

# DRAFT



## City of Oakland Meeting Minutes

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

### **\*Special Concurrent Meeting of the Redevelopment Agency and Council Community & Economic Development Committee**

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

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

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**Tuesday, July 14, 2009**

**1:30 PM**

**Hearing Room One - 1st Floor**

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#### **Roll Call / Call to Order**

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Councilmember Present: 4 - Member Brunner, Member Kernighan, Member Reid and Chair De La Fuente

*The Oakland City Council Community and Economic Development Committee convened at 1:43 p.m., with Councilmember De La Fuente presiding as Chairperson.*

1 Approval of the Draft Minutes from the Committee Meeting held on June 23, 2009

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**A motion was made by Member Reid, seconded by Member Brunner, to  
\*Approve the Minutes. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

2 Determination of Schedule of Outstanding Committee Items

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**A motion was made by Member Reid, seconded by Member Brunner, to  
\*Approve as Submitted. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

3 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

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*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa

09-0188

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4           Subject:    Seismic Screening Evaluation  
              From:     Councilmembers Jean Quan And Nancy Nadel  
              Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code And Adding A  
              New Chapter 15.26 Entitled Mandatory Seismic Screening Of Certain Multiple Story Residential  
              Buildings Permitted For Construction Prior To The Adoption By The State Of California On  
              January 1,1991, Of The 1988 Edition Of The Uniform Building Code  
              [09-0403](#)  
              [Play Video](#)

**A motion was made by Member Kernighan, seconded by Member Brunner, that this matter be \*Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Consent Calendar. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

*The Committee amended the Ordinance to add the following section: The Council of the City of Oakland does ordain as follows: that staff may not begin compilation and analysis of the Mandatory Seismic Screening data until at least \$50,000 in fees has been collected. If \$50,000 in fees from this program hasn't been collected by December 1, 2010, CEDA should return with a proposal to Council recommending how to proceed with implementing the program so that it is cost-covering.*

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5 Subject: Army Base Master Developer  
From: Vice Mayor De La Fuente  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Enter Into An Exclusive Negotiating Agreement For A Term Of 360 Days From Agency Approval, Between The Oakland Redevelopment Agency And AMB Property Corporation/California Capital Group And/Or Federal Oakland Associates Regarding A Proposed Development Of A Mixed-Use Project Consisting Of Logistics, Industrial, Office, Project-Serving Retail And Other Uses Mandated By The Agency On Up To 135 Acres Of The Former Oakland Army Base

[09-0553](#)

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**A motion was made by Member Kernighan, seconded by Chair De La Fuente, that this matter be Not Accepted. The motion failed by the following vote:**

**Votes:** Councilmember Abstained: Member Brunner  
Councilmember Excused: Chair De La Fuente  
Councilmember No: Member Reid  
Councilmember Aye: Member Kernighan

*The Committee directed staff to provide the following information: 1) How will the City Benefit financially?; 2) What is the rate of return for the City (not the logistics and R&D); 3) A chart with complete analysis of the financial benefits between the two developers? 4) Chart of the total Public Subsidy as of today and all other cost for infrastructure, etc; 5) What are the benchmarks within the ENA to allow the City to pull out of the agreement; 6) What are the financial benefits and our revenue streams?; 7) Options for retaining the Film Center; 8) Options for the recycling centers in West Oakland to relocate to the Oakland Army Base?; 9) The entire framework of the ENA with an outline before it goes forward and back for a final decision; 10) Why retail will not work in the area, provide analysis of why its not the best location?; 11) Develop a tracking system for the jobs being created to make sure the jobs are actually created; and 12) How is the Port land being developed?*

*The Committee further directed staff to refer this item to Rules for Scheduling.*

*COUNCILMEMBER NADEL WAS NOTED PRESENT AT 2:50 P.M. AND A QUORUM WAS DECLARED.*

*The following individual(s) spoke and did not indicate a position on this item:*

