



# 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, February 26, 2019

5:30 PM

City Council Chamber, 3rd Floor

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The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with a Performance, the meeting was convened at 5:33 p.m.

**1 PLEDGE OF ALLEGIANCE / OPENING PERFORMANCE**

**2 ROLL CALL / CITY COUNCIL**

**Excused** 1 - Larry Reid

**Present** 7 - Dan Kalb, Lynette McElhaney, Noel Gallo, Sheng Thao, Loren Taylor, Nikki Bas, and Rebecca Kaplan

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

*11 speakers spoke during open forum*

**4 ACTIONS ON SPECIAL ORDERS OF THE DAY**

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

*President Pro Tempore Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Jeff Adachi and Larry Bason. Council President Kaplan and Councilmember McElhaney requested to be associated with the Jeff Adachi tribute.*

*Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Dr. Julia Hare, Amanda Greene and Frank Robinson.*

- 4.1 Subject: Celebrating Black History And Heritage Month  
From: Councilmember McElhaney, Vice Mayor Reid, And Councilmember Taylor  
Recommendation: Adopt A Resolution In Celebration Of Black History Month Honoring The Following Courageous African American Individuals And Organizations, 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

[18-1314](#)

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

[87535 CMS](#)

*There 8 speakers on this item*

A motion was made by Lynette McElhaney, seconded by Loren Taylor, that this matter be Adopted. The motion carried by the following vote:

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF DECEMBER 14, 2018, FEBRUARY 5, 2019 AND FEBRUARY 14, 2019

[18-1399](#)

**Attachments:** [View Report 12/14/2018](#)

[View Report 2/5/2019](#)

[View Report 2/14/2019](#)

*There were 3 speakers on this item*

A motion was made by Noel Gallo, seconded by Loren Taylor, that this matter be Approved. The motion carried by the following vote:

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**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):**

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

*There were 20 speakers on this item*

***Approval of the Consent Agenda***

**A motion was made by Kalb, seconded by Gallo, to approve the Consent Agenda.  
The motion carried by the following vote:**

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**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  
[18-1400](#)

**Attachments:** [View Report](#)  
[87536 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  
[18-1401](#)

**Attachments:** [View Report](#)  
[87537 CMS](#)

**This City Resolution was Adopted.**

- 7.3 Subject: Declaring Local Emergency on Homelessness  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Declaring A Local Emergency With Regard To  
The City's Homelessness Crisis  
[18-1394](#)

**Attachments:** [View Report](#)  
[87538 CMS](#)

**This City Resolution was Adopted.**

- 7.4 Subject: Appointment To The Annual League of California Cities  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Appointing Councilmember Noel Gallo As  
Alternate Voting Delegate To Represent The City Of Oakland At The Annual League Of  
California Cities' 2019 Conference, And Authorizing Councilmember Noel Gallo To  
Travel To Long Beach, California To Attend The 2019 Annual League Of California Cities  
Conference From October 16-19, 2019 And Approving Related Travel Expenses  
[18-1316](#)

**Attachments:** [View Report](#)  
[87539 CMS](#)

**This City Resolution was Adopted.**

- 7.5 Subject: Elimination Of Substantial Rehabilitation Exemption  
From: Housing And Community Development Department  
Recommendation: Adopt An Ordinance To Remove The Substantial Rehabilitation  
Exemption From The Rent Adjustment Ordinance (O.M.C. 8.22.030.B.2)  
[18-1350](#)

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

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.  
to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency  
and the City Council to be heard 3/12/2019**

- 7.6 Subject: Police Commission Appointments  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Accepting The Selection Panel's Slate Of One Alternate Police Commissioner (Tara Anderson) To Serve On The City Of Oakland Police Commission  
[18-1392](#)

**Attachments:** [View Report](#)  
[87540 CMS](#)

**This City Resolution was Adopted.**

- 7.7 Subject: Pacific Boychoir Academy's 20th Anniversary Resolution  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution Celebrating The Pacific Boychoir Academy's Twenty Years In Oakland  
[18-1390](#)

