

City of Oakland

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



Meeting Agenda - DRAFT

Tuesday, July 30, 2024

1:30 PM

City Council Chamber, 3rd Floor

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

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

City of Oakland Website: <http://www.oaklandca.gov>

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/85773381897> 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: 857 7338 1897

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 Submission Cutoff Time.**
- 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>.

If you have any questions, please email the 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 Janani Ramachandran Will Participate By Teleconference At: 1 Frank Ogawa Plaza, Suite 226, 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:

5.1 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](#)

Sponsors: Housing And Community Development Department

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON JULY 16, 2024; 8 AYES

Legislative History

7/9/24	*Special 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 <i>The Committee Approved The Recommendation Of Staff To Forward This Item To The July 16, 2024 City Council Agenda On Consent</i> <i>1 Speaker Spoke On This Item</i>
7/11/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Consent</i>
7/16/24	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 5.2** 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](#)

Sponsors: Fife, Fortunato Bas, Kalb, Reid and Office Of The City Attorney

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON JULY 16, 2024; 8 AYES

Legislative History

6/13/24 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
Council President Bas, Councilmember Fife, And Councilmember Reid Were Added As A Co-Sponsor

7/9/24	*Special 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 <i>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:</i> <i>1) Analysis On The City Of Berkeley's Program - Amount Of Units With Elevators And The Age Of Said Elevators</i> <i>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</i> <i>2 Speakers Spoke On This Item</i>
7/11/24	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>On Non-Consent</i>
7/16/24	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved as Amended on Introduction for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>15 Speakers Spoke On This Item</i> <i>The Council Approved The Ordinance on Introduction As Amended And Schedule For Final Passage On July 30, 2024 With The Following Amendments:</i>

5.3 Subject: Downtown Oakland Specific Plan (DOSP)
From: Planning And Building Department
Recommendation: 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](#)

Sponsors: Planning & Building Department

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](#)
[View Supplemental Report, Presentation A And Appendix A - 7/12/2024](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON JULY 16, 2024; 7 AYES, 1 ABSENT KAPLAN

Legislative History

5/30/24	*Special Rules and Legislation Committee <i>A Title Change Was Read Into Record</i>	Scheduled to the *Community & Economic Development Committee
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And As A Public Hearing On July 2, 2024

6/25/24

*Special Community &
Economic Development
Committee

Continued to the *Community & Economic
Development Committee

*The Committee Continued This Item To The July 9, 2024 Community And
Economic Development Committee Agenda*

12 Speaker Spoke On This Item

7/9/24

*Special 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 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

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

7/16/24	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved as Amended on Introduction for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>Councilmember Jenkins made a motion, seconded by Councilmember Fife, to Open the Public Hearing, and hearing no objections, the motion passed by 6 AYES: Fife, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 2 ABSENT: Gallo and Kaplan</i>
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*Upon the reading of Item S6.7 by the City Clerk, the Public Hearing was
opened at 6:47 p.m.*

15 individuals spoke on this item.

*At 8:57 p.m. Councilmember Fife made a motion, seconded by Councilmember
Jenkins, to close the Public Hearing, and by the same motion adopt the
resolution as amended and hearing no objections, the motion passed by 7 Ayes:
Fife, Gallo, Jenkins, Kalb, Reid, Ramachandran, and Fortunato Bas; 1 ABSENT:
Kaplan*

- 5.4** Subject: 2100 Telegraph Avenue, Fourth DDA Amendment
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Execute A Fourth Amendment Of The Disposition And Development Agreement Between The City Of Oakland And W/L Telegraph Owner, L.L.C., For Development Of 2100 Telegraph Avenue, To Add Two Alternatives To The Project Description, And Modify And Add Potential Term Extensions With Payments Of \$700,000 In 2024, \$500,000 In 2028, \$600,000 In 2030, And \$700,000 In 2032; And Adopting California Environmental Quality Act Findings
[24-0607](#)

Sponsors: Economic & Workforce Development Department

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON JULY 16, 2024; 5 AYES, 1 ABSENT KAPLAN; 2 EXCUSED RAMACHANDRAN, REID

Legislative History

7/16/24	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
<i>4 Speakers Spoke On This Item</i>		

- 5.5** Subject: East Bay Regional Park District Cooperative Agreement
From: Animal Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into The Cooperative Agreement Between The East Bay Regional Park District (EBRPD) And Local Animal Service Agencies To Protect And Remove Cats Found In The Habitats Of Endangered Species In EBRPD Parks
[24-0625](#)

Legislative History

7/11/24	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
<i>Pursuant To Rule 24, A Statement Was Made On Record As To The Item Bypassing Committee</i>		

A Motion Was Made By Councilmember Ramachandran Seconded By Councilmember Fife To Reconsider The Scheduling Of This Item, Originally Scheduled To September 17, 2024. The Motion To Reconsider Passed With; 3 Ayes, 1 Excused President Pro Tempore Kalb

On Consent

**6 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

7 ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

8 Subject: General Plan And Housing Element Annual Progress Reports for Calendar
Year 2023

From: Planning And Building Department

Recommendation: Receive An Informational Report On The City Of Oakland's General
Plan And Housing Element Annual Progress Reports For Calendar Year 2023

[24-0522](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)
[View Powerpoint Presentation](#)

Legislative History

6/6/24	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/25/24	*Special Community & Economic Development Committee	* Withdrawn and Rescheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>The Committee Approved To Withdraw This Item From The July 9, 2024 Community And Economic Development Agenda And To Reschedule This Item To The July 16, 2024 City Council Agenda On Non-Consent</i>	
7/16/24	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

OPEN FORUM

ADJOURNMENT

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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.