



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

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Tuesday, November 27, 2018

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 5:40 p.m.*

### 2 ROLL CALL / CITY COUNCIL

*The Roll Call was modified to note Councilmember McElhaney present at 5:44 p.m.*

**Excused** 1 - Desley Brooks

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

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

*There were 19 open forum speakers*

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

*Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Harvey Milk*

*Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Irene Debose Jones*

*Councilmember Kalb, Councilmember McElhaney, Pro Tem Guillen, Vice Mayor Campbell Washington and President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Diana Benson*

*President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Charlie Brown*

- 4.1 Subject: Arbor Day 2018  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Proclaiming Tuesday November 27, 2018 To Be  
Arbor Day 2018 In Oakland  
[18-1097](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 11-21-2018](#)  
[87404 CMS](#)

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

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

- 4.2 Subject: Indigenous People's Day  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Establishing Indigenous People's Day In The City  
Oakland  
[18-1041](#)

**Attachments:** [View Report](#)  
[View Report](#)  
[87436 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

- 4.3 Subject: Recognizing Patricia "Pat" Sierra  
From: Councilmember Gallo  
Recommendation: Adopt A Resolution Remembering And Honoring Administrative  
Services Manager Patricia "Pat" Sierra For 34 Years Of Dedicated Service To The  
Residents Of Oakland  
[18-1081](#)

**Attachments:** [View Report](#)  
[View Report](#)  
[87437 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

- 4.4 Subject: Resolution Honoring Deputy Chief Mark Hoffmann  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution Honoring Chief Mark Hoffmann For 38 Years Of  
Dedicated Service To The Residents Of Oakland  
[18-1083](#)

**Attachments:** [View Report](#)  
[87405 CMS](#)

*There were 2 speakers on this item.*

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 30, 2018  
[18-1135](#)

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

**A motion was made by Noel Gallo, seconded by Abel J. Guillén, that this matter be Approved. The motion carried by the following vote:**

**Excused:** 1 - Brooks

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

**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):**

Subject: Receive A Report On The Public Lands Policy Process And Analysis  
From: Councilmember Guillén And Kaplan  
Recommendation: Approve A Report And Recommendation On The Public Lands Policy Process And Analysis To Inform Council Direction To Prepare Legislation To Implement A City Public Lands Policy And/Or Strategy  
[18-0522](#)

**Attachments:** [View Report Guillen And Kaplan Report](#)  
[View Report](#)  
[View Report Attachments A-G](#)  
[View Supplemental Report 6-15-2018](#)  
[View Supplemental Report Attachments A - B](#)  
[View Supplemental Report 6-22-2018](#)  
[View Supplemental Presentation 6-22-2018](#)  
[View Supplemental Report 7-13-2018](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the \*Rules & Legislation Committee to be heard 11/29/2018**

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

Subject: Resolution Setting Forth Oakland's Public Lands Policy Framework  
From: President Pro Tem Guillén And Councilmember Kaplan  
Recommendation: Adopt A Resolution Setting Forth Oakland's Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies  
[18-1137](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 12/7/2018](#)  
[87483 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the \*Rules & Legislation Committee to be heard 11/29/2018**

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

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

*There were 23 speakers on this item*

***Approval of the Consent Agenda***

**A motion was made by Campbell Washington, seconded by Reid, to approve the Consent Agenda. The motion carried by the following vote:**

**Excused:** 1 - Brooks

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

**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  
[18-1133](#)

**Attachments:** [View Report](#)  
[87406 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  
[18-1134](#)

**Attachments:** [View Report](#)  
[87407 CMS](#)

**This City Resolution was Adopted.**

- 7.3** Subject: Salary Ordinance Amendment 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 Classifications Of Transportation Planner I, Transportation Planner II, Transportation Planner III, And Police Communications Dispatcher, Senior; To Add The Part-Time Classification Of Head Start/Early Head Start Assistant Instructor, PT; To Add The Permanent Part-Time Equivalent Classification Of Fire Communications Dispatcher, PPT; To Amend The Title Of Open Government Coordinator To Open Government & Legal Services Coordinator; To Amend The Title Of Cook III To Cook, Supervising; To Amend The Title Of Litter/Nuisance Enforcement Officer To Environmental Enforcement Officer; To Amend The Title Of Assistant Director, Public Works Agency To Assistant Director, Public Works; To Amend The Representation Unit Of The Classification Of Budget Administrator, Assistant From U31 To Up1; And To Delete The Title Of Engineer, Transportation Assistant