**Attachments:** [View Report](#)  
[87541 CMS](#)

**This City Resolution was Adopted.**

- 7.8 Subject: Settlement Agreement -Miles Rappaport, Et Al. 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 Miles Rappaport, Et Al. V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG18889056, In The Amount Of Seventy-Seven Thousand, Five Hundred Dollars And No Cents (\$77,500.00) As A Result Of A Vehicle Collision On January 21, 2017 (Oakland Police Department - Vehicle Collision)  
[18-1396](#)

**Attachments:** [View Report](#)  
[87542 CMS](#)

**This City Resolution was Adopted.**

**7.9** Subject: Updates To The Conflict Of Interest Code  
From: Office Of The City Clerk  
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 13142 C.M.S., Adopted January 22, 2013, Codified As Oakland Municipal Code Chapter 3.16) To Update The Designation Of Positions Covered By The Code  
[18-1203](#)

**Attachments:** [Revised View Report](#)  
[View Supplemental Report 2/22/2019](#)  
[13522 CMS](#)

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

**7.10** Subject: Award Between The City Of Oakland And IAFF, Local 55  
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 Increases To Represented Employees In Representation Unit FQ1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters, Local 55 As Follows: Increase Of 4% Effective November 1, 2017; Increase Of 1% Effective November 1, 2018; And 2% Effective The First Full Pay Period In November 2019; And  
[18-1374](#)

**Attachments:** [View Report](#)  
[13520 CMS](#)

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

2) An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S. (The Salary Ordinance) To Provide Wage Increases To The Salaries Of The Unrepresented Chief Of Fire, Deputy Chief Of Fire Department, And Assistant Chief Of Fire Department, Representation Units UR1 And UU1, The Wage Increases Shall Be As Follows: Increase Of 4% Effective November 1, 2017; Increase Of 1% Effective November 1, 2018; And 2% Effective The First Full Pay Period In November 2019  
[18-1375](#)

**Attachments:** [View Report](#)  
[13521 CMS](#)

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

- 7.11 Subject: Appointment To The Parks And Recreation Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kenzie D. Smith And Reappointment Of Coire Reilly To The Parks And Recreation Advisory Commission  
[18-0983](#)

**Attachments:** [View Report](#)  
[87543 CMS](#)

**This City Resolution was Adopted.**

- 7.12 Subject: Appointment To The Library Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Viola Gonzalez As A Member Of The Library Advisory Commission  
[18-1409](#)

**Attachments:** [View Report](#)  
[87544 CMS](#)

**This City Resolution was Adopted.**

- 7.13 Subject: Appointments To The Public Art Advisory Committee  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Patricia Carino Valdez And Appointment Of Jennifer Correira, Eric Murphy, And Michele Ramirez To The Public Art Advisory Committee  
[18-1410](#)

**Attachments:** [View Report](#)  
[87545 CMS](#)

**This City Resolution was Adopted.**

- 7.14 Subject: Reappointment To The Public Oversight Committee  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Reappointment Of Lauren Westreich, Daniel Swafford, And Gary Jimenez As Members Of The Affordable Housing & Infrastructure (Measure KK) Public Oversight Committee  
[18-1411](#)

**Attachments:** [View Report](#)  
[87546 CMS](#)

**This City Resolution was Adopted.**

**7.15** Subject: Budget Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Brenda Roberts To The Budget Advisory Commission  
[18-1412](#)

**Attachments:** [View Report](#)  
[87547 CMS](#)

**This City Resolution was Adopted.**

**S7.16** Subject: Quarter Revenue & Expenditure Report  
From: Finance Department  
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2018-19 Second Quarter Revenue And Expenditure Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Selected Funds; And General Purpose Fund (GPF, 1010) Carryforward For FY 2018-19; And Overtime Analysis For The General Purpose Fund (GPF, 1010) And All Funds  
[18-1325](#)

