



SUPPLEMENTAL City of Oakland Meeting Agenda

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

* 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>

Tuesday, February 04, 2014

5:30 PM

City Council Chambers, 3rd Floor

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. These items are heard on the 5:30 P.M. portion of the agenda.

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. These items are heard on the 6:30 P.M. portion of the agenda.

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; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3; Dan Kalb, District 1; President Pro Tempore Rebecca Kaplan, At-Large; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Council President Patricia Kernighan, District 2

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):

4.1 Subject: Honoring Walter Craven
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Walter Craven For The Service

SUPPLEMENTAL

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

Tuesday, February 04, 2014

Provided To Oakland As A Business Man And Owner Of Blank And Cables And Norton
Factory Studios And For His Commitment To Improve The City Of Oakland As A
Community Partner And Volunteer
[\(13-0290\)](#)

- 4.2 Subject: Black History Month Heritage Celebration
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution In Celebration Of Black History Month
Honoring The Following Courageous African Americans And Institutions, Who Through
Their Innovative, Groundbreaking Work, Have Promoted Positive Change And Uplift
For The City Of Oakland In The Fields Of Social Justice Advocacy, Arts And Culture,
Business And Faith: Geoffrey Pete, Marcus Books, Ellen Parkinson, Oscar Wright, Ben
Tapscott, J. Alfred Smith Sr., Ernestine Reems, Bob Jackson, Gillette James, Sallie T.
Carey, Ile Omode, Elaine Brown And Bobby Seele
[\(13-0315\)](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JANUARY 21,
2014

- 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-CC 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
[\(13-0294\)](#)
- 7.2-CC Subject: 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
[\(13-0295\)](#)
- 7.3-CC Subject: Salary Ordinance Amendment - Employee Relations Director
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Employee
Relations Director
[\(13-0268\)](#)

SUPPLEMENTAL

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

Tuesday, February 04, 2014

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

**INTRODUCTION (First Reading) WAS PASSED ON JANUARY 21, 2014;
8 AYES.**

7.4-CC Subject: Deferred Compensation Plan For Part-Time, Seasonal & Temp Employees
From: Department Of Human Resources Management
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Approving Amendments To The Deferred Compensation Plan For Full-Time And Permanent Part-Time Employees, Established By Resolution No. 68563, As Amended By Resolution 75111, Incorporated Herein, Updating The Deferred Compensation Plan To Comply With State And Federal Laws, Establishing Participant Loan And Other Procedures, To Reflect The Approved Composition Of The Deferred Compensation Committee, And Affirming The Authority Of The Deferred Compensation Committee Take Any And All Actions, And To Negotiate, Execute And Deliver, Any And All Agreements And Other Documents That The Committee May Deem Necessary Or Advisable To Administer The Plan; And
[\(13-0270\)](#)

2) An Ordinance Approving Amendments To The Deferred Compensation Plan For Part-Time Seasonal And Temporary Employees, Established By Resolution No. 68722, As Amended By Resolution 75111, Incorporated Herein, Updating The Deferred Compensation Plan To Comply With State And Federal Laws, Establishing Participant Loan And Other Procedures, To Reflect The Approved Composition Of The Deferred Compensation Committee, And Affirming The Authority Of The Deferred Compensation Committee Take Any And All Actions, And To Negotiate, Execute And Deliver, Any And All Agreements And Other Documents That The Committee May Deem Necessary Or Advisable To Administer The Plan
[\(13-0270-1\)](#)

**ACTION ON THESE ITEMS WILL RESULT IN FINAL PASSAGE
(Second Reading) OF THE ORDINANCES.**

**INTRODUCTION (First Reading) WAS PASSED ON JANUARY 21, 2014;
8 AYES.**

7.5-CC Subject: Creation Of The Bicyclist And Pedestrian Advisory Commission
From: Public Works Agency
Recommendation: Adopt An Ordinance Creating The Bicyclist And Pedestrian Advisory Commission And Specifying The Terms And Responsibilities Of Its Commissioners
[\(13-0260\)](#)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second

SUPPLEMENTAL

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

Tuesday, February 04, 2014

Reading) OF THIS ORDINANCE.