[18-0968](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 10-25-2018](#)  
[13506 CMS](#)  
[Proof Of Publication](#)

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

- 7.4** Subject: Salary Amendment To Add Assistant Director, Planning & Building  
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 Title Of Assistant Director, Planning And Building

[18-0981](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 10-25-2018](#)  
[13507 CMS](#)  
[Proof Of Publication](#)

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

- 7.5** Subject: Dockless Scooter Sharing Program  
From: Transportation Department  
Recommendation: Adopt An Ordinance Amending Ordinance Number 13497 C.M.S.  
(Fiscal Year 2018-2019 Master Fee Schedule) Establishing Fees For The Dockless  
Scooter Sharing Program  
[18-0733](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 7-13-2018](#)  
[View Supplemental Report 7-20-2018](#)  
[View Supplemental Report 10-26-2018](#)  
[View Supplemental Report 11-16-2018](#)  
[View Supplemental Report 11-21-2018](#)  
[Proof Of Publication](#)  
[13508 CMS.pdf](#)

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

- 7.6** Subject: Appointment To The Budget Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of  
Kasheica Mckinney, Caitlin Prendville, Vincent Leung, And Darin Ranahan To The  
Budget Advisory Commission  
[18-1139](#)

**Attachments:** [View Report](#)  
[87408 CMS](#)

**This City Resolution was Adopted.**

- 7.7** Subject: Appointment To The Cannabis Regulatory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Appointment Of Jeffrey Hatcher  
As A Member Of The Cannabis Regulatory Commission  
[18-1140](#)

**Attachments:** [View Report](#)  
[87409 CMS](#)

**This City Resolution was Adopted.**

- 7.8 Subject: Appointment To The Civil Service Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Reappointment Of Yvonne Hudson-Harmon To The Civil Service Board  
[18-1142](#)

**Attachments:** [View Report](#)  
[87410 CMS](#)

**This City Resolution was Adopted.**

- 7.9 Subject: Appointment To The Commission On Persons With Disabilities  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lester Meu, Noah Smith, And Brandon Young To The Commission On Persons With Disabilities  
[18-1143](#)

**Attachments:** [View Report](#)  
[87411 CMS](#)

**This City Resolution was Adopted.**

- 7.10 Subject: Appointment To The Library Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jessica Jung And Joseph Karwat As Members Of The Library Advisory Commission  
[18-1144](#)

**Attachments:** [View Report](#)  
[87412 CMS](#)

**This City Resolution was Adopted.**

- 7.11 Subject: Appointment To Mosquito Abatement District  
From: Council President Reid  
Recommendation: Adopt A Resolution Re-Appointing Jan Washburn As The City Of Oakland's Trustee To The Alameda County Mosquito Abatement District Board  
[18-1099](#)

**Attachments:** [View Report](#)  
[87413 CMS](#)

**This City Resolution was Adopted.**

**7.12** Subject: PEG Funding Apportionment 2018-2023  
From: Office Of The City Clerk  
Recommendation: Adopt A Resolution (1) Appropriating Approximately \$3.9 Million (A 5-Year Estimated Total) In Public Education Government (PEG) Fee Funds For FY2018-2019 Through The End Of FY2022-2023 For The Capital Expenses Of Public, Education And Government (PEG) Cable Television Channels Operating In The City Of Oakland; (2) Authorizing Apportionment Of Equal Shares Of The PEG Funds To (KTOP), To The Oakland Unified School District (KDOL), And To The Peralta Community College District (PeraltaTV) For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are More Or Fewer PEG Channels Operating In Oakland; (3) Authorizing The City Administrator To Execute Or Amend Memoranda Of Understanding To Effectuate The Distribution Of Said Funds; And (4) Amending Resolutions 84050 C.M.S. And 84701 C.M.S. To Appropriate \$1,298,523 Of Additional PEG Fees Received For Fiscal Years 2010-2011 Through 2017-2018 In The Same Equal 1/3 Manner Previously Authorized  
[18-1045](#)

