



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

Monday, September 17, 2018

5:30 PM

City Council Chamber, 3rd Floor

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 5:43 pm

2 ROLL CALL / CITY COUNCIL

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 22 speakers under open forum. All names were called. Nine individuals spoke.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Frederick DeVries. Council members McElhaney, Kalb, and Pro Tem Guillen joined this tribute.

Council member McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Clarence McElhaney, Sr. Pro Tem Guillen joined this tribute.

Council member McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Prince White. Vice Mayor Campbell Washington joined this tribute.

Council member Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Former Congressman and Mayor of the City of Oakland Ron V. Dellums. Pro Tem Guillen and Council member McElhaney joined this tribute.

Councilmember Gallo took a point of personal privilege and requested that the meeting be adjourned in memory of Enrique "Ricky" Mayer.

The Council took items out of order.

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JULY 24, 2018
[18-0831](#)

Attachments: [View Report](#)

A motion was made by Annie Campbell Washington, seconded by Dan Kalb, that this matter be Approved. The motion carried by the following vote:

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhane, 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):

It was announced by the City Clerk that item 9.1 will have no action and instead be referred to the Rules and Legislation Committee for scheduling to a future meeting.

At the request of Council member Kalb, item 7.4 was requested to be moved to the early portion of the non-consent portion of the agenda. The action was approved by the Council President.

S4.1 Subject: The Healthy Development Guidelines
From: Vice Mayor Campbell Washington, Councilmembers Kaplan, Brooks And
President Pro Tem Guillen
Recommendation: Adopt A Resolution Commending The Community Engagement Work
Of Causa Justa::Just Cause, Communities For A Better Environment, East Bay Housing
Organizations, East Oakland Building Healthy Communities, Hope Collaborative And
Alameda County Public Health Department To Develop The Healthy Development
Guidelines, A Framework To Promote Health And Equity For New Development, And
Commending The Collaborative Partnership With The Planning And Building Department

[NEW TITLE]

[18-0764](#)

Attachments: [View Report](#)
[View Supplemental Report 9-14-2018](#)
[87327 CMS](#)

There were 3 speakers on this item

A motion was made by Annie Campbell Washington, seconded by Rebecca Kaplan, 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

S14 Subject: The Healthy Development Guidelines
From: Vice Mayor Campbell Washington, Councilmember Kaplan And Brooks
Recommendation: Receive An Informational Report From The Community Working
Group On The Healthy Development Guidelines

[18-0762](#)

Attachments: [View Report](#)
[View Supplemental Presentation](#)

There were 8 speakers on this item

A motion was made by Rebecca Kaplan, seconded by Annie Campbell Washington, that this matter be Received and Filed. The motion carried by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

7 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

There were 21 speakers on this item.

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

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, McElhaney, 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

[18-0836](#)

Attachments: [View Report](#)

[87328 CMS](#)

- 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

[18-0837](#)

Attachments: [View Report](#)

[87329 CMS](#)

This City Resolution was Adopted.

- 7.5** Subject: Aging Commission Appointees
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tomye Neal-Madison And Toni Gomez As Members Of The Commission On Aging

[18-0844](#)

Attachments: [View Report](#)

[87330 CMS](#)

This City Resolution was Adopted.

- 7.6 Subject: Commission On Persons With Disabilities
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Marjorie Lynne, Howard Tevelson, Karen Nakamura, Karina Ryan And Thomas Howard-Gregory To The Commission On Persons With Disabilities
[18-0845](#)

Attachments: [View Report](#)
[87331 CMS](#)

This City Resolution was Adopted.

- 7.7 Subject: Landmarks Advisory Board
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Lenenna Joiner As A Member Of The Landmarks Preservation Advisory Board
[18-0846](#)

Attachments: [View Report](#)
[View Supplemental Report 9-14-2018](#)
[87332 CMS](#)

This City Resolution was Adopted.

