



# City of Oakland

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

## Meeting Minutes - DRAFT

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

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Tuesday, March 3, 2020

5:30 PM

City Council Chamber, 3rd Floor

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#### 1 PLEDGE OF ALLEGIANCE

*The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:41 p.m.*

#### 2 ROLL CALL / CITY COUNCIL

*The Roll Call was modified to note Vice Mayor Reid present at 6:00p.m.*

**Excused** 1 - Sheng Thao

**Present** 7 - Nikki Bas, Noel Gallo, Dan Kalb, Lynette McElhaney, Laurence E. Reid, Loren Taylor, and Rebecca Kaplan

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

*There were 48 open forum speakers*

- 4.1 Subject: 2020 California Distinguished School Awards  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Honoring The Three Oakland Unified School District Schools Recognized As 2020 California Distinguished Schools By State Superintendent Of Public Instruction Tony Thurmond: Cleveland Elementary School, Crocker Highlands Elementary School, And Lincoln Elementary School  
[20-0076](#)

**Attachments:** [View Report](#)  
[88052 CMS](#)

*There was 1 speaker on this item*

**A motion was made by Nikki Bas, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Excused:** 1 - Thao

**Aye:** 7 - Bas, Gallo, Kalb, McElhaney, Reid, Taylor, and Kaplan

**NO VOTE:** 0

- 4.2** Subject: Honoring City Administrator Sabrina Landreth  
From: Vice Mayor Reid  
Recommendation: Adopt A Resolution In Honor Of City Administrator Sabrina Landreth  
For Her Devoted and Unwavering Commitment To The People Oakland And Recognize  
Her For Her Outstanding Career With The City Of Oakland  
[20-0230](#)

**Attachments:** [NO WRITTEN MATERIALS SUBMITTED](#)

[View Report](#)

[88053 CMS](#)

*There were 3 speakers on this item*

*The Roll Call was modified to show President Pro Tempore Kalb and  
Councilmember Bas out there seats at 6:55 p.m.*

*A motion was made by Larry Reid, seconded by Loren Taylor, that this matter be  
Adopted. The motion carried by the following vote:*

**Excused:** 1 - Thao

**Aye:** 5 - Gallo, McElhaney, Reid, Taylor, and Kaplan

**Absent:** 2 - Bas, and Kalb

**NO VOTE:** 0

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

*The Agenda was modified to show item 4 being heard after item 4.2*

*The Roll Call was modified to show President Pro Tempore Kalb present at 6:57p.m.*

*The Roll Call was modified to show Councilmember Bas present at 7:01p.m.*

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF FEBRUARY 18,  
2020  
[20-0217](#)

Attachments: [View Report](#)

*The Council approved as amended to the following changes:*

1) To Item 7.17, strike Resolution and replace with Ordinance

2) To Item 9.1 & 9.2 strike Close Public Hearing

*There was 1 speaker on this item*

A motion was made by Noel Gallo, seconded by Lynette McElhaney, that this matter be Approve with the following amendments. The motion carried by the following vote:

Excused: 1 - Thao

Aye: 7 - Bas, Gallo, Kalb, McElhaney, Reid, Taylor, and Kaplan

NO VOTE: 0

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):

Council President made a motion, seconded by Councilmember Bas to schedule the following item...Madden Fab

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

*Approval of the Consent Agenda*

A motion was made by Gallo, seconded by Kalb, to approve the Consent Agenda.  
The motion carried by the following vote:

Excused: 1 - Thao

Aye: 6 - Bas, Gallo, Kalb, Reid, Taylor, and Kaplan

Absent: 1 - McElhaney

NO VOTE: 0

- 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  
[20-0208](#)

**Attachments:** [View Report](#)  
[88054 CMS](#)

**This City Resolution was Adopted.**

- 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  
[20-0209](#)

**Attachments:** [View Report](#)  
[88055 CMS](#)

**This City Resolution be Adopted.**

- 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  
[20-0210](#)

