



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

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

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

Tuesday, December 8, 2015

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 5:37 p.m.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Councilmember Campbell Washington present at 5:41 p.m.

Present 8 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, Laurence E. Reid, and Lynette Gibson McElhaney

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

There were 57 speakers on Open Forum.

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

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Henry "The Champ" Winston. Councilmember Brooks requested association with this adjournment.

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Dr. Violet Kiteley. Councilmember Brooks and Council President Gibson McElhaney requested association with this adjournment.

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Sheree Yvette Weems.

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Patricia Alvarez.

Councilmember Guillen took a point of personal privilege and requested that the meeting be adjourned in memory of Jack Lewis.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Tony Crear.

- 4.1 Subject: Recognizing World AIDS Day
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Recognizing December 1, 2015 As "World AIDS Day" To Show Support For The Worldwide Fight Against HIV And AIDS
[15-0327](#)

Attachments: [View Report](#)
[85906 CMS](#)

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

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 4.2 Subject: Recognizing 'Collaborating Agencies Responding To Disasters' (CARD)
From: Councilmember Annie Campbell Washington
Recommendation: Adopt A Resolution In Recognition Of 'Collaborating Agencies Responding To Disasters' (CARD) And Outstanding Executive Director Ana-Marie Jones
[15-0370](#)

Attachments: [View Report](#)
[85907 CMS](#)

A motion was made by Reid, seconded by Campbell Washington, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 4.3 Subject: Honoring Audree V. Jones-Taylor Upon Her Retirement
From: President Pro Tempore Reid And Councilmember Campbell Washington
Recommendation: Adopt A Recognizing And Honoring Oakland Parks And Recreation Director Audree V. Jones-Taylor For More Than 11 Years Of Dedicated Service To The Residents Of The City Of Oakland Upon Her Retirement
[15-0377](#)

Attachments: [View Report](#)
[85908 CMS](#)

A motion was made by Reid, seconded by Campbell Washington, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF NOVEMBER 17, 2015
[15-0372](#)

Attachments: [View Report](#)

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

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhanev

- 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):

Item 9.2 will be withdrawn and rescheduled to the January 5, 2016 City Council meeting. Item 15 is withdrawn. Item 7.25 was not amended by the Committee.

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

There were 28 speakers on the Consent Calendar.

Approval of the Consent Agenda

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

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhanev

- 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
[15-0373](#)

Attachments: [View Report](#)

[85909 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
[15-0374](#)

Attachments: [View Report](#)
[85910 CMS](#)

This City Resolution was Adopted.

- 7.3 Subject: 2016 Legislative Calendar
From: Office Of The City Clerk
Recommendation: Adopt The 2016 Legislative Calendar For The City Council And Council Committees Meeting, Report And Distribution Schedule
[15-0230](#)

Attachments: [View Report](#)

This Report and Recommendation was Approved as Submitted.

- 7.4 Subject: Workforce Investment Board Appointment
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Nominating Councilmember Annie Campbell Washington To Be The City Council Representative On The Workforce Investment Board ("WIB")
[15-0369](#)

Attachments: [View Report](#)
[85911 CMS](#)

This City Resolution was Adopted.

- 7.5 Subject: Amending Graffiti Abatement Grant
From: Vice Mayor Kaplan
Recommendation: Amend Resolution No. 85617, Which Authorized A Grant Of \$2,000 From Vice Mayor Rebecca Kaplan's Graffiti Abatement Mural And Green Wall Funds To Community Rejuvenation Project For A Mural On The White Building At 327 15th Street, To Change The Name Of The Grantee To Saied Karamooz
[15-0371](#)

Attachments: [View Report](#)
[85912 CMS](#)

This City Resolution was Adopted.

- 7.6** Subject: Approving MOU For Oakland Police Management Association
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Sworn Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association And The Unrepresented Assistant Chief Of Police, And The Unrepresented Salary Range Of The Classification Chief Of Police; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2015; Increase Of 4% Effective May 1, 2017, Increase Of 2.5% Effective January 1, 2018, And Increase Of 2.5% Effective January 1, 2019 Including Equity Adjustments Of 2.5% Effective January 1, 2016, Equity Adjustments Of 1.0% Effective January 1, 2017, Equity Adjustments Of 1.0% Effective January 1, 2018, And Equity Adjustments Of 2.0% Effective July 1,2018

[15-0324](#)

Attachments: [View Report](#)
[13340 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.7** Subject: Approving MOU Between The City And Oakland Police Officers Association
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Sworn Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Officers Association; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2015; Increase Of 4% Effective May 1, 2017, Increase Of 2.5% Effective January 1, 2018, And Increase Of 2.5% Effective January 1, 2019 Including Equity Adjustments Of 2.5% Effective January 1, 2016, Equity Adjustments Of 1.0% Effective January 1, 2017, Equity Adjustments Of 1.0% Effective January 1, 2018, And Equity Adjustments Of 2.0% Effective July 1, 2018

[15-0323](#)

Attachments: [View Report](#)
[13341 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.8 Subject: Amend Salary Rates Of Police/Fire Communications Positions
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Salary Rates Of The Classifications Of Police Communications Operator; Police Communications Dispatcher; Fire Communications Dispatcher; Police Communications Supervisor; Fire Communications Dispatcher, Senior; And Fire Communications Supervisor; And To Add The Classification Of Police Communications Manager

[15-0319](#)

Attachments: [View Report](#)

[13342 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.9 Subject: Amending The Salary Ordinance For Unrepresented Employees
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Unrepresented Employees In Units UK1, UK2, UP1, U51, TL1, UG1, And US1 As Follows: Increase Of 4% Effective July 1, 2015; Increase Of 2% Effective November 1, 2016, And Increase Of 2.0% Effective May 1, 2017

[15-0328](#)

Attachments: [View Report](#)

[13343 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.10 Subject: Salary Ordinance Amendment To Add Crime Analyst
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 Classification Of Crime Analyst

[15-0249](#)

Attachments: [View Report](#)

[13344 CMS](#)

This Ordinance was Approved for Final Passage.