- 7.8 Subject: Library Advisory Commission
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Amy Johnson, Ada Chan, Alternier B. Cook, And Mary Forte As Members Of The Library Advisory Commission
[18-0847](#)

Attachments: [View Report](#)
[87333 CMS](#)

This City Resolution was Adopted.

- 7.9 Subject: Privacy Advisory Commission
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Reappointment Of Reem Suleiman And Saied Karamooz As Members Of The Privacy Advisory Commission
[18-0848](#)

Attachments: [View Report](#)
[87334 CMS](#)

This City Resolution was Adopted.

7.10 Subject: Public Safety And Services Violence Prevention Oversight Commission
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Dayna Rose As A Member Of The Public Safety And Services Violence Prevention Oversight Commission
[18-0849](#)

Attachments: [View Report](#)
[87335 CMS](#)

This City Resolution was Adopted.

7.11 Subject: Ratification Of Actions Taken During The 2018 Annual Recess
From: Office Of The City Administrator's
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2018 Annual Recess In Conformance With The Council's Rules Of Procedure Codified In Resolution No. 87044 C.M.S., Passed February 6, 2018
[18-0826](#)

Attachments: [View Report](#)
[87336 CMS](#)

This City Resolution was Adopted.

7.12 Subject: Association Of Bay Area Governments Appointments
From: Council President Reid
Recommendation: Adopt A Resolution Appointing Council Members Annie Campbell Washington, Abel Guillen, And Lynette Gibson McElhaney To The Executive Board And Reappointing Council Member Dan Kalb As An Alternate Member Of The Association Of Bay Area Governments (ABAG) For Terms Commencing July 1, 2018 And Ending June 30, 2020
[18-0827](#)

Attachments: [View Report](#)
[87337 CMS](#)

This City Resolution was Adopted.

- 7.13** Subject: Celebrating Dorothy King
From: Councilmember Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Dorothy King To Recognize Her Years Of Service As A Philanthropist, Community Activist And Business Leader
[18-0843](#)

Attachments: [View Report](#)
[87338 CMS](#)

This City Resolution was Adopted.

- 7.14** Subject: Ferenc Danku v. City Of Oakland, Et Al.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of: Ferenc Danku V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG17856671 In The Amount Of Sixty Thousand Dollars And No Cents (\$60,000.00) Arising From A November 10, 2015 Trip-And-Fall Incident On The Sidewalk On The 1500 Block Of West Street
[18-0850](#)

Attachments: [View Report](#)
[87339 CMS](#)

This City Resolution was Adopted.

- S7.15** Subject: Settlement Agreement-Reyes Briones, Et Al. V City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Reyes Briones, Et Al. V. City Of Oakland, Alameda County Superior Court Case No. RG16810031, City Attorney's File No. 31072, In The Amount Of Thirty Thousand Dollars And Zero Cents (\$30,000.00) (Public Works - Nuisance)
[18-0899](#)

Attachments: [View Report](#)
[87340 CMS](#)

This City Resolution was Adopted.

S7.16 Subject: Summarily Vacate A Portion Of Peralta Street
From: Department Of Transportation
Recommendation: Adopt A Resolution To Summarily Vacate A Portion Of Peralta Street
Right-Of-Way Along Peralta Street From 20th Street To Mandela Parkway
[18-0817](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[87341 CMS](#)

This City Resolution was Adopted.

S7.17 Subject: MTC Pavement Technical Assistance Program Agreement
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee
To: 1) Apply For, Accept \$80,000.00 In Pavement Management Technical Assistance
Program (P-TAP) Grant Funds From The Metropolitan Transportation Commission; 2)
Allocate \$20,000.00 In Matching Funds And An Additional \$184,000.00 For Additional
Professional Services; And 3) Enter Into An Agreement With Metropolitan Transportation
Commission To Provide Additional Professional Services In An Amount Not-To-Exceed
\$184,000.00.
[18-0816](#)

Attachments: [View Report](#)
[87342 CMS](#)

This City Resolution was Adopted.