**Attachments:** [View Report](#)  
[87414 CMS](#)

**This City Resolution was Adopted.**

**7.13** Subject: Annual Report On Grants And Donations  
From: Office Of The City Administrator  
Recommendation: Receive An Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts, And Donations Of \$50,000 Or Less For The Period Of July 1, 2017 Through June 30, 2018.  
[18-0855](#)

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

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

- 7.14** Subject: Reimbursement - GoPort  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Negotiate And Execute An Agreement With The Alameda County Transportation Commission (ACTC) For The Reimbursement Of City Costs Incurred In The Review And Approval Of Design Of The Global Opportunities At The Port Of Oakland (GoPort) Projects, And To Accept And Appropriate Up To One Million Dollars (\$1,000,000) From ACTC For Those Costs  
[18-1044](#)

**Attachments:** [View Report](#)  
[87415 CMS](#)

**This City Resolution was Adopted.**

- 7.15** Subject: Major Encroachment Permit At 1940 Webster Street  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Michael K. Park, A Married Man As His Sole And Separate Property, To Allow Portions Of The New Building Above Grade At 1940 Webster Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ18061  
[18-1050](#)

**Attachments:** [View Report](#)  
[87416 CMS](#)

**This City Resolution was Adopted.**

- 7.16** Subject: Major Encroachment Permit At 2401 Broadway.  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 2401 Broadway Investors, LLC, To Allow Portions Of The New Building Above Grade At 2401 Broadway And 25th Street To Encroach Into The Public Right-Of-Way On Broadway And 25th Street, Major Encroachment Permit ENMJ18062  
[18-1059](#)

**Attachments:** [View Report](#)  
[87417 CMS](#)

**This City Resolution was Adopted.**

- 7.17** Subject: PG&E Cost-Share Agreement  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Negotiate And Execute An Agreement With Pacific Gas And Electric Company For Cost-Sharing Of Joint-Benefit Paving Projects Throughout Oakland, (2) Accept And Appropriate Funds From Pacific Gas And Electric Company On A Case-By-Case Basis Per The Executed Agreement Without Returning To Council, And (3) Waive Advertising And Competitive Bidding For Construction Contracts Executed As Part Of This Agreement  
[18-1054](#)

**Attachments:** [View Report](#)  
[87418 CMS](#)

**This City Resolution was Adopted.**

- 7.18** Subject: Removal Of Travel Lanes (Foothill & E 15th St)  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The Removal Of Travel Lanes And The Installation Of Class II Bicycle Lanes On Foothill Boulevard From 1st Avenue To 23rd Avenue And On E15th Street From 1st Avenue To 14th Avenue And 2) Adopting California Environmental Quality Act Exemption Findings  
[18-1057](#)

**Attachments:** [View Report](#)  
[View Color Attachment A](#)  
[View Color Attachment B](#)  
[87419 CMS](#)

**This City Resolution was Adopted.**

- 7.19** Subject: Collaborative Creeks Agreement  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate An Amount Not To Exceed Three Hundred Sixty Thousand Dollars (\$360,000.00) Annually From The Alameda County Flood Control And Water Conservation District (District) For A Total Amount Not To Exceed One Million Eight Hundred Dollars (\$1,800,000.00) For The Grant Term Fy 2018 - 2022 And 2) Enter Into An Agreement With The District To Implement The Collaborative Creek Improvement And Clean Creeks Programs (Programs) For The Period July 1,2017 Through June 30, 2022

[18-1055](#)

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

[87420 CMS](#)