**Attachments:** [View Report](#)  
[88056 CMS](#)

**This City Resolution was Adopted.**

- 7.4 Subject: League Of California Cities Travel Reimbursement  
From: Councilmember McElhaney  
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmember Lynette Gibson McElhaney's Costs Of Approximately \$2146 From The Council Contingency Fund For Travel To Washington, DC For Attendance At The National League Of Cities' Congressional City Conference From March 8 -11, 2020  
[20-0034](#)

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

**This City Resolution be Withdrawn with No New Date.**

- 7.5 Subject: Councilmember Loren Taylor NLC Travel Reimbursement  
From: Councilmember Taylor  
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmember Loren Taylor's Costs Of Approximately \$2,800.00 From The Council Contingency Fund For Travel To Washington, DC For Attendance At The National League Of Cities' Congressional City Conference From March 8-11, 2020  
[20-0175](#)

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

[88057 CMS](#)

**This City Resolution was Adopted.**

- 7.6 Subject: League Of California Cities Travel Reimbursement  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmember Noel Gallo's Costs Of Approximately \$2,887 From The Council Contingency Fund For Travel To Washington, DC For Attendance At The National League Of Cities' Congressional City Conference From March 7-11, 2020  
[20-0176](#)

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

[88058 CMS](#)

**This City Resolution was Adopted.**

7.7 Subject: City of Oakland And IAFF, Local 55 Salary Ordinance Tentative Agreement  
From: Human Resources Management Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S. (The Salary Ordinance) To Provide Wage Increases To Represented Employees In Representation Unit FQ1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 As Follows: An Increase Of 2.5% Effective The First Full Pay Period Following January 1, 2021; Increase Of 1.5% Effective The First Full Pay Period Following July 1,2021; Increase Of 2% Effective The First Full Pay Period Following January 1, 2022; Increase Of 1% Effective The First Full Pay Period Following July 1, 2022; Increase Of 2% Effective The First Full Pay Period In December 2023; And An Additional Increase Of 2% Effective The First Full Pay Period Following January 1, 2021 For The Classification Of Engineer Of Fire; And  
[20-0127](#)

**Attachments:** [View Report](#)  
[13586 CMS](#)  
[Proof Of Publicaion 13586 CMS](#)

**This Ordinance was Approved for Final Passage.**

2) An Ordinance Amending Salary Schedule Of Ordinance 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To The Salaries Of The Unrepresented Chief Of Fire, Deputy Chief Of Fire Department And Assistant Chief Of Fire Department, Representation Units UR1 And UU1; The Wage Increases Shall Be As Follows: An Increase Of 2.5% Effective The First Full Pay Period Following January 1, 2021; Increase Of 1.5% Effective The First Full Pay Period Following July 1, 2021; Increase Of 2% Effective The First Full Pay Period Following January 1, 2022; Increase Of 1% Effective The First Full Pay Period Following July 1, 2022; And Increase Of 2% Effective The First Full Pay Period In December 2023  
[20-0128](#)

**Attachments:** [View Report](#)  
[13587 CMS](#)  
[Proof Of Publicaion 13587 CMS](#)

**This Ordinance was Approved for Final Passage.**

- 7.8 Subject: Measure D- Oakland Fund For Children & Youth/Kids First! Extension  
From: The Life Enrichment Committee  
Recommendation: Adopt An Ordinance To Reauthorize And Extend For Twelve Years An Amendment Of The Charter Of The City Of Oakland (Article XIII Section 1300) Establishing The Kids First! Oakland Fund For Children And Youth As Approved By The Passage Of The 2009 Kids First! Voter Initiative Measure D  
[18-2532](#)

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

[13588 CMS](#)

[Proof Of Publicaion 13588 CMS](#)

**This Ordinance was Approved for Final Passage.**

- 7.9 Subject: Settlement Agreement - Francisco Barriga Salinas  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Francisco Barriga Salinas, Francisco Romero Salinas V. City Of Oakland And Does 1-30, Alameda County Superior Court Case No. RG16833669, In The Amount Of Eight Hundred Twelve Thousand Five Hundred Dollars And No Cents (\$812,500.00) As A Result Of An Auto Collision On October 8, 2015 (Department Of Transportation - Automobile Collision)  
[20-0229](#)

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

[88059 CMS](#)

