



CITY OF OAKLAND

DRAFT City Of Oakland City Council

Legislative Calendar

ALL MEETINGS ARE HELD IN CITY HALL
ONE FRANK H. OGAWA PLAZA, OAKLAND, CA

Office of the City Clerk
Oakland City Hall
1 Frank Ogawa Plaza
Oakland, CA 94612
LaTonda Simmons, City Clerk

Date	Time	Meeting Body	Meeting Location
FOR THE WEEK OF 1-21-2019			
1-22-2019	3:00 P.M.	Special Closed Session	Council Chamber 3rd Floor
1-22-2019	5:30 P.M.	Oakland City Council	Council Chamber 3rd Floor
1-24-2019	10:30 A.M.	Special Closed Session	Building Bridges Room 3rd Floor
	10:45 A.M.	*Rules & Legislation Committee	Council Chamber 3rd Floor

UPCOMING MEETINGS FOR COUNCIL COMMITTEES:

1-29-2019	9:30 A.M.	* Special Finance & Management Committee	Sgt. Mark Dunakin Rm (HR1) 1st Floor
1-29-2019	11:30 A.M.	* Special Public Works Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
1-29-2019	1:30 P.M.	* Special Community & Economic Development Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
1-29-2019	4:00 P.M.	* Special Life Enrichment Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
1-29-2019	6:00 P.M.	* Special Public Safety Committee	Sgt. Mark Dunakin Rm (HR 1) 1st Floor
1-31-2019	10:30 A.M.	Special Closed Session	Building Bridges Room 3rd Floor
	10:45 A.M.	*Rules & Legislation Committee	Council Chamber 3rd Floor

** In the event that 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 actions can be taken.*

City of Oakland

*This document is provided as a courtesy only and is not an official notice as prescribed by Local and State laws.
Please refer to the published Meeting Agendas for official noticing information.*



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 - DRAFT

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

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

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

Tuesday, January 22, 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 McElhaney, 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):

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF DECEMBER 11,
2018
18-1250

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
18-1248

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
18-1249

7.3 Subject: The Oakland Sanctuary City Ordinance
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Resolution Numbers 63950, 80584
And 86498 In Order To Strengthen The Sanctuary City Policy Of The City Of Oakland Not
To Cooperate With Or Provide Support For Federal Immigration Agencies, Based Upon
Resolution 87036
18-0972

Attachments: [View Revised Report 10-19-2018](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 11, 2018; 7 AYES, 1
EXCUSED - BROOKS.*

Legislative History

10/4/18	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
10/25/18	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee

11/15/18	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
12/11/18	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 7.4** Subject: Mandatory Seismic Retrofit For Soft Story Residential Buildings
From: Councilmember Kalb And Mayor Schaaf
Recommendation: Adopt An Ordinance, As Recommended, In Part, By The Planning
Commission, Amending The Oakland Municipal Code To: (1) Add Building And
Construction Code Chapter 15.27 Entitled Mandatory Seismic Evaluation And Retrofit Of
Certain Multi-Unit Residential Buildings, (2) Add Planning Code Section 17.102.250 To
Create Special Exceptions To Buildings Undergoing Permitted Retrofit Work In
Compliance With Chapter 15.27, (3) Make Conforming Changes To Sections 1.08.020
And 15.26.230. And (4) Make Clarifying Amendments Relating To Capital Improvements
In Chapter 8.22, Article I (Residential Rent Adjustment); And Directing The Rent Board To
Modify Its Capital Improvement Amortization Schedule For Work In Compliance With
Chapter 15.27; And Adopting CEQA Exemptions

18-1062

Attachments:

[View Report](#)

[View Supplemental Report 11-9-2018](#)

[View Supplemental Report 11-30-2018](#)

[View Supplemental Report 12/6/2018](#)

[View Supplemental Letter 12/6/2018](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 11, 2018; 7 AYES, 1
EXCUSED - BROOKS.*

Legislative History

10/25/18 *Rules & Legislation Committee Scheduled to the *Community & Economic
Development Committee

11/13/18 *Community & Economic Development Committee Continued to the *Community & Economic
Development Committee

There were 11 speakers on this item

*The Committee continued this item with direction that staff and members of the
public email any questions and concerns they may have in regards to the
ordinance to Councilmember Kalb's office at oluby@oaklandnet.com*

12/4/18 *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

There were 13 speakers on this item

The Committee approved the staff recommendation with the following amendments: Planning Code Section 17.102.250 Part B; "The building permit for the additional unit must be issued no later than five (5) years"

12/11/18 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/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

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 12:17 p.m.

