



# City of Oakland

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

## Meeting Agenda - SUPPLEMENTAL

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

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

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

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Tuesday, January 20, 2015

5:30 PM

City Council Chamber, 3rd Floor

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#### **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: Desley Brooks, District 6; Annie Campbell Washington, District 4; Noel Gallo, District 5; Abel J. Guillèn, District 2; Dan Kalb, District 1; Vice Mayor Rebecca Kaplan, At Large; President Pro Tempore Larry Reid, District 7; Council President Lynette Gibson McElhaney, District 3*

#### **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 JANUARY 5, 2015  
AND JANUARY 6, 2015**

**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

[14-0378](#)

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

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

[14-0379](#)

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

7.3 Subject: Authorizing A License Agreement With Montclair Tennis Association  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt An Ordinance Authorizing A License Agreement With The  
Montclair Tennis Association For Use Of Tennis Courts And Other Property At  
Montclair Park For A Five Year Term With Two Three-Year Options To Renew Without  
Returning To Council

[14-0302](#)

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

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

*INTRODUCTION (First Reading) WAS PASSED ON JANUARY 6, 2015; 8 AYES.*

**Legislative History**

12/4/14	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
12/16/14	*Special Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

1/6/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage
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- 7.4** Subject: Annuitization & Termination Of Oakland Municipal Employees' Retirement System  
From: Finance Department  
Recommendation: Adopt The Following Pieces Of Legislation:

(1) An Ordinance Amending The Oakland Municipal Employees' Retirement System To Meet All Requirements Of The Internal Revenue Code Applicable To The Oakland Municipal Employees' Retirement System ; And  
[14-0327](#)

Attachments: [View Report](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON JANUARY 6, 2015; 8 AYES.*

Legislative History

1/6/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council
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(2) An Ordinance To Terminate The Oakland Municipal Employees' Retirement System Pursuant To Section 2017 Of Article XX Of The Charter Of The City Of Oakland  
[14-0328](#)

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

*INTRODUCTION (First Reading) WAS PASSED ON JANUARY 6, 2015; 8 AYES.*

Legislative History

1/6/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council
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- 7.5** Subject: Oakland-Alameda County Coliseum Authority Board Appointments  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Re-Appointing Council Members Rebecca Kaplan And Larry Reid As Members Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners Beginning January 21, 2015 And Ending January 20, 2017  
[14-0382](#)

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

**Legislative History**

1/8/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- S7.6** Subject: Replacement Of Embarcadero Bridge Over Lake Merritt Channel  
From: Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Up To Nineteen Million Eight Hundred Eighty-Three Thousand Four Hundred Sixty-Seven Dollars (\$19,883,467.00) In Federal Highway Administration And State Proposition 1B Funds For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810); And

[14-0352](#)

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

**Legislative History**

1/13/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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2) A Resolution Awarding A Construction Contract To Flatiron West, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) And With Contractor's Bid In The Amount Of Sixteen Million Three Hundred Ninety-Nine Thousand Five Hundred Twenty-Seven Dollars And Ten Cents (\$16,399,527.10); And

[14-0353](#)

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**Legislative History**

1/13/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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3) A Resolution Authorizing The City Administrator, Or Designee, To Waive The RFP/RFQ Competitive Selection Process Requirements And Authorizing An Amendment To The Professional Services Contract With T.Y. Lin International/AECOM, Joint Venture For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work And The Contract Amount By Five Hundred Thousand Dollars (\$500,000.00) For A Total Contract Amount Not To Exceed Two Million Four Hundred Eighty Thousand Two Hundred Forty-Four Dollars (\$2,480,244.00); And  
[14-0354](#)

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**Legislative History**

1/13/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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4) A Resolution Awarding A Professional Services Contract To Biggs Cardosa Associates, Inc. To Provide Special Inspection And Material Testing Services For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00)  
[14-0355](#)

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**Legislative History**

1/13/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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**S7.7**    Subject:    Foreign Trade Zone Program Appropriations  
From:        Economic & Workforce Development Department  
Recommendation:    Adopt A Resolution Authorizing The City Administrator To Appropriate Revenues Generated By The Operation Of The Oakland Foreign Trade Zone #56 To The Foreign Trade Zone Program For Program Development, Marketing And Administration  
[14-0360](#)