**This City Resolution was Adopted.**

- 7.10 Subject: CalHome Grant Application Resolutions  
From: Housing And Community Development Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator Or His Or Her Designee To Apply For, Accept And Appropriate Grant Funds From The California Department Of Housing And Community Development In An Amount Not To Exceed \$2 Million Dollars Under The CalHome Program For First-Time Homebuyer Mortgage Assistance Programs; And  
[20-0214](#)

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

[88060 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution Authorizing The City Administrator Or His Or Her Designee To Apply For, Accept And Appropriate Grant Funds From The California Department Of Housing And Community Development In An Amount Not To Exceed \$3 Million Dollars Under The CalHome Program For Accessory Dwelling Unit And Junior Accessory Dwelling Unit Programs

[20-0215](#)

**Attachments:** [View Report](#)  
[88061 CMS](#)

**This City Resolution was Adopted.**

**7.11** Subject: Resolution Appointing Oakland Representatives To The EBRCSA Board  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Appointing Councilmember Noel Gallo To The East Bay Regional Communications System Authority (EBRCSA) Board Of Directors, And Appointing Councilmember Sheng Thao As An Alternate To The EBRCSA Board Of Directors Commencing March 6, 2020

[20-0213](#)

**Attachments:** [View Report](#)  
[88062 CMS](#)

**This City Resolution was Adopted.**

**7.12** Subject: New California State Laws Annual Report  
From: Office Of The City Attorney  
Recommendation: Receive And Informational Report And Briefing From The City Attorney's Office On All New California State Laws Which Become Effective In 2018. Said Report Shall Be Annually Presented At The First Rules Committee In February Of Each Year

[20-0148](#)

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

**This Informational Report was Received and Filed.**

**S7.13** Subject: 2018 FEMA Assistance To Firefighters Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To: (1) Enter Into An Agreement With The U.S. Department Of Homeland Security's  
Federal Emergency Management Agency (FEMA) To Accept The Assistance To  
Firefighters Grant (AFG) Funds In The Amount Of Seventy-Four Thousand Five Hundred  
Forty-Six Dollars (\$74,546.00) With Matching City Of Oakland Funds In The Amount Of  
Seven Thousand Four Hundred Fifty Four (\$7,454.00) To Purchase Equipment And Other  
Necessary Resources For The Project Period Starting September 3, 2019 And Ending  
September 2, 2020; (2) Appropriate And Administer Said Funds; And (3) Expend AFG  
Funds In Accordance With The City's Purchasing Requirements And Programs/Policies  
[20-0150](#)

**Attachments:** [View Report](#)  
[88063 CMS](#)

**This City Resolution was Adopted.**

**S7.14** Subject: Amendment To The Salary Ordinance For Various Classifications  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance  
No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-Time Classification Of Ethics  
Analyst III; To Add The Full-Time Classification Of Sign Shop Coordinator; To Amend The  
Title Of The Full-Time Classification Of Fire Prevention Bureau Inspector (Civilian) To  
Fire Inspector; And To Amend The Salary Of The Part-Time Classification Of Senior Aide  
To Ensure Compliance With The City Of Oakland's Minimum Wage  
[20-0166](#)

**Attachments:** [View Salary Ordinance Report](#)  
[View Salary Ordinance](#)  
[13590 CMS](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.  
to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency  
and the City Council to be heard 3/17/2020**

**S7.15** Subject: Contract Award For Street Light Standards  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Award A Contract To J A Momaney Services, Inc. DBA JAM Services, Inc., A Non-Local Business Enterprise, The Lowest Responsive And Responsible Bidder, To Provide Electrical Equipment, Supplies, Streetlight And Traffic Signal Standards In The Annual Amount Not To Exceed One Million Three Hundred Thirty-Six Thousand Eight Hundred Ninety-Two Dollars And Twenty-Five Cents (\$1,336,892.25) For The Period Of March 01, 2020 To March 31, 2021 In Accord With Request For Quotation No. 175510, Specification No. 20-285-00 And The General Conditions Therefor On File In The Purchasing Section, And With Contractor's Bid  
[20-0173](#)

**Attachments:** [View Agenda Report](#)  
[View Attachment A](#)  
[View Attachment B](#)  
[View Resolution](#)  
[View Supplemental Report 2/21/2020](#)  
[88064 CMS](#)