**INTRODUCTION (First Reading) WAS PASSED ON JANUARY 21, 2014;
8 AYES.**

7.6-CC Subject: Ordinance to Dissolve CFD No. 2013-1
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Dissolving City Of Oakland Community
Facilities District No. 2013-1 (Wildfire Prevention District)
(13-0250)

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

**INTRODUCTION (First Reading) WAS PASSED ON JANUARY 21, 2014;
8 AYES.**

7.7-CC Subject: Amendment To Lease With EOYDC QALICB
From: Office Of The City Administrator
Recommendation: Adopt A First Amendment To Ordinance No. C.M.S. 13187, Which
Authorized City Administrator To Enter Into A 66 Year Lease For \$1.00 Per Year With
East Oakland Youth Development Center Qualified Active Low Income Community
Business, Inc., A California Nonprofit Public Benefit Corporation (EOYDC QALICB),
To Further Authorize: (1) An Increase Of Security In Such Leasehold Interest From \$7
Million To Up To \$10 Million, And (2) Inclusion In The New 66-Year Lease Of An
Option To Purchase The Property
(13-0279)

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

**INTRODUCTION (First Reading) WAS PASSED ON JANUARY 21, 2014;
8 AYES.**

7.8-CC Subject: Settlement Agreement - Howland 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 Douglas & Jenni Howland v. City Of Oakland,
Alameda County Superior Court Case No. RG12-621205 In The Amount Of One
Hundred Thirty Thousand Dollars And No Cents (\$130,000.00) As A Result Of A Sewer
Backup (Office Of Public Works)
(13-0313)

This item was heard in Closed Session on January 21, 2014.

S-7.9-CC Subject: Radio And Telecommunications Fund Report
From: Department Of Information And Technology

SUPPLEMENTAL

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

Tuesday, February 04, 2014

Recommendation: Receive An Informational Report On The Radio And
Telecommunications Fund Allocation (Fund 4200)
(13-0281)

**The January 28, 2014 Finance & Management Committee received and
forwarded this report with a vote of 4 Ayes.**

S-7.10-CC Subject: Engineering Services Contract For Assessment/Special Districts
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A
Two-Year Contract To Francisco & Associates, Inc. In An Amount Not To Exceed
\$153,000 To Perform Engineering Services For The Landscaping And Lighting
Assessment District (LLAD), The Emergency Services Retention Act Of 1997 (Measure
M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention
And Enhancement Act Of 1994 (Measure Q), The Violence Prevention And Public
Safety Act Of 2004 (Measure Y), Close-Out Of The Wildfire Prevention Assessment
District And The Rockridge Library Community Facilities District Of 1992 For The
Period Of January 1, 2014 Through December 31, 2015, And Authorizing The City
Administrator To Extend The Contract For Two Additional Years Without Return To
Council
(13-0289)

**The January 28, 2014 Finance & Management Committee received and
forwarded this report with a vote of 4 Ayes.**

**The Committee also directed staff to clarify that revenue identified in the
report for Measure Y is from the parcel tax portion of the fund only.**

S-7.11-CC Subject: Acceptance Of Settlement Payment From OMSS
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing Acceptance Of Payment From
Oakland Maritime Support Services (OMSS) In The Amount Of \$50,000 Toward The
Settlement Of Northern California River Watch, Teamsters Local 70, v. Oakland
Maritime Support Services, Oakland Redevelopment Agency, Et Al. (U.S. District Court,
Northern District Of California, Case No. 4:40-CV- 3912 CW) (Office Of The City
Administrator)
(13-0262)

**The January 28, 2014 Community & Economic Development Committee
approved recommendations with a vote of 3 Ayes, 1 Excused - Gibson
McElhaney.**

S-7.12-CC Subject: Identify Funds For Creek Walk Along San Leandro Creek
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Supporting Efforts To Identify Funding For The
Development Of A Creek Walk Along The Banks Of The San Leandro Creek
(13-0287)

SUPPLEMENTAL

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

Tuesday, February 04, 2014

The January 28, 2014 Community & Economic Development Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Gibson McElhaney.

