

# City of Oakland

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



CITY OF OAKLAND

## **Meeting Agenda - FINAL**

**Tuesday, September 12, 2023**

**1:30 PM**

**City Council Chamber, 3rd Floor**

### **\*Community & Economic Development Committee**

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

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

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/85969572869> 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: 859 6957 2869

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.

**\*To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

- 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](mailto: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, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.**
  
- **Non-Consent Item: shall mean, for the purposes of the City Council agenda, 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 the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.**

Roll Call / Call To Order

### **COMMITTEE MEMBERSHIP:**

*Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5;  
Councilmember Kevin Jenkins, District 6; Chairperson: President Pro Tempore Dan  
Kalb, District 1*

1 Approval Of The Draft Minutes From The Committee Meeting Of July 11, 2023

[23-0645](#)

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

2 Determination Of Schedule Of Outstanding Committee Items

[23-0646](#)

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

3 Subject: Oakland 2045 General Plan Update: Certification Of The Final Environmental Impact Report For Phase 1 Of The City Of Oakland 2045 General Plan Update And Adoption Of The Safety And, Environmental Justice Elements And The Planning Code Text And Map Amendments  
From: Planning And Building Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Certifying The Environmental Impact Report For Phase 1 Of The City Of Oakland 2045 General Plan Update And Making Related California Environmental Quality Act Findings; And (B) Adopting An Amendment To The Safety Element Of The City Of Oakland General Plan; And (C) Adopting The Environmental Justice Element As A New Element Of The City Of Oakland General Plan; And (D) Adopting Conforming Amendments To The Land Use And Transportation Element Of The City Of Oakland General Plan, Including General Plan Map Amendments, As Part Of Implementation Of The Recently Adopted 2023-2031 Housing Element; And

[23-0535](#)

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

[View Attachment A - Planning Commission Staff Report](#)

[View Attachment B - CEQA Findings Exhibit](#)

[View Attachment C - MMRP\\_Oakland Phase I 2045 GPU FEIR\\_July 2023](#)

[View Attachment D - Board of Forestry & Fire Protection Com on City Safety Ele](#)

[View Attachment E - Final Oakland EJ & Safety and Housing Element Memo](#)

[View Attachment F - State HCD follow up, and HE actions credited for complian](#)

[View Attachment G - Letters from BTCA](#)

[View Resolution - GPU Phase 1](#)

[View Resolution Exhibit A - Safety Element Public Hearing Draft](#)

[View Resolution Exhibit B - EJ Element Public Hearing Draft and Appendices](#)

[View Resolution Exhibit C - Phase 1 LUTE Text Amendments](#)

[View Resolution Exhibit D - General Plan Land Use Map Amendments](#)

[View Supplemental Powerpoint - 9/7/2023](#)

[View Supplemental Attachment D - 9/7/2023](#)

**Legislative History**

6/22/23

\*Rules & Legislation  
Committee

Scheduled to the \*Community & Economic  
Development Committee

2) An Ordinance, As Recommended By The City Planning Commission, To Amend The Oakland Planning Code To:

(A) Incorporate Changes To Residential And Commercial Zones And Make Related Text Amendments And Amend The Zoning And Height Maps To Include The Updates To The Residential And Commercial Zones; And

(B) Create A New S-13 Affordable Housing Combining Zone; And

(C) Create A New S-14 Housing Sites Combining Zone; And

(D) Amend Conditional Use Permit Requirements For Housing And Business Mix (HBX) Commercial Zones, Commercial Industrial Mix (CIX), General Industrial (IG), And Industrial Office (IO) Zones; And

(E) Amend Expiration Timelines For Nonconforming Uses And Cup Termination Timelines For Truck-Intensive Uses;

(F) Adopt Amendments To Facilitate The Production Of Special Housing Types Such As Rooming Units, Efficiency Units, Employee Housing, Residential Care Facilities, Transitional And Supportive Housing, Low Barrier Navigation Centers, And Emergency Shelters;

