



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 - SUPPLEMENTAL

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

Tuesday, October 15, 2019

5:30 PM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Nikki Fortunato Bas, District 2; Noel Gallo, District 5; President Pro Tempore Dan Kalb, District 1; Council President Rebecca Kaplan, At Large; Lynette McElhane, District 3; Vice Mayor Reid, District 7; Loren Taylor, District 6; Sheng Thao, District 4

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):

- 4.1** Subject: Domestic Violence Awareness Month
From: President Pro Tempore Kalb, Councilmember McElhaney And Thao
Recommendation: Adopt A Resolution Proclaiming October 2019 Domestic Violence
Awareness Month In The City Of Oakland
[18-2279](#)

Attachments: [View Report](#)
[View Supplemental Report 10/11/2019](#)

Legislative History

9/26/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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The Committee accepted this item as a Ceremonial item

- 4.2** Subject: National Hispanic Heritage Month
From: Councilmember Gallo
Recommendation: Adopt A Resolution Recognizing September 15th Through October
15th Of The Year 2019 As "National Hispanic Heritage Month"
[18-2256](#)

Attachments: [View Report](#)
[View Supplemental Report 10/11/2019](#)

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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The Committee Approved this item to be scheduled as A Ceremonial Item

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 1, 2019
[18-2286](#)

Attachments: [View Report](#)

- 6** **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):

- 7** **CONSENT CALENDAR (CC) ITEMS:**

7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
[18-2287](#)

Attachments: [View Report](#)

7.2 Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A
Local Public Health Emergency With Respect To Safe, Affordable Access To Medical
Cannabis In The City Of Oakland
[18-2288](#)

Attachments: [View Report](#)

7.3 Subject: Declaration Of A Local Emergency On Homelessness
From: Council President Kaplan
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness
Crisis
[18-2289](#)

Attachments: [View Report](#)

7.4 Subject: Settlement Agreement - Susan Schacher V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Susan Schacher V. City Of Oakland, Et Al,
Alameda County Superior Court Case No. RG17886477, In The Amount Of Fifty
Thousand Dollars And No Cents (\$50,000.00) As A Result Of A Trip And Fall Accident On
June 16, 2016 (Department Of Public Works - Dangerous Condition Of Public Property
Property)
[18-2305](#)

Attachments: [View Report](#)

Legislative History

10/3/19

*Rules & Legislation
Committee

Scheduled to the * Concurrent Meeting of
the Oakland Redevelopment Successor
Agency and the City Council

7.5 The Item Regarding "Oakland Alameda County Coliseum Authority Appointment" Was Removed Via Rule 28

On Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was removed from this agenda.

7.6 The Item Regarding "Oakland Alameda County Coliseum Authority Appointment" Was Removed Via Rule 28

On Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was removed from this agenda.

- 7.7** Subject: Increased Funding For Undergrounding Of Utility Wires To Prevent Wildfires
From: President Pro Tempore Kalb And Councilmember Thao
Recommendation: Adopt A Resolution In Support Of The League Of California Cities' Resolution To The California Public Utilities Commission (CPUC) Requesting That The CPUC Amend Rule 20A To Allow For The Addition Of Projects In Very High Fire Hazard Severity Zones To The List Of Eligibility Criteria For Utility Wire Undergrounding Projects To Help Prevent Wildfires And To Increase Funding Allocations For Rule 20A Projects
[18-2253](#)

Attachments: [View Report](#)
[View Supplemental Report 9/27/2019](#)

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
10/3/19	*Rules & Legislation Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There was 1 speaker on this item

- S7.8** Subject: League Of California Cities Travel Authorization
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Dan Kalb's To Travel To Long Beach, California For Attendance At The League Of California Cities From October 16, 2019 Through October 18, 2019 And Reimbursement Of Approximately \$1,750.00 In Travel Costs From The Council Contingency Fund For Travel
[18-2310](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

10/3/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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To be heard as a Consent item

S7.9 Subject: Business Tax Refunds Audit FY 2017-18
From: Office Of The City Auditor
Recommendation: Receive An Informational Report From The City Auditor On The
Business Tax Refunds Audit FY 2017-18
[18-2210](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
9/24/19	*Finance & Management Committee	Continued to the *Finance & Management Committee
10/8/19	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There was 1 speaker on the item.

S7.10 Subject: FY 2018-19 Annual Report On Grants And Donations Up To \$50,000
From: Finance Department
Recommendation: Receive An Annual Informational Report From The City Administrator
On The Acceptance And Appropriation Of Restricted Grand Funds, Gifts, And Donations
Of \$50,000 Or Less For The Period Of July 1, 2018 Through June 30, 2019
[18-2280](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

10/8/19	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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There were 2 speakers on the item.

S7.11 Subject: Senate Bill 2 (2017) Planning Grant Program FY 2019-20
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For,
Accept And Appropriate Funds From The Senate Bill 2 (2017) Planning Grant Program
From The California Department of Housing And Community Development In An
Estimated Amount Of Up To \$625,000 To Provide Funding For The Preparation,
Adoption, And Implementation Of Plans And Policies That Streamline Housing Approvals,
Accelerate Housing Production, And Increase Housing Stock From November 1, 2019
Through June 30, 2022

[18-2239](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
10/8/19	*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

There were 2 speakers on this item.