**This City Resolution was Adopted.**

- 7.20** Subject: Construction Contract Amendment For Lions Pool Renovation  
From: Oakland Public Works  
Recommendation: Adopt A Resolution To Waive Advertising And Competitive Bidding And Authorize The City Administrator, Or Designee, To Increase The Construction Contract Amount For The Lions Pool Renovation (Project No. 1003434) With Beliveau Engineering Contractors, Inc. By Six Hundred Ten Thousand Two Hundred Fifty Dollars (\$610,250.00) From Six Hundred Seventy Thousand Dollars (\$670,000.00) To One Million Two Hundred Eighty Thousand Two Hundred-Fifty Dollars (\$1,280,250.00)

[18-1060](#)

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

[87421 CMS](#)

**This City Resolution was Adopted.**

- 7.21** Subject: Designation Of Authorized Agents For FEMA Grants  
From: Housing And Community Development  
Recommendation: Adopt A Resolution Designating The City Administrator, The Assistant City Administrator, And The Director Of Housing And Community Development As Authorized Agents On Behalf Of The City Of Oakland To Execute And Submit All Documents Necessary For Federal Award Funds From The Federal Emergency Management Agency And The State Of California Governor's Office Of Emergency Services.

[18-1043](#)

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

[87422 CMS](#)

**This City Resolution was Adopted.**

- 7.22** Subject: Workforce Development Board Revised FY 2018-19 Budget And Contracts  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution (1) Adopting The Revised Fiscal Year 2018-19 Workforce Development Budget In The Amount Of \$6,609,499; And (2) Amending Fiscal Year 2018-19 Contracts With Service Providers For An Additional Amount Not To Exceed \$535,107.

[NEW TITLE]

[18-1049](#)

Attachments: [View Report](#)

[87423 CMS](#)

**This City Resolution was Adopted.**

- 7.23** Subject: Montclair Business Improvement District  
From: Economic And Workforce Development  
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2019-2020 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 11, 2018

[18-1040](#)

Attachments: [View Report](#)

[87424 CMS](#)

**This City Resolution was Adopted.**

- 7.24** Subject: Rockridge Business Improvement District  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2019-2020 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 11, 2018

[18-1053](#)

Attachments: [View Report](#)

[87425 CMS](#)

**This City Resolution was Adopted.**

- 7.25** Subject: AC-OCAP State ETIC Grant Report and Resolution  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept, Appropriate, And Allocate A Grant In The Amount Of \$176,000 From The California Department Of Community Services And Development (CSD), And Any Additional Funding That May Become Available, Without Returning To Council, To Implement The California Earned Income Tax Credit (CALEITC) Free Tax Preparation Assistance Program; 2) Enter Into Grant Agreements And Amendments With Service Providers To Implement The California Earned Income Tax Credit Free Tax Preparation Assistance Program Throughout Alameda County; And 3) Amend The Agreements To Increase The Amount If Additional Funding Becomes Available During The Grant Period Of November 1, 2018 To June 30, 2019, Without Returning To Council

[18-1052](#)

**Attachments:** [View Report](#)  
[87426 CMS](#)

**This City Resolution was Adopted.**

- 7.26** Subject: Active Oakland School Traffic Safety Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Alameda County Public Health Department (ACPHD) Active Transportation Program Grant Funds In An Amount Not To Exceed Eighty Four Thousand Dollars (\$84,000); 2) Enter Into A Contract With ACPHD For The Period Of October 1, 2018 To September 30, 2020 To Develop Traffic Safety Plans, Implement School Safety Patrol Programs, And Provide Additional Traffic Enforcement Around Schools In Support Of The "Active Oakland" Program; And 3) Authorize A Contribution In An Estimated Amount Of Twelve Thousand And Twenty Eight Dollars (\$12,028) From The General Purpose Fund To Subsidize The Central Services Overhead (CSO) Charges Affiliated With This Program

[18-1047](#)