(G) Adopt Various Amendments Which Codify Administrative Practices, Update References, Clarify Language, And Other Conforming Changes; And

(H) Adopt Appropriate California Environmental Quality Act Findings

[23-0536](#)

- Attachments:**      [View Legislation](#)  
[View Exhibit A](#)  
[View Exhibit B](#)  
[View Exhibit C](#)  
[View Exhibit D](#)  
[View Exhibit E](#)  
[View Exhibit F](#)  
[View Exhibit G](#)  
[View Exhibit H](#)  
[View Exhibit I](#)  
[View Exhibit J](#)  
[View Exhibit K](#)  
[View Exhibit L](#)  
[View Exhibit M](#)  
[View Exhibit N](#)  
[View Exhibit P](#)

**Legislative History**

6/22/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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- 4**      Subject:    OMSS LDDA Extension Amendment  
From:        Economic And Workforce Development Department  
Recommendation: Adopt (1) An Ordinance Authorizing The City Administrator To  
Negotiate And Execute A Third Amendment To The Lease Disposition And  
Development Agreement Between The City Of Oakland And OMSS, LLC, For  
Development Of An Ancillary Maritime Support Facility For Truck Parking And Related  
Services At 11 Burma Road And 2307 Wake Avenue, To Extend The Outside Closing  
Date By One Year With An Extension Payment Of \$50,000; And (2) Adopting  
California Environmental Quality Act Findings  
[23-0575](#)

- Attachments:**      [View Agenda Report](#)  
[View Legislation](#)

*Pursuant to Rule 28 (b) of Resolution 89588 C.M.S., this item was added to this  
agenda.*

**Legislative History**

6/29/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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*Approved to be scheduled to the September 12, 2023 Community And Economic  
Development Committee Agenda*

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute A First Amendment To The Triple Net Lease Dated April 8, 2016, Between The City Of Oakland And Oaklandmaritime Support Services, Inc., Of 10 Burma Road For Truck Parking And Other Specified Uses To Extend The Term For One Year With Additional Rent In The Amount Of \$7,500 Per Month Commencing On The Fourth Month Of The Extension; And Adopting California Environmental Quality Act Findings  
[23-0665](#)

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

5      Subject:    Contract For Tenant Representation At RAP Proceedings  
From:        Housing And Community Development  
Recommendation: Adopt A Resolution Authorizing A Contract With Centro Legal De La Raza For Provision Of Representation Services To Low- And Moderate-Income Tenants At Rent Adjustment Program Petition Proceedings And Housing, Residential Rent And Relocation Board Appeal Proceedings In The Amount Of \$250,000 From October 1, 2023, Through September 24, 2024, Renewable At The City Administrator's Option For One Additional One-Year Term Not To Exceed \$250,000  
[23-0654](#)

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

*Pursuant to Rule 28 (b) of Resolution 89588 C.M.S., this item was added to this agenda.*

6      Subject:    Exclusive Negotiating Agreement With Oakland Pro Soccer LLC For The Malibu Property  
From:        Economic Workforce Development Department  
Recommendation: Adopt A Resolution (1) Declaring A Proposed Temporary Outdoor Soccer Venue And Ancillary Support Spaces (Temporary Project) As Exempt From The State Surplus Land Act, Meeting Criteria Under Guidelines Section 102(H); (2) Authorizing The City Administrator To Enter Into An Exclusive Negotiation Agreement (ENA) With Oakland Pro Soccer LLC And Alameda County For The Potential Lease For The Proposed Temporary Project On The Malibu Property Located At 8000 South Coliseum Way, Which Is Co-Owned With The County, For A Term Of Six Months With Two Six-Month Administrative Extensions And Payment Of Nonrefundable ENA Payments Of \$25,000 And Extension Payments Of \$25,000 To Each Of The City And The County; And (3) Adopting California Environmental Quality Act Findings;  
[23-0655](#)

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

*Pursuant to Rule 28 (b) of Resolution 89588 C.M.S., this item was added to this agenda.*

## Open Forum



## Adjournment

\* 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

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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.