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

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

**S7.17** Subject: Measure Z - Public Safety And Services Violence Prevention Act Audit Report  
From: Finance Department  
Recommendation: Receive The Measure Z - Public Safety And Services Violence Prevention Act Of 2014 Audit Report For The Year Ended June 30, 2018  
[18-1339](#)

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

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

**S7.18** Subject: Measure C - Oakland Hotel Tax Audit Report For FY2017-18  
From: Finance Department  
Recommendation: Receive The Measure C - Oakland Hotel Tax Audit And Program Status Report For The Year Ended June 30, 2018  
[18-1340](#)

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

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



**S7.19** Subject: Electrical Equipment And Supplies Contract  
From: Finance Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Francisco Electric Supply, A Corporation, The Lowest Responsive And Responsible Bidder, A Small Local Business Enterprise To Provide Street Light Traffic Signal Standards And Accessories In The Annual Amount Not To Exceed One Million, Seven Hundred Ninety-Seven Thousand Eight Hundred Nineteen Dollars And Nine Cents (\$1,797,819.09) For The Period Of March 4, 2019 To March 3, 2020 In Accordance With The Terms And Conditions In Specification 19-285-00/RFQ 130425  
[18-1347](#)

**Attachments:** [View Report](#)  
[87548 CMS](#)

**This City Resolution was Adopted.**

**S7.20** Subject: Salary Ordinance Amendment for Various Classifications  
From: Human Resources Management Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Real Property Asset From The Operation Of Civil Service;  
And  
[18-1344](#)

**Attachments:** [View Report](#)  
[87549 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Housing Development From The Operation Of Civil Service;  
And  
[18-1345](#)

**Attachments:** [View Report](#)  
[87550 CMS](#)

**This City Resolution was Adopted.**

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 Classification Of Inspector General; To Add The Part-Time Equivalent Classification Of US&R Warehouse & Logistics Specialist, PT; To Amend The Title Of Deputy Director, Public Ethics Commission To Enforcement Chief, Public Ethics Commission; And To Amend The Title Of Real Estate Services Manager To Manager, Real Property Asset And Amend The Representation Unit From UM2 To UM1  
[18-1346](#)

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

**This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/12/2019**

**S7.21** Subject: OPEB Funding Policy  
From: Finance Department  
Recommendation: Adopt A Resolution Adopting The Other Post-Employment Benefits Funding Policy Of The City Of Oakland  
[18-1277](#)

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

[View Report - Attachment A](#)

[View Report - Attachment B](#)

[View Supplemental Report - Letter 2/8/19](#)

[View Supplemental Report - 2/8/19](#)

[View Supplemental Report 2/22/2019](#)

[87551 CMS](#)

**This City Resolution was Adopted as Amended.**

**S7.22** Subject: Authorization To Examine Sales And Use Tax Records  
From: Finance Department  
Recommendation: Adopt A Resolution Amending Resolution No. 85476 C.M.S. And Authorizing The City Administrator To Update And Expand The List Of Designated City Officials Authorized To Examine Sales And Use Tax Records For The City Of Oakland From The State Board Of Equalization Pursuant To California Revenue And Taxation Code Section 7056(B) To: (1) Include The City Administrator, Assistant City Administrator, Finance Director, Revenue And Tax Administrator, Assistant Revenue And Tax Administrator, Revenue Operations Supervisor, Budget Administrator, Assistant Budget Administrator, Finance Manager, Principal Budget Analyst, Director Of Economic And Workforce Development, Deputy Director Economic And Workforce Development, Urban Economic Analyst III, Principal Revenue Analyst, Principal Financial Analyst, Revenue Analyst, Account Clerk II Assigned To The Revenue Bureau, Tax Auditor II, Tax Auditor III, Accountant Ii Assigned To The Revenue Bureau, Tax Enforcement Officer II, Collections Officer, Revenue Assistant, City Attorney, Chief Assistant City Attorney, Deputy City Attorney V, Deputy City Attorney IV, Deputy City Attorney III, Special Counsel And Consultant Hinderliter De Llamas And Associates; And (2) Remove Budget Director, City Administrator Analyst, And Tax Representative II  
[18-1348](#)