S7.12 Subject: Parks And Recreation Advisory Commission Report
From: Parks, Recreation & Youth Development Department
Recommendation: Receive An Informational Report From The Parks And Recreation
Advisory Commission And Request Future Reporting Occur Annually Each March

[18-1953](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

6/6/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
9/10/19	*Life Enrichment Committee	Continued to the *Life Enrichment Committee
10/8/19	*Life Enrichment Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There were 2 speakers on this item

S7.13 Subject: Fiscal Year 2019-20 Cultural Funding Grants
From: Economic Workforce And Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter
Ninety-One (91) Cultural Services Grant Agreements With Eighty-One (81)
Oakland-Based Individual Artists And Nonprofit Organizations Providing Arts And Cultural
Services In Oakland During The Fiscal Year 2019-20, In A Total Amount Not To Exceed
\$1,221,044.15
[18-2241](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

Legislative History

9/19/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
10/8/19	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There were 2 speakers on this item

*DUE TO THIS ITEM BEING HEARD IN SPECIAL PUBLIC WORKS
COMMITTEE OCTOBER 8, 2019 A QUORUM OF THE CITY COUNCIL WAS
NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE
MEETING OF THE LIFE ENRICHMENT COMMITTEE, AND TO CONVENE AS
A SPECIAL MEETING OF THE FULL COUNCIL AT 6:05 P.M.*

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

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Vacant Property Tax Implementation Ordinance & Administration
From: Finance Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Title 4, Chapter 4.56 To Clarify And Further Define Various Sections Of The Oakland Vacant Property Tax And Establish A Method For Identifying Vacant Property; And
[18-2201](#)

Attachments: [View Report](#)
[View Supplemental Report 10/11/2019](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 5, 2019.

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
9/24/19	*Finance & Management Committee <i>The committee continued this item to the pending list with no specific date There were 79 speakers on this item.</i>	Continued to the *Finance & Management Committee
9/26/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

2) A Resolution Authorizing The City Administrator, Or Designee, To Execute A First Amendment To An Agreement With Sci Consulting Group For The Implementation, Administration And Management Of The Vacant Property Tax For A Term Of Three Years Plus Two One-Year Options For A Grand Total Not To Exceed \$1,270,000 For All Five Years
[18-2202](#)

Attachments: [View Report](#)

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
9/24/19	*Finance & Management Committee	Continued to the *Finance & Management Committee
9/26/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

12 Subject: 500 Kirkham DDA Amendment
From: Economic Workforce And Development Department
Recommendation: Adopt One Of The Following Pieces Of Legislation;

1) An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And 500 Kirkham, To (1)(A) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (B) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (C) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees Are Made According To The Extension Schedule Shown In Exhibit A, And (D) Require Evidence Of A Funding Commitment For The West Oakland Shuttle, And (2) To Make The Determination That An Addendum Pursuant To CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168,15183, And 15183.3; Or [18-2203](#)

Attachments: [View Report](#)
[View Supplemental Report 10/4/2019](#)
[View Supplemental Report - McElhaney 10/11/2019](#)
[View Supplemental Report - 10/11/2019](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 5, 2019.

Legislative History

9/12/19	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/24/19	*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

There was a motion by Councilmember Gallo, seconded by Councilmember Taylor to approve the recommendations as amended to add a new section 5, which includes the following language:

The City Council authorizes the City Administrator to require Developer to pay a \$1 Million workforce training payment directly to the following entities in the amounts specified: (i) \$300,000 for the West Oakland Job Resource Center, (ii) \$300,000 to The Workforce Collaborative, (iii) \$200,000 to Civicorps, and (iv)

\$200,000 to the West Oakland Youth Center, by the date and with the form of evidence specified by the City Administrator. the amendment also included deleting Sections 6 and 7. the committee approved this item to go to the non-consent calendar on October 1, 2019.

2) An Ordinance To Amend Ordinance No. 13368 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And 500 Kirkham, LLC To (1)(A) Change The Project Definition To Allow Development Consisting Of Three Buildings And 1,032 Residential Units, (B) Adjust The Affordable Housing Requirement To Include 85 Very Low Income Units On-Site And A \$7.1 Million Payment To The Affordable Housing Trust Fund, (C) Allow The Project Schedule To Be Extended Annually For Up To Ten Years If Payment Of Extension Fees Are Made According To The Extension Schedule Shown In Exhibit A, (D) Require 500 Kirkham. LLC To Pay A \$1 Million Workforce Training Payment Directly To The Following Entities In The Amounts Specified: (I) \$300.000 To The West Oakland Job Resource Center; II) \$300.000 To The Workforce Collaborative; (III) \$200.000 To Civicorps; And (IV) \$200.000 To The West Oakland Youth Center, By The Date And With The Form Of Evidence Specified By The City Administrator, And (E) Require Evidence Of A Funding Commitment For The West Oakland Shuttle, And (2) To Make The Determination That An Addendum Pursuant To CEQA Guidelines Section 15164 Is Appropriate And Alternatively, The Project Is Exempt From CEQA Pursuant To CEQA Guidelines Sections 15168, 15183, And 15183.3

[18-2341](#)

Attachments: [View Report](#)

Pursuant to Rule 28 of Resolution 87044 C.M.S., this item was added to this agenda.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 5, 2019.

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)

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