



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

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Tuesday, March 28, 2017

5:00 PM

City Council Chamber, 3rd Floor

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**\*\* 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**

**Excused** 1 - Lynette McElhaney

**Present** 7 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

**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):**

*Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Kevin Faughnan.*

*President Pro Tem Guillen took a point of personal privilege and requested that the meeting be adjourned in memory of the 4 individuals that perished in the San Pablo Avenue fire. Councilmember Brooks, Vice Mayor Campbell Washington, and Council President Reid requested association with this tribute. (Edwin Anderson and Cassandra Johnson, 2 unnamed)*

*Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Roosevelt Jefferson, Sr., Ursula Thomas, Iris Ruth Canada, and Linda Brazile. Vice Mayor Campbell Washington requested association with the tribute for Roosevelt Jefferson, Sr.*

*Vice Mayor Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Mike Davis.*

- 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](#)  
[13421 CMS.pdf](#)

*There was 1 speaker on this item.*

**A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Approved for Final Passage. The motion carried by the following vote:**

**Excused:** 1 - McElhanev

**Aye:** 6 - Brooks, Campbell Washington, Gallo, Kalb, Kaplan, and Reid

**No:** 1 - 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](#)  
[13422 CMS](#)

*There was 1 speaker on this item*

**A motion was made by Larry Reid, seconded by Noel Gallo, that this matter be Approved for Final Passage. The motion carried by the following vote:**

**Excused:** 1 - McElhaney

**Aye:** 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and 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](#)  
[13423 CMS](#)

*There were 3 speakers on this item.*

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

**Excused:** 1 - McElhaney

**Aye:** 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Reid

***Roll call was modified to show Councilmember McElhaney present at 6:34 p.m.***

**Present** 8 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Lynette McElhaney, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

**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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[13424 CMS](#)

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

**Aye:** 8 - Brooks, Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

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](#)

**Attachments:** [13425 CMS](#)

***There were 23 speakers on this item.***

**A motion was made by Desley Brooks, seconded by Rebecca Kaplan, that this  
matter be Approved for Final Passage. The motion carried by the following vote:**

**Aye:** 8 - Brooks, Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

- 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](#)  
[86665 CMS](#)

*There was 1 speaker on this item.*

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

**Aye:** 8 - Brooks, Campbell Washington, Gallo, McElhaney, Guillén, Kalb, Kaplan, and Reid

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

This be Approve as Submitted.

**Abstained:** 1 - McElhaney

**Aye:** 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Reid

## **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 Kevin Faughnan, the 4 victims of the San Pablo Avenue fire, Roosevelt Jefferson, Sr., Ursula Thomas, Iris Ruth Canada, Linda Brazile, and Mike Davis at 6:38 p.m.*

### **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.**