Attachments: [View Report](#)  
[87552 CMS](#)

**This City Resolution was Adopted.**

**S7.23** Subject: Amendment For Maintenance Of Emergency Response Vehicles  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing: (1) An Amendment To Authorizing Resolution No. 87161 C.M.S. Governing Current Contractual Provisions With Golden State Fire Apparatus, Inc. In The Amount Of Two Hundred Thousand Dollars (\$200,000.00) Annually For The Period Of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Contractual Allocation Of Six Hundred Thousand Dollars (\$600,000.00) To A Proposed Increased Contractual Amount Of Four Hundred Thousand Dollars (\$400,000.00) Annually For The Period Of May 1, 2018 Through April 30, 2019, With Two One-Year Options To Renew, For A Grand Total Increased Contractual Amount Of One Million Two Hundred Thousand Dollars \$1,200,000.00) For Maintenance, Parts And Repair Of Fire Department Emergency Response Vehicles And Related Equipment, Without Returning To Council, And (2) A Waiver Of The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements  
[18-1369](#)

**Attachments:** [View Report](#)  
[87553 CMS](#)

**This City Resolution was Adopted.**

**S7.24** Subject: Major Encroachment Permit At 7841 Michigan Avenue  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Jonathan Wade Crane And Carolyn Mary Crane, To Allow A Portion Of Existing Building, Stairs, Retaining Wall, And Railing To Encroach Into The Public Right-Of-Way At 7841 Michigan Avenue, Major Encroachment Permit ENMJ17063  
[18-1354](#)

**Attachments:** [View Report](#)  
[87554 CMS](#)

**This City Resolution was Adopted.**

**S7.25** Subject: As-Needed Pavement Rehabilitation Services  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Awarding A Construction Contract For As-Needed Pavement Rehabilitation Services To McGuire & Hester, The Lowest Responsive And Responsible Bidder, In Accordance With Contractor's Bid In An Amount Not To Exceed Ten Million, Nine Hundred And Eighty-Two Thousand, Two Hundred Dollars (\$10,982,200.00); And [18-1355](#)

**Attachments:** [View Report](#)  
[87555 CMS](#)

**This City Resolution was Adopted.**

2) A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator Award A Construction Contract For As-Needed Pavement Rehabilitation Services To Gallagher & Burke, Inc., In Accordance With Contractor's Bid In An Amount Not To Exceed Ten Million, Nine Hundred And Ninety-Four Thousand, Six Hundred Dollars (\$10,994,600.00) [18-1356](#)

**Attachments:** [View Report](#)  
[87556 CMS](#)

**This City Resolution was Adopted.**

**S7.26** Subject: Memorandum Of Agreement For 30 Blair Place  
From: Planning And Building Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into A Memorandum Of Agreement With The City Of Piedmont For The Development Of A Replacement Single Family Residence At 30 Blair Place, A Property Located Within Both Jurisdictions [18-1342](#)

**Attachments:** [View Report](#)  
[87557 CMS](#)

**This City Resolution was Adopted.**

**S7.27** Subject: Contract Extension Between City Of Oakland And CMEA  
From: Human Resource Management Department  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving The Contract Extension To The Memorandum Of Understanding Between The City Of Oakland And The Confidential Management Employees Association, Representing Employees In Representation Units U31, Covering The Period From Of July 1, 2019 Through June 30,2021; And [18-1457](#)