S-7.13-CC Subject: Adding LGBTQ Youth Services Strategy To OFCY Investment Plan
From: Department Of Human Services
Recommendation: Adopt A Resolution Adding A LGBTQ Youth Services Strategy To
The Oakland Fund For Children And Youth Strategic Investment Plan 2013-2016
(13-0277)

The January 28, 2014 Life Enrichment Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee approved recommendations as amended to revise the following: 1) Change the language revolving around collaboration in the strategy; and 2) Allow a successful applicant to be one organization or multiple organizations.

S-7.14-CC Subject: AC-OCAP Annual Report & CSBG Funds Allocation For 2014
From: Department Of Human Services
Recommendation: Receive The Alameda County-Oakland Community Action Partnership (AC-OCAP) Annual Report And Adopt A Resolution (1) Accepting, Appropriating, And Allocating A Renewal Grant In An Anticipated Amount Of \$1,077,711 In Anti-Poverty Community Services Block Grant (CSBG) Funds For 2014 From The California Department Of Community Services And Development (CSD); (2) Authorizing The City Administrator To Accept Additional Grant Funds Of \$50,000 Or Less Without Returning To Council; (3) Authorizing A Contribution From The General Purpose Fund An Amount Equivalent To The Department's Central Services Overhead Charges; And (4) Authorizing New Grant Agreements Or Amendments To Existing Grant Agreements With Service Providers For The CSBG Funds
(13-0288)

The January 28, 2014 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.

S-7.15-CC Subject: Support For AB 1439: Prohibit Sweepstakes Gambling Operations
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1439 Regarding
The Prohibition Of Sweepstakes Gambling Operations
(13-0286)

The January 30, 2014 Rules & Legislation Committee approved recommendations with a vote of 3 Ayes, 1 Excused - Kernighan.

S-7.16 Subject: Housing, Residential Rent And Relocation Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of

SUPPLEMENTAL

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

Tuesday, February 04, 2014

Ramona C. Chang To The Housing, Residential Rent And Relocation Board
(13-0323)

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

This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080 E(2) of the Sunshine Ordinance, prior to hearing the item.

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:**

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Semi-Annual Vacancy Report
From: Department Of Human Resources Management
Recommendation: Receive The Semi-Annual Informational Report On Budgeted
Vacant Positions And Hiring For The Period April 8, 2013 Through November 26, 2013
(13-0264)

This item was Continued from the January 21, 2014 City Council meeting.

The January 14, 2014 Finance & Management Committee received and forwarded the report with a vote of 4 Ayes.

The Committee also directed staff to provide a supplemental report which explains the terms used in the "Comment" section of the report, including estimated timeframes for each comment made.

The Committee also directed staff to include the following in future vacancy report:

- 1) Anticipated dates for which vacant positions will be filled;**
- 2) Intentional vacancies;**
- 3) Budget-assumed vacancy rate; and**
- 4) Industry standard vacancy rate goals.**

12 Subject: Travel Expense Authorization - Gallo
From: Councilmember Noel Gallo

SUPPLEMENTAL

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

Tuesday, February 04, 2014

Recommendation: Adopt A Resolution Authorizing Travel And Travel Expenses For Councilmember Noel Gallo To Travel To Mexico On A Trade Mission With The Center For International Trade Development In Sacramento And The Hispanic Chambers Of Commerce In Sacramento, Alameda County, And San Jose February 12-15, 2014
(13-0293)

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

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 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

(TTD)

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.

LaTonda Simmons
City Clerk and
Clerk of the Council