**This City Resolution was Adopted.**

**S7.16** Subject: Broadway Shuttle Operation Agreement  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing. An Agreement With The Alameda-Contra Costa Transit District ("AC Transit") To Continue Operating The City Of Oakland Broadway Shuttle Between July 1, 2020 And June 30, 2022, At An Initial Cost Not To Exceed \$2,367,885, And Authorizing The City Administrator To Increase This Agreement Amount For Expanded Shuttle Hours Or Frequency Of Service Using Any Additional Public And Private Grants And Financial Support Secured Within The Term Of The Agreement  
[20-0168](#)

**Attachments:** [View Report](#)  
[View Report Attach A](#)  
[View Report Legislation](#)  
[88065 CMS](#)

*this item was approved as amended, changing the date from July 1, 2020 to January 1, 2020.*

**This City Resolution was Adopted.**

**S7.17** Subject: Construction Service Contract With Beliveau Engineering Contractors, Inc.  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Waive Advertising And Competitive Bidding And Increase The On-Call Construction Service Contract With Beliveau Engineering Contractors, Inc. By An Amount Of Seven Hundred Thirty Thousand Dollars (\$730,000.00) From Two Hundred Fifty Thousand Dollars (\$250,000.00) To A Total Contract Amount Of Nine Hundred Eighty Thousand Dollars (\$980,000.00); And 2) Reallocate Additional Funds Of Six Hundred Thousand Dollars (\$600,000.00) Aggregated From Measure KK Bond Project Funds - Fire Station Roof Replacement (Project No. 1003437) In The Amount Of One Hundred Seventy Thousand Dollars (\$170,000.00) And Fire Station Feasibility Study Project (No. 1003435) In The Amount Of Four Hundred Thirty Thousand Dollars (\$430,000) To The Citywide Fire Stations Aprons And Hardscape Project (No. 1003436) For Construction And Project Contingency

[20-0170](#)

**Attachments:** [View Report Agenda Report](#)  
[View Report Attachment A](#)  
[View Report](#)  
[View Report Legislation](#)  
[88066 CMS](#)

**This City Resolution was Adopted.**

**S7.18** Subject: Caltrans Local Roadway Safety Plan Funding Approval  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate A Grant From The California Department Of Transportation (Caltrans), In An Amount Of Seventy Two Thousand Dollars (\$72,000.00) To Develop A Local Roadway Safety Plan; And To Commit A Local Match Of Eight Thousand Dollars (\$8,000.00)

[20-0172](#)

**Attachments:** [View Report Agenda Report](#)  
[View Report Attachment A](#)  
[View Report Legislation](#)  
[View Supplemental Report 2/21/2020](#)  
[88067 CMS](#)

**This City Resolution was Adopted.**

**S7.19** Subject: Contract Increase For Heavy Equipment Repair And Service  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Amending Resolution No. 87615 C.M.S., Which Awarded A Contract To Kelly's Truck Rep Air For The Purchase Of Heavy Truck Equipment Repair And Service In The Amount Of \$500,000 Annually, To Increase The Amount Authorized For FY 2019-2020 To \$1,000,000 And Waiving Advertising And Competitive Bidding Requirement

[20-0203](#)

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

[View Report Resolution](#)

[View Report Attachment 1](#)

[88068 CMS](#)

**This City Resolution was Adopted.**

**S7.20** Subject: Fiscal Year 2018 Urban Area Security Initiative (UASI) Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Amending Resolution No. 87526 C.M.S. By: (1) Accepting And Appropriating Fiscal Year 2018 Urban Area Security Initiative (FY 2018 UASI) Grant Funds In The Amount Of One Hundred Thirty-Three Thousand Dollars (\$133,000) For A Cumulative FY 2018 UASI Grant Award Of One Million One Hundred Eighty-Three Thousand Dollars (\$1,183,000); (2) Authorizing The City Administrator Or Designee To Expend The Additional Grant Funds In Accordance With The FY 2018 UASI Spending Plan To Increase Funding For Equipment And Staffing; And (3) Authorizing Use Of The General Purpose Fund To Cover The Cost Of Central Service Overhead Charges Affiliated With Said Grant.