**Attachments:** [View Report](#)  
[87427 CMS](#)

**This City Resolution was Adopted.**

**7.27** Subject: OPD 2018 DNA Backlog Reduction Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Seventeen Thousand And Six Hundred And Seventy-Six Dollars (\$217,676) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2018 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department; 2) Waiving The Advertising And Competitive Bidding Requirements For The Purchase Of DNA Typing Supplies From Three Companies: (1) Promega For Thirty five Thousand Nine Hundred Twenty Dollars (\$35,920), (2) Qiagen For Eleven Thousand Five Hundred Dollars (\$11,500), And (3) Thermofisher For Four Thousand Two Hundred And Forty-Four Dollars (\$4,244); And 3) Thermofisher For One Hundred Forty-Three Thousand Eight Hundred And Sixty-Four Dollars (\$143,864) For A DNA Typing Instrument  
[18-0906](#)

**Attachments:** [View Report](#)  
[87428 CMS](#)

**This City Resolution was Adopted.**

**7.28** Subject: OPD 2018 Forensic DNA Laboratory Enhancement Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Sixty-Six Thousand And Seven Hundred And Twenty Dollars (\$166,720) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year (FY) 2018 Forensic Deoxyribonucleic Acid (DNA) Laboratory Efficiency Improvement And Capacity Enhancement Grant Program In The Oakland Police Department (OPD); 2) Waiving The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Typing And Robot Supplies And DNA Typing Instrument From Five Companies (1) Promega For Nineteen Thousand Two Hundred And Twenty Dollars (\$19,220), (2) Qiagen For Five Thousand Five Hundred Dollars (\$5,500), (3) Thermofisher For Two Thousand Dollars (\$2,000), (4) Sigma - Aldrich For One Thousand Dollars (\$1,000), (5) Aurora-Biomed For Four Thousand Dollars (\$4,000) And (6) Thermofisher For One Hundred Thirty-Five Thousand Dollars (\$135,000) For A Capillary Electrophoresis (DNA Typing) Instrument  
[18-1046](#)

**Attachments:** [View Report](#)  
[87429 CMS](#)

**This City Resolution was Adopted.**

**S7.29** Subject: (“Salary Ordinance”) To Increase The Salary Of The City Attorney  
From: Human Resource Management Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S. (“Salary Ordinance”) To Increase The Salary Of The City Attorney  
[18-1162](#)

**Attachments:** [View Report](#)  
[13510 CMS](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018**

**S7.30** Subject: MOU Between OPOA And OPMA To Amend Salary Schedule Ordinance  
From: Human Resources Management Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving The Tentative Agreement To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Officers’ Association Representing Employees In Representation Units PP1 And PT1 Upon Ratification Through June 30, 2024; And

[18-1163](#)

**Attachments:** [View Report](#)  
[87430 CMS](#)

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Excused:** 1 - Brooks

**Aye:** 6 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, and Reid

**No:** 1 - Kaplan

**NO VOTE:** 0

Subject: MOU Between OPOA And OPMA To Amend Salary Schedule Ordinance  
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 Increase To Represented Employees In Representation Units PP1 And PT1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Officers Association As Follows: Increase Of 0% Effective July 2019; Increase Of 2.5% Effective The First Pay Period In July 2020; An Increase Of 3% Effective The First Pay Period In July 2021; An Increase Of 3.5% Effective The First Pay Period In July 2022; And An Increase Of 3.5% Effective The First Pay Period In July 2023; And

[18-1166](#)

**Attachments:** [View Report](#)  
[13511 CMS](#)

**A motion was made that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 12/11/2018. The motion carried by the following vote:**

**Excused:** 1 - Brooks

**Aye:** 6 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, and Reid

**No:** 1 - Kaplan

**NO VOTE:** 0

3) A Resolution Approving The Tentative Agreement To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association For Represented Employees In Classifications In Unit UN2, And Approve The Same Salary Increases And Terms And Conditions Of Employment For The Unrepresented Unit UNI Classification Chief Of Police, Assistant, And The Same Salary Increases For The Salary Range Of The Unrepresented Unit UNI Classification Chief Of Police Effective Upon Ratification Through June 30, 2024; And

[18-1167](#)