29 individuals spoke on this item

Councilmember Kalb made a motion, seconded by Councilmember Gallo to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, McElhaney and President Reid and 1 Excused Brooks

7.5 Subject: 12th Street Remainder DDA Amendment
From: Economic And Workforce Development Department
Recommendation Adopt An Ordinance To Amend Ordinance 13382 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And The Development Team Composed Of Lakehouse Commons, LLC And Lakehouse Commons Affordable Housing, LP To (1) Extend The Closing Date And Related Outstanding Performance Benchmarks And (2) Increase City Seller Financing To Include Fifty Percent Of The Land Sales Price Attributable To The Market Rate Project 18-1179

Attachments: [View Report](#)

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

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 11, 2018; 7 AYES, 1 EXCUSED - BROOKS.

Legislative History

11/29/18 *Rules & Legislation Committee Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

12/4/18 * Special Meeting of the Oakland City Council Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

President Pro Tem Guillen made a motion to approve this Ordinance on Introduction and to schedule to the December 11, 2018 Special City Council meeting and Adopt An Ordinance To Amend Ordinance 13382 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And The Development Team Composed Of Lakehouse Commons, LLC And Lakehouse Commons Affordable Housing, LP To (1) Extend The Closing Date And Related Outstanding Performance Benchmarks And (2) Increase City Seller Financing To Include Fifty Percent Of The Land Sales Price Attributable To The Market Rate Project

President Pro Tem Guillen made a motion to schedule an item to the December 11, 2018 Special City Council meeting an item concerning the "Community Benefits Program that would include the following:

"a) \$50,000 payment to Catholic Charities of the East Bay for a tenant-legal rights and education program(s) to help minimize the displacement of current tenants living within a three-mile radius of the project site, with a particular focus on outreach to monolingual (residents whose primary language is not English).

b) \$30,000 to the Lake Merritt Business Association's designated fiscal agent for a study to create a Business Improvement District or Community Benefits District in the commercial area of the Eastlake neighborhood.

c) \$150,000 to Oakland Parks and Recreation Foundation or Public Works for the paving and repurposing of dilapidated tennis courts or construction of a recreational facility on existing publicly owned property in Council District 2, San Antonio Park; or to organizations that already are recipients of this community benefits fund.

d) \$50,000 to Keep Oakland Clean & Beautiful or designated fiscal agent for graffiti abatement and neighborhood beautification of the Eastlake Neighborhood.

e) \$20,000 to Urban Releaf for the purchase and maintenance of trees planted east of Lake Merritt in Council District 2, including the Eastlake Neighborhood."

See Item Below

There were 3 speakers on this item.

12/11/18 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Approved for Final Passage

12/11/18 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council * Withdrawn and Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
moved to the non-consent calendar

12/11/18 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
There were 27 speakers on this item

7.6 Subject: License Agreement At 1910 Mountain Boulevard
From: Vice Mayor Campbell Washington
Recommendation: Adopt A Ordinance Authorizing A License Agreement With Andrew Johnstone For Use Of The City-Owned Property At 1910 Mountain Boulevard For An Amount Less Than Fair Market Value For The Installation Of A Graffiti Abatement Mural For A Term Of Five Years
18-1198

Attachments: [View Report](#)

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

INTRODUCTION (First Reading) WAS PASSED ON DECEMBER 11, 2018; 7 AYES, 1 EXCUSED - BROOKS.

Legislative History

12/6/18	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
12/11/18	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Approved On Introduction and Scheduled for Final Passage to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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:

9.1 Subject: Planning Code Amendments
From: Planning And Building Department
Recommendation: Conduct A Public Hearing & Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending Oakland Planning Code Regulations Related To Parking, Loading, Emergency Shelters, Extensive Impact Civic Activities, Permitted Activities In The D-GI Zone, Conditional Use Permits, Hotel Conversions In The CIX-2 Zone, And Joint Living And Working Quarters; And Make Appropriate California Environmental Quality Act Determinations
18-1051

Attachments: [View Report](#)

[View Supplemental Report 11-30-2018](#)

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

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

Legislative History

10/25/18	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
11/13/18	*Community & Economic Development Committee	Approved as Amended the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

There were 6 speakers on this item

The Committee Approved staff's recommendations as amended: Striking the addition of Code Section 17.134.130 and moving the amended Oakland Planning Code regulations related to parking, loading, emergency shelters, extensive impact civic activities, permitted activities in the D-GI Zone, conditional use Permits and hotel conversions in the CIX-2 Zone to the November 27, 2018 Special City Council Agenda as a Public Hearing. Bifurcate the Joint Living And Working Quarters Code Section 17.102.190, and continuing it to the Special December 4, 2018 CED Committee.