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**Legislative History**

1/13/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the Community and Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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**S7.8** Subject: Neighborhood Partnership First 5 Alameda County Grants  
From: Parks And Recreation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply  
For And Accept Grant Funds For Fiscal Years 2013-2014 And 2014-2015 From First 5  
Alameda County Neighborhood Partnership Program In An Estimated Amount Of  
\$129,576 For The Pre-K Playgroups At Willie Keyes And Ira Jenkins Recreation  
Centers From July 1, 2013 Through June 30, 2015

[14-0320](#)

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**Legislative History**

12/11/14	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
1/13/15	*Life Enrichment Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

*The Committee approved recommendations as amended to include the addition  
to the Resolution to waive the Central Services Overhead costs for an amount  
not to exceed \$17,000.*

*The Committee also directed staff to specify whether a waiver is being requested  
in all future reports to the Committee.*

**S7.9** Subject: Background Checks for Senior Companions Programs  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Of Oakland, Through The  
City Administrator, To Access Summary Criminal History Record Information For  
Employees And Volunteers In The City Of Oakland Senior Companion Program And  
Foster Grandparent Program In Order To Comply With The Funding Requirements Of  
The Corporation For National And Community Services For These Programs

[14-0362](#)

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[View Supplemental Report.pdf](#)

**Legislative History**

1/13/15	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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**S7.10** Subject: Quality Transit, LLC Paratransit Agreement For Fiscal Year 2014-2015  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute  
A Reimbursement Agreement In The Amount Of \$150,000 With Quality Transit, LLC  
To Provide Paratransit Services Through June 30, 2015  
[14-0364](#)

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[View Supplemental Report.pdf](#)

Legislative History

1/13/15	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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**S7.11** Subject: Abandoned Watercraft Abatement Fund Public Safety Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His  
Designee To Accept And Appropriate Grant Funds From The State Of California  
Department Of Parks And Recreation, Division Of Boating And Waterways In An  
Amount Not To Exceed Fifty-Two Thousand Three Hundred Dollars (\$52,300) To Fund  
The Oakland Police Department Marine Enforcement Unit In The Abatement,  
Removal, Storage, And/Or Disposal Of Eligible Water Hazards From October 1, 2014  
Through October 1, 2016 And Authorize A Ten Percent Match Of Five Thousand Two  
Hundred Thirty Dollars (\$5,230) As Required By The Grant Terms  
[14-0366](#)

Attachments: [View Report.pdf](#)

**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:**

**S9.1** Subject: Partial Abandonment Of Thomas Berkley Way  
From: Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Supporting The Vacation To The City Of Oakland Of A Portion Of The Public Right-Of-Way Of Thomas Berkley Way (Formerly Known As 20th Street) From Its Intersection At Harrison Street To Its Intersection With Lakeside Drive; And  
[14-0356](#)

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

**Legislative History**

1/13/15 \*Public Works Committee Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

2) An Ordinance Vacating To The City Of Oakland A Portion Of The Public Right-Of-Way Of Thomas Berkley Way (Formerly Known As 20th Street) From Its Intersection At Harrison Street To Its Intersection With Lakeside Drive  
[14-0357](#)

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

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

*FINAL PASSAGE (Second Reading) WILL OCCUR ON FEBRUARY 3, 2015.*

**Legislative History**

1/13/15 \*Public Works Committee Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

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

**10 THIS NUMBER INTENTIONALLY NOT USED**

**11** Subject: Citywide Curb Ramps And Sidewalk Repair Project  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Rosas Brothers Construction, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair (Project No. C428013) And With Contractor's Bid In The Amount Of Nine Hundred Thirty Eight Thousand Six Hundred Six Dollars And Eighty Cents (\$938,606.80)  
[14-0305](#)

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

**Legislative History**



12/4/14	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
12/16/14	*Special Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
	<i>There was one speaker on this item.</i>	
1/6/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council

- 12** Subject: Extension Of Contracts With The Police Monitor & Compliance Director  
From: Oakland Police Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Up To A One-Year {Through January 20, 2016) Extension Of The Professional Services Agreement Between The City Of Oakland And Police Performance Solutions, LLC. For Monitoring And Technical Assistance Services In Delphine Allen V. City Of Oakland, In An Amount Not To Exceed Nine Hundred Fifty Thousand Dollars (\$950,000) And For A Total Contract Price Not To Exceed Four Million Two Hundred Ninety Four Thousand Three Hundred Twenty Dollars (\$4,294,320) And Waiving The Competitive Advertising And Request For Proposals/Qualifications Requirements; And  
[14-0371](#)