**Attachments:** [View Report](#)  
[87431 CMS](#)

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Excused:** 1 - Brooks

**Aye:** 6 - Campbell Washington, Gallo, McElhaney, Guillén, Kalb, and Reid

No: 1 - Kaplan

NO VOTE: 0

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To The Salaries Of Certain Sworn Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association And The Unrepresented Chief Of Police, Assistant, And The Unrepresented Salary Range Of The Chief Of Police; The Wage Increases Shall Be As Follows: Increase Of 0% Effective July 2019; Increase Of 2.5% Effective The First Pay Period In July 2020; Increase Of 3% Effective The First Pay Period In July 2021; Increase Of 3.5% Effective The First Pay Period In July 2022; And Increase Of 3.5% Effective The First Pay Period In July 2023.

[18-1168](#)

**Attachments:** [View Report](#)  
[13512 CMS](#)

A motion was made that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 12/11/2018. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 6 - Campbell Washington, Gallo, McElhane, Guillén, Kalb, and Reid

No: 1 - Kaplan

NO VOTE: 0

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

*There were no decisions made in closed session.*

*There was 1 speaker on this item.*

A motion was made by Annie Campbell Washington, seconded by Noel Gallo, that this matter be Accepted. The motion carried by the following vote:

Excused: 1 - Brooks

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

**S13** Subject: Transfer Of Funds From Council District 6 Account  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Authorizing The Transfer Of Funds From Council District 6 Account 54011 (Arroyo) In The Following Amounts: \$40,000 To Oakland Fire Department Station 23; \$15,000 To Oakland Fire Department Station 29; \$11,700 To The Department Of Parks, Recreation, And Youth Development - Carter Gilmore Sports Complex.

[18-1165](#)

Attachments: [View Report](#)

[87432 CMS](#)

*There were 3 speakers 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:**

**Excused:** 1 - Brooks

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

**No:** 1 - Campbell Washington

**NO VOTE:** 0

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

- 9.3** Subject: Delinquent Real Estate Property Transfer Taxes Assessment Of Liens  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The  
Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The  
Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And  
Confirming The Recordation Of Liens With Administrative And Assessment Charges As  
Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The  
Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector  
For Collection; Or

[18-1093](#)

**Attachments:** [View Report](#)  
[87433 CMS](#)

*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at  
8:43 p.m.*

*Councilmember Kaplan 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*

*1 individuals spoke on this item.*

**A motion was made that this matter be Adopted. The motion carried by the  
following vote:**

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On  
Delinquent Real Property Transfer Taxes And The Recordation Of Liens With  
Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of  
The Oakland Municipal Code; Or

[18-1095](#)

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

**This City Resolution be Not Adopted.**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection  
[18-1094](#)

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

**This City Resolution be Not Adopted.**

**9.4** Subject: Delinquent Business Tax Assessment Of Liens  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[18-1090](#)

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

[87434 CMS](#)

*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 8:49 p.m. 1 individuals spoke on this item.*

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

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

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Business Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code; Or

[18-1091](#)

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

**This City Resolution be Not Adopted.**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[18-1092](#)

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

**This City Resolution be Not Adopted.**

- 9.5** Subject: Mandatory Delinquent Trash Fees And Special Assessment Charges 2018  
From: Finance Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The  
Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator For  
Delinquent Trash Service Fees With Administrative And Special Assessment Charges  
As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing  
The Notice Of Special Assessment Charges Be Turned Over To The County Tax  
Collector For Collection Of The Periods Monthly July, August, And September 2018  
Quarterly October-December 2018; Or  
[18-1084](#)

**Attachments:** [View Report](#)  
[87435 CMS](#)

*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at  
8:54 p.m.*

*1 individual spoke on this item.*

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

**A motion was made that this matter be Adopted. The motion carried by the  
following vote:**

**Excused:** 1 - Brooks

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

**NO VOTE:** 0

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On  
Delinquent Trash Service Fees With Administrative And Special Assessment Charges  
As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing  
The Notice Of Special Assessment Charges Be Turned Over To The County Tax  
Collector For Collection Of The Periods Monthly July, August, September 2018, Quarterly  
October-December 2018; Or  
[18-1087](#)