11/15/18	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee <i>Staff recommended to not bifurcate this item, as requested in November 13, 2018 Community And Economic Development Committee and send the entire item to the Special Community And Economic Development Committee Agenda on December 4, 2018</i>
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12/4/18 *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

There were 6 speakers on this item

The Committee approved the staff recommendation with the following amendments:

- 1) Change the requirement for granting of a Conditional Use Permit (CUP) for units that have sleeping areas or bedrooms from 10 units to 15 units*
- 2) If units have been non-operative for 2 years you can ask for 1, 1 year extension; and*
- 3) If there is an intervening use the CUP is Not extinguished unless 2 years has lapsed.*

12/6/18 *Rules & Legislation Committee Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

This item was withdrawn and rescheduled to be heard at the first City Council meeting in January 2019.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: OPD-US Marshals MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Understanding (MOU) With The United States Marshals Service (USMS) To Allow Oakland Police Department (OPD) Participation In The Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating And Apprehending Fugitives
18-1119

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[View Supplemental Report 11-29-2018](#)

Legislative History

11/15/18 *Rules & Legislation Committee Scheduled to the *Special Public Safety Committee

- | | | |
|----------|--|--|
| 12/4/18 | *Special Public Safety
Committee | Approved as Amended the Recommendation
of Staff, and Forward to the * Concurrent
Meeting of the Oakland Redevelopment
Successor Agency and the City Council |
| | <i>There were 4 speakers on this item</i> | |
| | <i>The Committee approved the staff recommendation with the following
amendment:</i> | |
| | <i>Attachment B as amended; to add to the 12th Whereas:</i> | |
| | <i>"Failure to adhere to most restrictive policies and procedures may be grounds
for dismissal from the Taskforce and could subject the OPD officer to
administrative action by OPD"</i> | |
| 12/11/18 | Special Concurrent Meeting
of the Oakland
Redevelopment Successor
Agency/City Council | Withdrawn and Rescheduled to the *
Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the
City Council |
| 12/11/18 | Special Concurrent Meeting
of the Oakland
Redevelopment Successor
Agency/City Council | Withdrawn and Rescheduled to the *
Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the
City Council |
| | <i>This item was withdrawn and rescheduled to the next City Council meeting</i> | |

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

**If you need special assistance to participate in Oakland City Council and Committee
meetings please contact the Office of the City Clerk. When possible, please notify the
City Clerk 5 days prior to the meeting so we can make reasonable arrangements to
ensure accessibility. Also, in compliance with Oakland's policy for people with
environmental illness or multiple chemical sensitivities, please refrain from wearing
strongly scented products to meetings.**

Office of the City Clerk - Agenda Management Unit

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THOSE ATTENDING MEETINGS.**

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.



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 - DRAFT

*Rules & Legislation Committee

Thursday, January 24, 2019

10:45 AM

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.

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Roll Call / Call To Order

COMMITTEE MEMBERSHIP:

*Rebecca Kaplan, At large; Dan Kalb, District 1; Lynette McElhaney, District 3;
Chairperson: Sheng Thao, District 4*

- 1 Determinations Of Closed Session
18-1251
- 2 Approval Of The Draft Minutes From The Committee Meeting Of January 10, 2019
18-1252
- 3 Determination Of Schedule Of Outstanding Committee Items
18-1253
- 4 Scheduling Of Agenda Items And Revisions To Previously Distributed 10-Day Agendas (SUPPLEMENTAL)
18-1254

- 5 A Review Of The Draft Agendas For The City Council Meeting Of February 5, 2019 And The Rules And Legislation Committee Of February 7, 2019
18-1255

Open Forum (Total Time Available: 15 Minutes)

Adjournment

Americans With Disabilities Act

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* In the event 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.