[20-0164](#)

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

[88069 CMS](#)

**This City Resolution was Adopted.**

**S7.21** Subject: Urban Area Security Initiative (UASI) Grant-FY 2019  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution: (1) Accepting And Appropriating Federal Fiscal Year 2019 Urban Area Security Initiative (FY 2019 UASI) Grant Funds From The City And County Of San Francisco In An Amount Of Up To One Million, Fifty Thousand Dollars (\$1,050,000.00); (2) Approving The FY 2019 UASI Recommended Grant Spending Plan; (3) Waiving The City's Advertising And Competitive Bidding And Purchasing Requirements For Procurement Of Equipment When Required By The FY 2019 UASI Grant; (4) Authorizing The City Administrator Or Designee To Expend Said Grant Funds In Accordance With The Recommended Spending Plan Provided The City's Hiring And Contracting Requirements And Programs/Policies Are Followed; (5) Accepting And Appropriating Additional FY 2019 UASI Grant Funds In An Amount Not To Exceed Fifty Percent (50%) Of The Original Grant Award; And (6) Authorizing Use Of The General Fund Purpose Fund To Cover The Cost Of Central Service Overhead Charges Affiliated With Said Grant

[20-0151](#)

**Attachments:** [View Report](#)  
[88070 CMS](#)

**This City Resolution was Adopted.**

**S7.22** Subject: Adoption Of Citywide Privacy Principles  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Establishing As City Policy Seven Privacy Principles To Assist City Departments Develop And Implement Internal Policies That Protect The Privacy Of All Oakland Residents, Visitors, And The Public As Follows: (1) To Design And Use Equitable Privacy Practices; (2) To Limit Collection And Retention Of Personal Information; (3) To Manage Personal Information With Diligence; (4) To Distribute Personal Information With Third Parties Only When Necessary And Consistent With These Principles; (5) To Safeguard Individual Privacy In Public Record Disclosures; (6) To Be Transparent And Open; And (7) To Be Accountable To Oakland Residents, Visitors, And Members Of The Public

[20-0165](#)

**Attachments:** [View Report](#)  
[88071 CMS](#)

**This City Resolution was Adopted.**

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

*There were no final decisions made in closed session.  
There were 6 speakers on this item*

**This be Accepted.**

- 12 Subject: Amending Resolution Authorizing Oakland Promise  
From: President Kaplan  
Recommendation: Adopt A Resolution Implementing Recommendations Of The City Auditor Regarding Oakland Promise, And Amending Resolution No. 85809 C.M.S. (Actions Taken By The Mayor During The Oakland City Council 2015 Annual Recess) Authorizing The City Administrator To Enter Into A Memorandum Of Understanding (MOU) With The East Bay College Fund To Implement The Oakland Promise Initiative [18-2542](#)

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

[View Auditor Report 2/7/2020](#)

[View Supplemental Report - Auditors Presentation 2/20/2020](#)

[View Supplemental Report - Kaplan](#)

[88072 CMS](#)

*There were 3 speakers on this item.*

*the committee moved the revised Kaplan supplemental resolution*

A motion was made by Larry Reid, seconded by Lynette McElhaney, that this matter be Adopted as Amended. The motion carried by the following vote:

**Excused:** 1 - Thao

**Aye:** 6 - Bas, Gallo, Kalb, McElhaney, Taylor, and Kaplan

**Absent:** 1 - Reid

**NO VOTE:** 0

**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: 1750 Broadway: Appeal By East Bay Residents For Responsible Development  
From: Planning And Building Department  
Recommendation: Adopt One Of The Following Three Options:

1) A Resolution Denying The Appeal (APL19013) By East Bay Residents For Responsible Development (EBRRD) Led By Adams Broadwell, Joseph & Cardozo And Upholding The Planning Commission's Environmental Determination And Approval Of A Major Conditional Use Permit For Building Construction Over 200,000 Square Feet And Regular Design Review For The Project Located At 1750 Broadway, Oakland Ca (PLN18369); Or [18-2484](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 2/21/2020](#)  
[88073 CMS](#)

*Upon the reading of Item 9.1 by the City Clerk, the continued Public Hearing was re-opened at 8:59 p.m.*