S7.18 Subject: 23rd Ave 98th Ave Bridge Preventive Maintenance Project
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,
To Accept And Appropriate Federal Grants In The Amount Of One Hundred Sixty
Thousand, Two Hundred And Thirty-Nine Dollars (\$160,239.00) Under Bridge Preventive
Maintenance Program (BPMP) Of Highway Bridge Program (HBP) For Preparation Of
Plans, Specification And Cost Estimate (PS&E) For Preventive Maintenance Of 23rd
Avenue And 98th Avenue Bridges And Allocate \$20,761.00 Of Measure B For Local
Matching Fund
[18-0811](#)

Attachments: [View Report](#)
[87343 CMS](#)

This City Resolution was Adopted.

S7.19 Subject: Correction Of Developer For Fruitvale Studios
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Amending City Council Resolution No. 87018
C.M.S. To Correct The Name Of The Developer For The Fruitvale Studios Affordable
Housing Project From Afirmed Housing To Allied Housing, Inc
[18-0820](#)

Attachments: [View Report](#)
[87344 CMS](#)

This City Resolution was Adopted.

S7.20 Subject: FY 2018-19 Cultural Funding Grants, Round One
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into
Eighty (80) Cultural Services Grant Agreements To Seventy (70) Oakland-Based
Individual Artists And Nonprofit Organizations Providing Arts And Cultural Services In
Oakland As Part Of Round One, During Fiscal Year 2018-19, In A Total Amount Not To
Exceed \$1,136,253.64
[18-0821](#)

Attachments: [View Report](#)
[87345 CMS](#)

The Council deleted the award of funding to Karen Smith for the award of up to \$4,999.00 and to have that brought back when the provider is confirmed.

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

Excused: 1 - Brooks

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

NO VOTE: 0

S7.21 Subject: Resolution Urging Congress To Abolish ICE
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Urging United States Congress To Abolish The
Immigration And Customs Enforcement (“ICE”) Agency
[18-0744](#)

Attachments: [View Report](#)
[View Supplemental Report 9-7-2018](#)
[87346 CMS](#)

WHEREAS, U.S. Representative Mark Pocan has introduced H.R. 6361 that would terminate ICE, while establishing a process to transfer non-controversial, essential functions to other Federal agencies.

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

Excused: 1 - Brooks

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

NO VOTE: 0

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

The report of the City Attorney of two (2) final decision made during closed session:

1) The case of Nancy McAfee, et al. v. City Of Oakland for a settlement in the amount of \$1,000,000., for an incident that occurred on January 12, 2016 regarding a trip and fall in front of Dover Park. The motion authorizing the settlement was made by Councilmember McElhaney, seconded by Councilmember Kaplan, and passed. Councilmember Brooks was excused.

2) The case of Michael Lewis, et al. v. City Of Oakland, et. al for a settlement in the amount of \$1,750, 000., for an incident that occurred on December 4, 2015 regarding a trip and fall at the Lake Side Park. The motion authorizing the settlement was made by Councilmember Kaplan, seconded by Councilmember Gallo, and Passed. Councilmember Brooks was excused

This be Approve as Submitted.

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:

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:24 pm.

No individuals spoke on this item.

9.2 Subject: Mandatory Trash Delinquent Fees And Special Assessment Charges 2018
From: Revenue Management Bureau
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 April, May, And June 2018 Quarterly July-September 2018; Or [18-0828](#)

Attachments: [View Report](#)
[87347 CMS](#)

Councilmember Gallo made a motion, seconded by Councilmember Kalb, 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 Noel Gallo, seconded by Dan Kalb, 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 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 April, May, June 2018, Quarterly July-September 2018; Or [18-0829](#)

Attachments: [View Report](#)

This City Resolution be Not Adopted.