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

**This City Resolution be Not Adopted.**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator For Delinquent Trash Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection Of The Periods Monthly July, August, September 2018, Quarterly October-December 2018  
[18-1086](#)

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

**This City Resolution be Not Adopted.**

**9.1** Subject: Residential Hotel Regulations  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance (1) Amending The Oakland Planning Code To Adopt A New Section 17.153 Regulating The Demolition, Conversion And Rehabilitation Of Residential Hotels And Make Related And Conforming Amendments To Other Planning Code Sections, And (2) Determining That The Actions Authorized By This Ordinance Were Both The Subject Of Adequate Previous Analysis Under The California Environmental Quality Act ("CEQA") And Are Exempt From CEQA Pursuant To CEQA Guidelines Sections 15061(B)(3) And 15183  
[18-0963](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 11/23/2018](#)  
[View Supplemental Report 11/29/2018](#)  
[13509 CMS](#)  
[Proof Of Publication](#)

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 9:02 p.m.*

*14 individuals spoke on this item.*

*Councilmember McElhaney made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and approve the ordinance for introduction with the following amendments:*

*Section 17.153.060 (A)1, 17.153.050(A) and 17.153.060(F) Exceptopns to the restrictions and Conditional use permit requirements: Removed reference to the exception for affordable housing projects in finacial straits.*

*Section 17.153.080 Sale of Residential Hotel: Removed the requirement for Residential Hotel owners to ahve to negotiate with the City during the sale of their property.*

*Staff to work with Sutter owners to resolve issue and bring back amendments to Rules within 90 days.*

*hearing no objections, the motion passed by 7 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, McElhaney and President Reid*

**A motion was made by Lynette McElhaney, seconded by Dan Kalb, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 12/4/2018. The motion carried by the following vote:**

**Excused:** 1 - Brooks

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

NO VOTE: 0

- 9.2** Subject: Rezoning Of Three Vacant Parcels At 601 MacArthur Boulevard  
From: Planning And Building Department  
Recommendation: Adopt An Ordinance To Rezone Three Vacant Parcels Located At 601 Macarthur Boulevard From RM-3 Mixed Housing Type Residential Zone To RU-2 Urban Residential Zone And To Adopt Related California Environmental Quality Act (CEQA) Findings  
[18-1088](#)

**Attachments:** [View Report](#)  
[13513 CMS](#)

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 9:49 p.m.*

*Councilmember Guillen made a motion, seconded by Councilmember Kaplan 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  
1 Excused: Brooks*

A motion was made by Abel J. Guillén, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 12/11/2018. The motion carried by the following vote:

**Excused:** 1 - Brooks

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

NO VOTE: 0

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

**10 THIS NUMBER INTENTIONALLY NOT USED**

- 11 Subject: Receive A Report On The Public Lands Policy Process And Analysis  
From: Councilmember Guillén And Kaplan  
Recommendation: Approve A Report And Recommendation On The Public Lands Policy Process And Analysis To Inform Council Direction To Prepare Legislation To Implement A City Public Lands Policy And/Or Strategy  
[18-0522](#)

**Attachments:** [View Report Guillen And Kaplan Report](#)

[View Report](#)

[View Report Attachments A-G](#)

[View Supplemental Report 6-15-2018](#)

[View Supplemental Report Attachments A - B](#)

[View Supplemental Report 6-22-2018](#)

[View Supplemental Presentation 6-22-2018](#)

[View Supplemental Report 7-13-2018](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the \*Rules & Legislation Committee to be heard 11/29/2018**

- 12 Subject: Resolution Setting Forth Oakland's Public Lands Policy Framework  
From: President Pro Tem Guillén And Councilmember Kaplan  
Recommendation: Adopt A Resolution Setting Forth Oakland's Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies  
[18-1137](#)

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

[View Supplemental Report 12/7/2018](#)

[87483 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the \*Rules & Legislation Committee to be heard 11/29/2018**

## 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 at 10:09 p.m.*

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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.**