- Councilmember Nadel*
- Richard Neveln*
- Barry Luboviski*
- Sean House*

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- *Tim Ranahan*
- *John Behrens*
- *Naomi Schiff*
- *Garry Horzocks*
- *Eli Moore*
- *Joe DeCredico*
- *Erin Cusick*
- *George Burt*
- *Steve Lowe*
- *Debbie Brubaker*
- *Denise Conley*
- *Scott Peterson*
- *Joyce Roy*
- *Sanjiv Handa*
- *Michael Johnson*
- *Geoffrey Pete*
- *Xavier Gardner*
- *Todd Clayter*
- *Sharon Cornu*
- *Dexter Vizinau*
- *Fred Pecker*
- *Harold Logwood*
- *Archbishop Lewis*
- *Rev. Daniel Buford*
- *Shani Ginsburg*
- *Gene Hazzard*
- *David Gazek*
- *A. Brown*
- *Darrel Carey*
- *Ingrid Mermaether*
- *Frank Tucker*
- *Sean Sullivan*
- *Chris Nelson*
- *Ezra Squire*
- *Oona Squire*
- *Bernida Regan*
- *Tom Pflueger*
- *William Beaman*
- *Joel Corona*
- *Matthew Weber*
- *Margaret Gordon*
- *Nikki Bas*
- *Brian Beveridge*

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- Shirley Burnell
- Richard DeJauregui
- Kristina Duong
- Jennifer Essner
- Ron Frank
- Merlin Edwards
- John Howell
- Steven Johnson
- Dave Ketchpel
- Jenna Kim
- David Klein
- Sylvia Kwan
- Anthony Marschak
- Sean McCallum
- Melvin McKay
- Marwi Niebanck
- Treva Reid
- Paul Roltenberg
- Joe Sarapochillo
- Keith Shanks
- Ronnie Turner
- Victoria Turner

*THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS  
TIME AND RECONVENED AS THE 5:03 P.M.*

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- [View Supplemental Report.pdf](#)
- [View Supplemental Report.pdf](#)
- [2009-0081 CMS.pdf](#)

- 6      Subject:      Workforce Investment Board Contracts  
From:          Council President Jane Brunner  
Recommendation: Adopt A Resolution To Approve All Workforce Investment Board (WIB)  
Funded Contracts For Fiscal Year 2009-2010, Including The Total Budget, Amount For Each  
Contract, Service Goals And Past Evaluations For Each Contract  
[09-0281](#)

**A motion was made by Member Reid, seconded by Member Kernighan,  
that this matter be Continued to the \*Community & Economic  
Development Committee, due back on September 15, 2009. The motion  
carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and  
Chair De La Fuente  
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7           Subject:     2009-2010 Workforce Investment Board Contracts & Budget Approval  
              From:       Office of the Mayor  
              Recommendation: Receive A Status Report On The Workforce Investment Board (WIB) Fiscal  
              Year 2009-2010 Contracts, Budget, Service Goals And Past Evaluations  
              [09-0542](#)

**A motion was made by Member Reid, seconded by Member Brunner, that this matter be Continued to the \*Community & Economic Development Committee, due back on September 15, 2009. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and  
Chair De La Fuente  
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8           Subject:     Real Property Purchase - 3566 And 3600 Foothill Boulevard  
              From:       Community and Economic Development Agency  
              Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At  
              3566 And 3600 Foothill Boulevard, In The Central City East Redevelopment Project Area, From  
              Keeney Enterprises Inc. For \$1,025,000, And Authorizing Up To \$110,000 For Demolition And  
              Real Estate Closing Costs  
              [09-0513](#)  
              [Play Video](#)

**A motion was made by Member Brunner, seconded by Member Kernighan, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and  
Chair De La Fuente  
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[2009-0075 CMS.pdf](#)

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9           Subject:    Real Property Purchase - 796-66th Avenue  
              From:       Community and Economic Development Agency  
              Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At  
              796-66th Avenue, In The Coliseum Redevelopment Project Area, From Cruise America Inc. For  
              \$5,800,000, And Authorizing Up To \$15,000 For Real Estate Closing Costs  
              [09-0529](#)  
              [Play Video](#)

**A motion was made by Member Brunner, seconded by Member  
Kernighan, that this matter be \*Approve the Recommendation of Staff,  
and Forward to the Concurrent Meeting of the Oakland Redevelopment  
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item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and  
Chair De La Fuente  
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[2009-0076 CMS.pdf](#)

10           Subject:    Excess Litter Fee Program  
              From:       Office of the City Administrator  
              Recommendation: Receive A Status Report On The Excess Litter Fee Program  
              [09-0563](#)

**A motion was made by Member Brunner, seconded by Member  
Kernighan, that this matter be Continued to the \*Community & Economic  
Development Committee, due back on September 15, 2009. The motion  
carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and  
Chair De La Fuente  
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11 Subject: Olson 737-Oakland 1, LLC - Agreement Amendment  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Peices Of Legislation:

1) An Agency Resolution Amending Agency Resolution No. 2009-0005 Authorizing An Amendment To The Disposition And Development Agreement With Olson 737 - Oakland 1, LLC, For The City Center T-10 Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson Street And Martin Luther King, Jr. Way: (A) To Authorize Transfer Of The Project And Property To WP West Development Enterprises, LLC, Or An Affiliated Entity, And (B) To Modify The

Schedule And Extend The Completion Date; And

[09-0576](#)

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**A motion was made by Member Brunner, seconded by Chair De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Public Hearing The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

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[2009-0079 CMS.pdf](#)

2) A Resolution Amending Resolution No. 81781 Approving An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And Olson 737 - Oakland 1, LLC, For The City Center T-10 Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson Street And Martin Luther King, Jr. Way: (A) To Authorize Transfer Of The Project And Property To WP West Development Enterprises, L.L.C. Or An Affiliated Entity, And (B) To Modify The Schedule And Extend The Completion Date

[09-0576-1](#)

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**A motion was made by Member Brunner, seconded by Chair De La Fuente, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Public Hearing. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa

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12            Subject:    New Business Incentives  
              From:        Council President Jane Brunner  
              Recommendation: Action On A Report On A Jobs And Tax Base Expansion Initiative  
              [09-0451](#)  
              [Play Video](#)

**A motion was made by Member Brunner, seconded by Member Kernighan, that this matter be Continued to the \*Community & Economic Development Committee, due back on September 15, 2009. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

*The committee directed staff to provide a detailed report on the following (Business Tax Incentive Program BTIP): 1) Setting the maximum time for the waiver on business taxes to 2 years instead of 3 to 5 years, 2) Setting the maximum business tax abatement at 50%; 3) Not providing the additional two year bonus to Greentech/Biotech firms; and 4) Adjusting the criteria for the BTIP to require that the business has at least 25 employees and that the business is generating revenue for the City. The report should also include responses to Vice Mayor De La Fuente's memo that was included in the packet*

*The following individual(s) spoke and did not indicate a position on this item:*

- Sanjiv Handa  
- Scott Peterson  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)

13            Subject:    State-Owned Freeway Area Lease  
              From:        Councilmember Jane Brunner  
              Recommendation: Receive An Informational Report On Actions To Support Honda Of Oakland And Kaiser Foundation Health Plan, Inc. To Extend State-Owned Freeway Area Leases With The California State Department Of Transportation (Caltrans)  
              [09-0453](#)

**A motion was made by Member Brunner, seconded by Member Kernighan, that this matter be Continued to the \*Community & Economic Development Committee, due back on September 15, 2009. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente

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14        Subject:     Purchase Of Real Property - 5835 Foothill Boulevard  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At  
              5835 Foothill Boulevard, In The Central City East Redevelopment Project Area From Carmen  
              Sanchez For \$440,000 And Authorizing Up To \$60,000 For Demolition And Real Estate Closing  
              Costs  
              [09-0465](#)  
              [Play Video](#)

**A motion was made by Member Reid, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente  
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[2009-0077 CMS.pdf](#)

15        Subject:     2009-2011 Façade And Tenant Improvement Program Amendments  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate, Execute And Amend All Third Party Design Contracts For The Façade And Tenant Improvement Programs From Funds Budgeted By The Agency For Fiscal Year 2009-2011 In An Amount Not To Exceed \$530,000 Per Year Without Returning To The Agency; And

[09-0468](#)  
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**A motion was made by Member Reid, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Consent Calendar item The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente  
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2) A Resolution Authorizing The City Administrator To Negotiate, Execute And Amend All Third Party Design Contracts For The Facade Improvement Program From Funds Budgeted By The City For Fiscal Year 2009-2011 In An Amount Not To Exceed \$90,000 Per Year Without Returning To The City Council

[09-0468-1](#)

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**A motion was made by Member Reid, seconded by Member Brunner, that this matter be \*Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on July 21, 2009 as a Consent Calendar. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kernighan, Member Brunner, Member Reid and Chair De La Fuente  
[82205 CMS.pdf](#)

**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual(s) spoke under Open Forum:*

*- Sanjiv Handa*

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Community and Economic Development Committee adjourned the meeting at 5:05 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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*City Clerk and Clerk of the Council*