3) 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 April, May, June 2018, Quarterly July-August 2018

[18-0830](#)

Attachments: [View Report](#)

This City Resolution be Not Adopted.

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 8:28 p.m. No individuals spoke on this item.

9.3 Subject: Delinquent Real Property Transfer Taxes
From: Revenue Management Bureau
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

[18-0832](#)

Attachments: [View Report](#)

[87348 CMS](#)

Councilmember Gallo made a motion, seconded by Councilmember Guillen, 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

This City Resolution be Adopted.

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 [18-0833](#)

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 [18-0834](#)

Attachments: [View Report](#)

This City Resolution be Not Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 7.4** Subject: Shared Mobility Update and Dockless Bike and Scooter Share Policy
From: Councilmembers Kaplan, Gallo, McElhaney And The Department Of Transportation
Recommendation: Adopt An Ordinance Amending Title 10 And Title 12.08 Of The Oakland Municipal Code To Establish Regulations And New Permits To Operate And Park Dockless Bike And Scooter Sharing Programs In The Public Right Of Way [18-0732](#)

Attachments: [View Report](#)
[View Supplemental Report 7-13-2018](#)
[View Supplemental Report 7-20-2018](#)
[View Kaplan Supplemental Report 9-7-2018](#)
[13502 CMS](#)

There were 4 speakers on this item.

The Council directed staff to return to a future Council meeting with the regulations for dockless bikes and scooter share before the regulations are enacted.

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

Excused: 1 - Brooks

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

No: 1 - Reid

NO VOTE: 0

- 9.1** Subject: Shared Mobility Update and Dockless Bike and Scooter Share Policy
From: Councilmembers Kaplan, Gallo, McElhaney And The Department Of Transportation
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number XXXX (Fiscal Year 2018- 2019 Master Fee Schedule) Establishing Fees For The New Dockless Bike And Scooter Share Permits [18-0733](#)

Attachments: [View Report](#)
[View Supplemental Report 7-13-2018](#)
[View Supplemental Report 7-20-2018](#)

There was 1 speaker on this item.

The item was referred to the Rules committee for scheduling to a future Council meeting.

This Ordinance be Referred.to go before the *Rules & Legislation Committee

- 7.3** Subject: Cannabis Ordinance Technical Amendments
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Permitting Requirements For Medical And Adult-Use Cannabis Dispensaries, Cultivation, Manufacturing And Other Facilities (Chapters 5.80 And 5.81 Of The Oakland Municipal Code) To: 1) Delete Section 5.81.110(B), Which Prohibits Enforcement Of Violations Of Chapter 5.81 Once A Permit Application Is Pending; 2) Align Chapter 5.81 Permit Types With State Law By Adding Packaging And Infusion Permit Categories; 3) Limit The Number Of Dispensary Permits To Two Per Individual Or Entity; 4) Clarify The Distance Requirements Between Cannabis Facilities And Schools; 5) Limit The Number Of Special Event Permits For Cannabis Activities; 6) Allow Ancillary Cannabis Activities, Including But Not Limited To Packaging, Distribution, And Infusion, At The Site Of A Permitted Dispensary; And 7) Add A Public Notice Requirement For All Cannabis Uses Within 300 Feet Of A Residential Zone

[NEW TITLE]

[18-0679](#)

Attachments: [View Report](#)
[View Supplemental Report 7-13-2018](#)
[View Supplemental Report 7-20-2018](#)
[View Supplemental Report 9-21-2018](#)

The Council AMENDED the Ordinance to strike the language "and/or consumption" on page 10, section 5.8.080 .