**Attachments:** [View Report](#)  
[87558 CMS](#)

**This City Resolution was Adopted.**

Subject: Contract Extension Between City Of Oakland And CMEA  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To Represented Employees In Representation Unit U31 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Confidential Management Employees Association As Follows: Increase Of 2% Effective The First Full Pay Period Of July 2019 And An Increase Of 2% Effective The First Full Pay Period Of July 2020  
[18-1458](#)

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

**This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/12/2019**

**S7.28** Subject: Human Resources Management Department  
From: Contract Extension Between City Of Oakland And IBEW  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Approving The Contract Extension To The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers, Local 1245 Representing Employees In Representation Units IE1 And TV1 Covering The Period From Of July 1, 2019 Through June 30, 2021; And [18-1459](#)

**Attachments:** [View Report](#)  
[87559 CMS](#)

**This City Resolution was Adopted.**

Subject: Contract Extension Between City Of Oakland And IBEW  
From: Human Resources Management Department  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To Represented Employees In Representation Units IE1 And TV1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers, Local 1245 As Follows: Increase Of 2% Effective The First Full Pay Period Of July 2019 And An Increase Of 2% Effective The First Full Pay Period Of July 2020

[18-1460](#)

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

**This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 3/12/2019**

**S7.29** Subject: Timothy O'Connell Et Al. 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 Timothy O'Connell, Et Al. V. The City Of Oakland, Et Al., Alameda County Superior Court Case No. RG15769050, In The Amount Of Seventy-Five Thousand Dollars And No Cents (\$75,000.00) As A Result Of A Slip And Fall Allegedly Caused By A Dangerous Condition Of Public Property, Occurring On May 21, 2014 (Department Of Transportation - Dangerous Condition)

[18-1446](#)

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

[87560 CMS](#)

**This City Resolution was Adopted.**

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

*The Following 3 Final Decisions Were Made in Closed session on February 26, 2019:*

*1. Esmeralda Olson v. City of Oakland. The council authorized settlement in the amount of: \$ 50,000.00. This case arose out of incidents occurring in: May 2015 The motion passed with a vote of 6 Ayes: Fortunato Bas, Gallo, Kalb, Taylor, Thao and President Kaplan 2 Excused Reid and McElhaney*

*2. Kathleen Ferry v. City of Oakland, et al. The council authorized settlement in the amount of: \$45,000. This case arose out of incidents occurring on: February 7, 2017 The motion passed with a vote of 6 Ayes: Fortunato Bas, Gallo, Kalb, Taylor, Thao and President Kaplan 2 Excused Reid and McElhaney*

*3. Jobs and Housing Coalition et al. v. City of Oakland. The City Council discussed in closed session under Item No. 1(f), pending litigation filed by the Jobs and Housing Coalition, and under Item No. 2(a), multiple threats of litigation challenging the Children's Initiative of 2018, Measure AA on the City of Oakland's November 6, 2018 ballot. Due to the pending litigation and threats of litigation, the Council voted in closed session to direct the City Administrator not to collect the Children's Initiative tax for the first tax year. The City Council will schedule a resolution for the April 2, 2018 Council meeting to approve this action. The motion passed with a vote of 6 Ayes: Fortunato Bas, Gallo, Kalb, Taylor, Thao and President Kaplan 2 Excused Reid and McElhaney*

*There were 2 speakers on this item*

*A motion was made by Noel Gallo, seconded by Loren Taylor, that this matter be Accepted. The motion carried by the following vote:*

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**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:**



- 9.1** Subject: 0 Mandela Parkway Appeal  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal By Unite Here Local 2850, And Thus Upholding The Oakland City Planning Commission's Approval Of 1) A Major Conditional Use Permit To Construct A Six Story Building Consisting Of 220 Rooms Measuring Approximately 142,813 Square Feet Of Floor Area, 2) A Minor Conditional Use Permit For Transient Habitation (Hotels) And Non-Residential Tandem Parking, 3) A Variance Of The Front Setback And 4) Related California Environmental Quality Act (CEQA) Findings For The Proposed Building Located At 0 Mandela Parkway Oakland Ca. (Project Case No. PLN16394)  
**18-1391**