*62 individuals spoke on this item.*

*Councilmember McElhaney made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and by that same motion, moving option 1 and hearing no objections, the motion passed by 5 Ayes: Gallo, McElhaney, Reid, Taylor and President Kaplan, No: Bas 1 Abstain Kalb 1 Excused: Thao*

**This City Resolution be Adopted.**

**Excused:** 1 - Thao

**Abstained:** 1 - Kalb

**Aye:** 5 - Gallo, McElhaney, Reid, Taylor, and Kaplan

**No:** 1 - Bas

**NO VOTE:** 0

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny the Appeal With Additional Conditions; OR [18-2486](#)

**This Report and Recommendation be No Action Taken.**

3) A Motion To Direct Staff To Prepare A Resolution For Future City Consideration To Uphold The Appeal  
[18-2488](#)

**This City Resolution be No Action Taken.**

**9.2** Subject: 1750 Broadway Project (Appeal By Residents Of 1770 Broadway)  
From: Planning And Building Department  
Recommendation: Adopt One Of The Following Three Options:

1) A Resolution Denying The Appeal By The Residents Of 1770 Broadway Led By Joseph Hornof (APL19010) And Upholding The Planning Commission's Environmental Determination And Approval Of A Major Conditional Use Permit For Building Construction Over 200,000 Square Feet And Regular Design Review, For The Project Located At 1750 Broadway, Oakland Ca (PLN18369); Or  
[18-2490](#)

**Attachments:** [View Report](#)  
[88074 CMS](#)

*Upon the reading of Item 9.2 by the City Clerk, the continued Public Hearing was re-opened at 11:20 p.m.*

*46 individuals spoke on this item.*

*Councilmember McElhaney made a motion, seconded by Councilmember Taylor, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Bas, Gallo, Kalb McElhaney, Reid, Taylor and President Kaplan, 1 and 1 Excused: Thao*

*Councilmember McElhaney, seconded by Reid to made a motion to direct the City Administrator to include the following mitigations 1. soil sampling 2. additional dust monitoring 3. Window replacement 4. Relocation Plan/Assistance 5. Local hire/participation 6. Local Apprenticeship 7. Private binding agreements submitted to the City Administration as attachments to item*

*Councilmember McElhaney made a motion adopting option 1 the motion passed by 6 Ayes: Gallo, Kalb McElhaney, Reid, Taylor and President Kaplan, 1 NO: Bas and 1 Excused: Thao*

**A motion was made by Lynette McElhaney, seconded by Loren Taylor, that this matter be Adopted. The motion carried by the following vote:**

**Excused:** 1 - Thao

**Aye:** 6 - Gallo, Kalb, McElhaney, Reid, Taylor, and Kaplan

**No:** 1 - Bas

**NO VOTE:** 0

Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Deny The Appeal With Additional Conditions; Or  
[18-2491](#)

**This Report and Recommendation be No Action Taken.**

3) A Motion To Direct Staff To Prepare A Resolution For Future City Council Consideration To Uphold The Appeal  
[18-2492](#)

**This Report and Recommendation be No Action Taken.**

#### **ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

Councilmember Taylor made a motion seconded by councilmember Kalb to schedule something about outstanding q

#### **10 THIS NUMBER INTENTIONALLY NOT USED**

**11** Subject: City Of Oakland's Intent To Acquire County Auction Properties  
From: Council President Kaplan And Councilmember Taylor  
Recommendation: Adopt Resolution Expressing City Of Oakland's Interest In Acquiring Certain Properties On Alameda County's List Of Properties To Be Sold At Public Auction In Order To Preserve & Provide Said Properties For Affordable Housing  
[20-0143](#)

**Attachments:** [NO WRITTEN MATERIALS SUBMITTED](#)

**This City Resolution be No Action Taken.**

#### **13 The Item Regarding the "Bike Share Program Agreement With Bay Area Motivate L.L.C" Was removed from this Agenda Via Rule 28**

#### **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)**

*There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Connie Fuller at 1:12 a.m.*

## **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**

**Phone: (510) 238-6406**

**Fax: (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Relay Service: 711**

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF 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.**