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**Legislative History**

1/8/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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2) A Resolution Authorizing Up To A One-Year (Through January 20, 2016) Extension Of The Professional Services Agreement Between The City Of Oakland And Warshaw & Associates Inc., To Provide Compliance Director Services To The City In Delphine Allen V. City Of Oakland, In An Amount Not To Exceed One Hundred Sixty Five Thousand Dollars (\$165,000) And For A Total Contract Amount Not To Exceed Three Hundred Thirty Thousand Dollars (\$330,000) And Waiving The Competitive Advertising And Request For Proposals/Qualifications Requirements  
[14-0372](#)

**Legislative History**

1/8/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 13** Subject: Racial Profiling Resolution  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Supporting Congressional Action To Eliminate Racial Profiling By Law Enforcement, And For Other Purposes; Directing The City's Federal Lobbyist To Make This Bill A Legislative Priority; And Send A Letter To The California Federal Delegation Making Them Aware Of Our Support Position  
[14-0326](#)

Attachments: [View Report](#)

Legislative History

1/8/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 14** Subject: Initial Salary For Director Of Economic & Workforce Development  
From: Human Resources Management Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve An Initial Salary For The Position Of Director Of Economic & Workforce Development That Exceeds The Mid-Point, And Not To Exceed The Top Of The Salary Range Of \$187,779 Annually, In Conformance With The Requirements Of Ordinance No. 12918 C.M.S., And To Grant A Vacation Accrual Rate That Is Competitive  
[14-0384](#)

Attachments: [View Report](#)

Legislative History

1/8/15	*Rules & Legislation Committee	Rescheduled to the Meeting of the Oakland City Council
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- S15** Subject: Annual Report Of The Laurel BID FY 2013-2014  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Approving The Fiscal Year 2013-2014 Annual Report Of The Laurel Property Business Improvement District Of 2005 Advisory Board; And Confirming The Continuing Annual Assessment For The District For Fiscal Year 2014-2015  
[14-0358](#)

Attachments: [View Report.pdf](#)

Legislative History

1/13/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the Community and Economic Development Committee	Forwarded with No Recommendation to the Meeting of the Oakland City Council
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**S16** Subject: 7th & Campbell ENA  
From: Housing & Community Development Department  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Oakland And The World Enterprises, Inc. For The Development Of Property At 7th And Campbell In West Oakland, And Appropriating \$13,500 In License Fees From The Low And Moderate Income Housing Asset Fund For Expenditures Related To The Property And The Project

[14-0361](#)

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

**Legislative History**

1/13/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the Community and Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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**S17** Subject: AC-OCAP Annual Report & 2015 CSBG Resolution  
From: Human Services Department  
Recommendation: Receive The Alameda County-Oakland Community Action Annual Report And Adopt A Resolution Authorizing The City Administrator To Accept And Allocate A Renewal Grant In The Amount Of \$1,258,856 In Anti-Poverty Community Services Block Grant (CSBG) Funds For 2015 From The California Department Of Community Services And Development (CSD); (2) Authorizing The City Administrator To Accept And Appropriate Additional Grant Funds Without Returning To Council; (3) Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead Charges; And (4) Authorizing The City Administrator To Enter Into Grant Agreements, Professional Services Contracts, And Amendments With AC-OCAP's Service Providers For The 2015 Program Year

[14-0363](#)

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**Legislative History**

1/13/15	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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*There were 8 speakers on this item.*

**S18** Subject: Confirming Mayor's Appointment Of John A. Flores As Interim City Administrator  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution (1) Confirming The Mayor's Appointment Of John A. Flores As Interim City Administrator For The Period Commencing On January 21, 2015 And Ending At Midnight On June 30, 2015 Or Such Earlier Date As The Council Confirms Appointment Of A City Administrator Or The Mayor Terminates The Appointment; And (2) Authorizing The Mayor To Execute An Employment Agreement On Behalf Of The City With Mr. Flores

[14-0407](#)

Attachments: [View Report.pdf](#)

*Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.*

## 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

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