Attachments: View Report

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 8:32 p.m.*

*50 individuals spoke on this item.*

*Councilmember McElhaneey made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the item was continued to go before the March 12, 2019 Special City Council. The motion passed by 7 Ayes: Bas, Gallo, Kalb, McElhaneey, Taylor, Thao and President Kaplan; 1 Excused: Reid*

**A motion was made by Lynette McElhaneey, seconded by Noel Gallo, that this matter be Continued to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 3/12/2019. The motion carried by the following vote:**

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaneey, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

- 9.2** Subject: 2017-2018 Consolidated Annual Performance & Evaluation Report  
From: Department Of Housing And Community Development  
Recommendation: Conduct A Public Hearing And Upon Conclusion Approve The City's Consolidated Annual Performance And Evaluation Report For Fiscal Year 2017/18 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs Submitted To The U.S. Department Of Housing & Urban Development.  
[18-1372](#)

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

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:55 p.m.*

*2 individuals spoke on this item.*

*Councilmember Gallo made a motion, seconded by Councilmember McElhaney to close the Public Hearing, and hearing no objections, staff also included an amendment to page 3, table 2 in the supplemental report ,the motion passed by 7 Ayes: Bas, Gallo, Kalb, McElhaney, Taylor, Thao and President Kaplan; 1 Excused: Reid*

**A motion was made by Noel Gallo, seconded by Lynette McElhaney, that this matter be Received and Filed. The motion carried by the following vote:**

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

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

- 10 THIS NUMBER INTENTIONALLY NOT USED**

**S11** Subject: Quarterly Report On Public Safety Overtime  
From: Finance Department  
Recommendation: Receive This Quarterly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls  
[18-1381](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 2/22/2019](#)

*There were 5 speakers on this item*

*Council Member Gallo made a motion, seconded by Councilmember Bas to refer this item to the April 9, 2019 Public Safety Committee, with a supplemental report addressing the following questions:*

- 1. How much of the \$18 million spent on overtime was approved?*
- 2. Supplemental Report, Attachment C, Part B-1, besides the 6 approved overtime exceptions what else requires approval in the proposed policy?*
- 3. What dollar amount of paid overtime has to do with crime?*
- 4. Breakdown of reimburseable expenditures*
- 5. Supplemental Report, Attachment A, split the Special Events and Enforcement chart and provide a more detailed analysis of each.*
- 6. How volunteer overtime impacts officers regular schedule?*
- 7. What we forecast in overtime vs what we actually spend.*

*The Council also instructed other City Councilmembers to forward any additional questions to the Office of the City Administrator*

**A motion was made by Noel Gallo, seconded by Nikki Bas, that this matter be Referred to go before the \*Public Safety Committee, to be heard 4/9/2019. The motion carried by the following vote:**

**Excused:** 1 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**NO VOTE:** 0

**S12** Subject: Extension Of Temporary Employment Agency On-Call Contracts  
From: Human Resources Management Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Six Month Extension And Increase Appropriations For Existing On-Call Professional Service Agreements With (1) HR Management, Inc., (2) Robert Half International And (3) Tempositions, Inc. To Provide Temporary Employment Agency Services On An As-Needed And Rotating Basis At A Cost Not To Exceed \$600,000 Per Contract, Which Is An Increase Of \$350,000 Per Contract, For A Total Contracting Cost Not To Exceed \$1,800,000 Through December 1, 2020 And Waiving The Competitive Request For Proposals/Qualifications Process  
[18-1441](#)

Attachments: [View Report](#)  
[87561 CMS](#)

*There were 2 speakers on this item*

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 - Reid

**Aye:** 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

**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 Larry Bason, Jeff Adachi, Dr. Julia Hare, Amanda Greene And Frank Robinson at 9.27p.m.*

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