



City of Oakland

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

Meeting Agenda - FINAL

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

Tuesday, March 28, 2017

5:00 PM

City Council Chamber, 3rd Floor

**** PLEASE NOTE CHANGE IN TIME ****

Pursuant to Government code section 54593(b) Councilmember Rebecca Kaplan will participate in this meeting via telephone at the location below:

**Hyatt Regency Washington on Capital Hill
400 New Jersey Ave NW
Washington, DC 20001
Main Lobby, Sequoia Room
202-737-1234**

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Desley Brooks, District 6; Vice Mayor Annie Campbell
Washington, District 4; Noel Gallo, District 5; Lynette McElhaney, District 3; President
Pro Tempore Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large;
Council President Larry Reid, District 7*

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

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

- 5 Subject: New Citywide Mobile Food Vending Program
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Municipal Code ("OMC") To Adopt A New Citywide Food Vending Program, Delete Chapters 5.49 Push Cart Food Vending Pilot Program, 5.51 Food Vending Group Site Pilot Program, And 8.09 Vehicular Food Vending, Adopt New Chapter 5.51 Food Vending Program And Various Conforming Changes To The OMC And City Planning Code, And Adopting CEQA Findings
[16-0707](#)

Sponsors: Planning & Building Department

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

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

INTRODUCTION (First Reading) WAS PASSED ON MARCH 21, 2017; 7 Ayes, 1 No

Legislative History

2/9/17	*Rules & Legislation Committee <i>This item will also be heard as a March 7, 2017 as a Public Hearing.</i>	Scheduled to the *Community & Economic Development Committee
2/28/17	*Community & Economic Development Committee <i>There were 21 speakers on this item.</i>	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

Staff was directed to amend the ordinance to include the "phasing in" option, allowing a lower number of permits in year one increasing over time, and increasing the 200 feet buffer zone in between operations to 300 feet. Staff was directed to bring a supplemental report to council including an analysis of the staff required to regulate and enforce food vending codes, sign requirements for mobile food vendors and non mobile food vendors.

3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>There was 1 speaker on this item</i>	* Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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3/21/17

Concurrent Meeting of the
Oakland Redevelopment
Successor Agency and the
City Council

Approved As Amended On Introduction and
Scheduled for Final Passage to the Special
Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City
Council

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened
at 7:20 p.m.*

22 individuals spoke on this item.

*Vice Mayor made a motion to approve the ordinance as amended seconded by
Councilmember Kalb, amend the ordinance as follows:*

*B. A location for an individual food vending facility or group site shall not be
permitted if it is proposed to be closer than the distance specified below.*

*3. Three hundred (300) feet from the primary entrance of a Full Service or
Limited Service Restaurant. This separation requirement shall only apply during
the normal hours of operation of the Full Service or Limited Service Restaurant.*

*As an exception, food vending facilities may locate: (a) within three hundred
(300) feet of a Full Service or Limited Service Restaurant if the restaurant
owner has provided the vehicular food vendor with permission to locate on the
same lot as his/her restaurant, or if all applicable restaurant owners in the
buffer area provide a signed waiver to the food vendor; (b) one hundred (100)
feet from a Full Service or Limited Service Restaurant located on Telegraph
Avenue between West MacArthur Boulevard and Alcatraz Avenue; (c) two
hundred (200) feet from a Full Service or Limited Service Restaurant located on
Leimert Boulevard, between Clemens Road and Oakmore Road; (d) on the lot at
the southeast corner of the intersection of Mountain Boulevard and Werner
Court; or if the restaurant is closed during the permitted hours of food vending
operation;*

exempt areas of district 6 on foothill (Brooks)

provide outreach to current businesses in buffer zone. (McElhaney)

*And to close the Public Hearing, and hearing no objections, the motion passed
by 7 Ayes: Brooks, Campbell Washington, Gallo, Kalb, Kaplan, Gibson
McElhaney and President Reid*

1 No: Guillén

- 6 Subject: Sale Of Oakport Property To Oakland Acura At \$5.2 Million
From: Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion 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 Oakland Acura, Or A Related Entity For The Sale Of The Oakport Property (APN 041-3902-021) At The Agreed Upon Sales Price Of \$5.2 Million For The Development Of An Acura Dealership And Adopting CEQA Exemption Findings

[16-0832](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

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

INTRODUCTION (First Reading) WAS PASSED ON MARCH 21, 2017; 8 Ayes

Legislative History

3/9/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>As A Public Hearing 3/21/2017 and for final passage 3/28/2017</i>
3/21/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:10 p.m.</i>

1 individual spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Gibson McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Gibson McElhaney and President Reid

- 7 Subject: 500 Kirkham DDA Assignment
From: Economic And Workforce Development
Recommendation: Adopt An Ordinance Amending Ordinance No. 13368 C.M.S.,
Which Authorized A Disposition And Development Agreement (DDA) With TL Partners
V, L.P., For Disposition And Development Of 500 Kirkham Street As A Mixed-Use
Project, To Assign The DDA To Panoramic Interests, LLC, Or An Affiliate.
[16-0766](#)

Attachments: [View Report](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON MARCH 21, 2017; 7 Ayes, 1
Excused*

Legislative History

2/23/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
3/14/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the Community and Economic Development Committee	Approve 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 the item and requested that the West Oakland
Workforce Development and TL partners work out their differences so that the
property transfer would be "clean".*

There was 1 speaker on this item.

- 8 Subject: Equity Analysis And Proposed Medical Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Receive A Race And Equity Report On Medical Cannabis
Regulations And Adopt The Following Pieces Of Legislation:

1. An Ordinance Amending Oakland Municipal Code Chapter 5.80, Medical Cannabis
Dispensary Permits, To Clarify And Strengthen The City's Equity Permit Program And
Provide Additional Updates Consistent With State Law; And
[16-0784](#)

Attachments: [View Report](#)
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*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

INTRODUCTION (First Reading) WAS PASSED ON MARCH 21, 2017; 7Ayes,1No

Legislative History

2/23/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>There were 108 speakers on this item</i>	
3/21/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved for Final Passage

2. An Ordinance Amending Oakland Municipal Code Chapter 5.81, Medical Cannabis
Cultivation Facility Permits, To Clarify And Strengthen The City's Equity Permit
Program And Provide Additional Updates Consistent With State Law
[16-0785](#)

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

INTRODUCTION (First Reading) WAS PASSED ON MARCH 21, 2017; 7Ayes,1No

Legislative History

2/23/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
3/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>At 11:59 pm, Pro Tempore Guillen made a motion seconded by Councilmember Kaplan to extend the meeting past midnight, and hearing no objections, the motion passed 8 Ayes; Brooks, Campbell Washinton, Gallo, Guillen, Kalb, Kaplan, McElhaney, and President Reid.</i>	
3/21/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved for Final Passage

- 9** Subject: Resolution In Support Of SB 687 - Keeping Hospitals Open
From: Councilmembers Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill 687 (Skinner) That
Would (1) Extend Existing Attorney General Notice And Consent Requirements
Concerning The Disposition Of Assets By Nonprofit Corporations Controlling Health
Facilities To Include Lease Or Transfer Of An Emergency Center To For-Profit Entities
Or Mutual Benefit Corporations And (2) Require Nonprofit Corporations Providing
Emergency Center Services To Obtain The Consent Of The Attorney General Prior To
Reducing Or Eliminating Service Levels

[16-0810](#)

Sponsors: Kalb

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

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

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

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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.