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter be Approved AS AMENDED for Final Passage. The motion carried by the following vote:

Excused: 1 - Brooks

Abstained: 1 - McElhaney

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

NO VOTE: 0

11 Subject: 2017-2018 Alameda County Grand Jury Reports Related To The City Of Oakland
From: Office Of The City Administrator
Recommendation: Approve A Report And Recommendation To Authorize The Council President To Submit Responses On Behalf Of The City Council To The 2017-2018 Alameda County Grand Jury Final Reports Titled: (1) Oakland's \$860 Million Crisis: Unfunded Retiree Healthcare, (2) Affordable Housing Oversight In Oakland, (3) Oakland's Aging Sewer System And How It Affects Lake Temescal; And (4) Workforce Development Funding In Oakland
[18-0835](#)

Attachments: [View Report](#)

There were 2 speakers on this item

This Report and Recommendation be Accepted.

Excused: 1 - Brooks

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

NO VOTE: 0

S12 Subject: Extension Of The Moratorium On Substantial Rehabilitation Exemptions
From: Councilmembers Kaplan And Kalb
Recommendation: Adopt An Ordinance Extending By Up To 180-Days Ordinances No. 13481 C.M.S. And 13465 C.M.S. That Imposed A Temporary Moratorium On Substantial Rehabilitation Exemptions From The Residential Rent Adjustment Ordinance (O.M.C. Section 8.22.030.B.2.)
[18-0874](#)

Attachments: [View Report](#)

There were 12 speakers on this item.

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 10/2/2018. The motion carried by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

S15 Subject: Options For Substantial Rehabilitation Exemption
From: Housing Community Development
Recommendation: Approve A Report And Recommendation Directing The City Administrator To Prepare The Necessary Legislation To Amend Chapter 8.22, Article I (Residential Rent Adjustment Program) Of The Oakland Municipal Code To Address The Future Of The Substantial Rehabilitation Exemption
[18-0818](#)

Attachments: [View Report](#)
[View Kaplan Supplemental 9-13-2018](#)

There were 11 speakers on this item.

A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Approve with the following amendment(s): to Eliminate the substantial rehabilitation exemption:. The motion carried by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

S13 Subject: Medical Director Contract One-Year Extension
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: Extend The Existing Contract With Dr.Herbert Gene Hern Doing Business As (Dba) "Emergentt Consulting" To Provide The Services Of Medical Director For The Oakland Fire Department For An Additional One (1) Year Period Beginning October 1, 2018 Through September 30, 2019 In An Amount Not To Exceed Sixty-Five Thousand Two Hundred Thirty-Three Dollars And Thirty-Three Cents (\$65,233.33)
[18-0861](#)

Attachments: [View Report](#)
[87349 CMS](#)

There was 1 speaker on this item.

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

Excused: 1 - Brooks

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

Absent: 1 - McElhane

NO VOTE: 0

S16 Subject: Housing Consortium Of The East Bay Community Cabin Site Grant Agreement
From: Human Services Department
Recommendation: Adopt A Resolution: 1. Authorizing The City Administrator To Enter Into A Grant Agreement With Housing Consortium Of The East Bay (HCEB) To Provide Housing Navigation And Site Management Services At Community Cabins Sites In An Amount Up To \$457,384; And 2. Amending Resolution Nos. 87312 And 86956 C.M.S., Which Authorized Agreements With Service Providers For Services At Community Cabin Sites, To Authorize The City Administrator To Reallocate Funds For The Agreement With HCEB; And 3. Authorizing Amendments To The Grant Agreement With HCEB To Further Increase The Grant Amount For Additional Community Cabins Site Services And Efforts Without Returning To Council Contingent Upon Availability Of Funding
[18-0819](#)

Attachments: [View Report](#)
[View Supplemental Report 9-13-2018](#)
[View Kaplan Supplemental 9-13-2018](#)
[87350 CMS](#)

There were 20 speakers on this item.

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

Excused: 1 - Brooks

Abstained: 1 - Kaplan

Aye: 5 - Campbell Washington, Gallo, Guillén, Kalb, and Reid

Absent: 1 - McElhaney

NO VOTE: 0

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 Frederick DeVries, Clarence McElhaney, Sr., Prince White, Ron V. Dellums, and Enrique "Ricky" Mayer at 11:41 P.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

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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.