Ordinance, As Recommended By The City Planning Commission, To: (A) Make Oakland Planning Code And Oakland Municipal Code Text And Zoning Map Amendments Implementing The Policies And Objectives Of The Downtown Oakland Specific Plan And (B) Amend The City Of Oakland Master Fee Schedule (Adopted By Ordinance Nol. 13747 C.M.S., As Amended) To Adopt The Central District Entertainment Venue Fees In Furtherance Of The DOSP Goals Of Fostering Entertainment Venue Uses In The Central District Of Downtown

[24-0502](#)

Attachments: [View Report](#)

[View Attachment A](#)

[View Attachment B](#)

[View Attachment C](#)

[View Attachment D](#)

[View Attachment E](#)

[View Attachment E - Appendix A](#)

[View Legislation](#)

[View Exhibit A](#)

[View Exhibit B](#)

[View Exhibit C](#)

[View Exhibit D](#)

[View Supplemental Report - 7/3/2024](#)

The Committee Approved As Amended The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda As A Public Hearing

Amendments To Read As:

- Of The Agenda Report, Page 23, The Hyperlinked Draft EIR To Reflect The Following Regarding Standard Conditions Of Approval (SCA) Regarding Diesel Stationary And Mobile Sources Of Subsection SCA-AIR-4

- Not using diesel trucks where feasible, as determined by the City.***
- Using the best available technology vehicles where feasible, as determined by the City.***

Of The SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#25) To Read As Follows:

Applicable To: All projects that involve a stationary pollutant source requiring a permit from BAAQMD, including but not limited to back-up diesel generators. The California Building Code requires back-up generators for all buildings over 70 feet tall.

Under Subsection B To Read As Follows:

- i: Installation of non-diesel fueled generators, if technologically feasible, or;***
- ii: Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. If higher standards are available for diesel generators at the time of***

project approval, the project applicant shall install diesel generators that meet that highest available standard.

Of Exhibit A Of The Legislation Regarding Front Setbacks in Downtown Residential Zones with certain Areas of Primary Importance (APIs) For Table 17.101K.04 Development Standards for Downtown District Zones To Read As:

3. There is no front setback required, except as described in note 2; and there is a six (6) foot front setback required for new construction when the ground floor contains residential units adjacent to the principal street. Parcels in either the D-DT-R or D-DT-RX Zones that are also in Base Height and Intensity Area (HIA) 1, 2, 3, 4, or 5 shall have a minimum front setback requirement of ten (10) feet. If adjacent lots abutting the side lot lines of the subject lot both contain principal buildings that have front setbacks with a depth of less than ten (10) feet, the minimum front setback may be reduced for buildings and other structures on the subject lot up to a line parallel to the front lot line and extended from the most forward projection of the principal building on the adjacent lots having the deeper front setback depth, provided such projection is enclosed, has a wall height of at least eight (8) feet, and has a width of at least five (5) feet. In the case of a corner lot or lot that has a vacant parcel next to it, this same principal may apply if the two (2) lots adjacent to the corner lot or lot along its front lot line have less than a ten (10) feet front setback; And

Regarding Fee Requirements For Residential ZIP Projects To Add The Following Note:

Note 9: For projects that include 125 or more dwelling units above the base, at least ten percent (10%) of the equivalent fees that would be required to receive the additional dwelling units shall be paid as fees, while the remainder fees could either be delivered with on-site improvements as listed in the table or paid with fees, or a combination of both; And

In the table 17.101k.07 adding "and 9" to each area where it says "See Notes"

The Committee Also Approved To Amend Exhibit A Of The Legislation To Increase The Height Limit Of The Jazz And Arts Museum To 75 Feet

8 Speakers Spoke On This Item

*A motion was made by Carroll Fife, seconded by Kevin Jenkins, that this matter be Approved as Amended the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:*

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 8** Subject: Longfellow Corner Second (2nd) Amendment To Disposition And Development Agreement
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Execute A Second Amendment To The Disposition And Development Agreement (Longfellow Corner Project) Between The City Of Oakland And Longfellow Corner, L.P., At 3801-3807 And 3823-3829 Martin Luther King Jr. Way, To Extend The Outside Construction Completion Date By Six Months To September 1, 2026; And Adopting California Environmental Quality Act Findings

[24-0623](#)

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

The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda On Consent

1 Speaker Spoke On This Item

A motion was made by Dan Kalb, seconded by Noel Gallo, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

- 9** Subject: California Administrative Prosecutor Program
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding With The California Attorney General's Office To Participate In The California Administrative Prosecutor Program To Address Illegal Commercial Cannabis Activity

[24-0622](#)

Attachments: [View Report](#)
[View Attachment A](#)
[View Attachment B](#)
[View Legislation](#)

The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda On Consent

1 Speaker Spoke On This Item

A motion was made by Kevin Jenkins, seconded by Noel Gallo, that this matter be Approved the Recommendation of Staff, and Forward to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2024. The motion carried by the following vote:

Aye 4 - Fife Kalb Gallo, Jenkins

NO VOTE 0

Open Forum

1 Speaker Spoke During Open Forum

Adjournment

*There Being No Further Business, The Oakland City Council Community And
Economic Development Committee Adjourned The Meeting At 3:59 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.

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.

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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.