7.11 Subject: Sale Of Parcel At 1148 71st Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing City Administrator Or Designee To Negotiate And Execute A Purchase And Sales Agreement Between The City Of Oakland And Belter Palma And Juana Trujillo (Collectively, "Purchasers") For The Sale Of City-Owned Property Located At 1148 71st Avenue (APN 041-4135-028) For Twenty-Five Thousand Dollars (\$25,000)
[15-0255](#)

Attachments: [View Report](#)
[13345 CMS](#)

This Ordinance was Approved for Final Passage.

7.12 Subject: Fruitvale Transit Village Phase II
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13313 C.M.S. To Add The East Bay Asian Local Development Corporation ("EBALDC") As An Additional Party To The Lease Disposition And Development Agreement (Phase IIA), A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively "LDDA") As Amended By And Among The City Of Oakland, A Municipal Corporation, The Spanish Speaking Unity Council Of Alameda County, Inc., L&M Development Partners, Inc. And EBALDC For The Development Of Mixed Income Housing Located On APN 033-2177-021 At 37th Avenue And East 12th Street
[15-0258](#)

Attachments: [View Report](#)
[13346 CMS](#)

This Ordinance was Approved for Final Passage.

7.13 Subject: Salary Ordinance Amendment To Add Director Of Race & Equity
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 Classification Of Director Of Race And Equity
[15-0246](#)

Attachments: [View Report](#)
[13347 CMS](#)

This Ordinance was Approved for Final Passage.

7.14 Subject: Settlement Agreement - New Cingular LLC
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of New Cingular Wireless LLC, Et Al. V. City Of Oakland, Et Al., Los Angeles County Superior Court Case No. BC462270 City Attorney's File No. X03697, In The Amount Of Seven Hundred Twenty-Five Thousand Nine Hundred Fifty-Four Dollars And No Cents (\$725,954.00) (Revenue)
[15-0381](#)

Attachments: [View Report](#)
[85913 CMS](#)

This City Resolution was Adopted.

7.15 Subject: Settlement Agreement - In Re Municipal Derivatives Antitrust Litigation
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Partial Settlement Of In Re Municipal Derivatives Antitrust Litigation, United States District Court Southern District Of New York, MDL No. 1950, Authorizing Acceptance Of Payment From George K. Baum Of \$35,000 And Acceptance Of Payment From Societe Generale Of \$263,089 In Exchange For Dismissal Of The Lawsuit By The City
[15-0382](#)

Attachments: [View Report](#)
[85914 CMS](#)

This City Resolution was Adopted.

7.16 Subject: Unaudited FY 2014-15 Fourth Quarter Revenue and Expenditure Report
From: Finance Department
Recommendation: Receive An Informational Report On The Unaudited FY 2014-15 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds: General Purpose Fund (GPF, 1010), Landscape And Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
[15-0305](#)

Attachments: [View report](#)

This City Resolution was Adopted.

7.17 Subject: Citywide Curb Ramps And Sidewalk Repair
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Seton Pacific Construction, The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair (Project No. C428014) And With Contractor's Bid In The Amount Of Six Hundred Ninety-Six Thousand And Nine Hundred Fifty-Five Dollars (\$696,955.00); And

[15-0343](#)

Attachments: [View Report](#)

[85915 CMS](#)

This City Resolution was Adopted.

2) A Resolution Awarding A Construction Contract To Rosas Brothers Construction, The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For Curb Ramps On International Boulevard Along Bus Rapid Transit Corridor (Project No. C428015) And With Contractor's Bid In The Amount Of Six Hundred Fifty-Five Thousand And Six-Hundred Dollars (\$655,600.00)

[15-0344](#)

Attachments: [View Report](#)

[85916 CMS](#)

This City Resolution was Adopted.

7.18 Subject: Seismic Retrofit Design Of Leimert Boulevard Bridge
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Million Three Hundred Four Thousand Forty-Seven Dollars (\$1,304,047.00) In Federal Highway Bridge Program Funds (HBP) For The Seismic Retrofit Design Of Leimert Boulevard Bridge Over Sausal Creek (Project No. C347010); And

[15-0345](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

[85917 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator To Enter Into A Professional Service Agreement With Biggs Cardosa Associates, Inc. To Provide Professional Engineering Services For The Seismic Retrofit Of Leimert Bridge (Project No C347010) For An Amount Not To Exceed One Million Two Hundred Eighty Thousand Eight Hundred Seventy Dollars (\$1,280,870.00)

[15-0346](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[85918 CMS](#)

This City Resolution was Adopted.

7.19 Subject: Grant To Create An Online Business Portal
From: Economic Workforce And Development Department
Recommendation: Adopt A Resolution 1) Ratifying The Economic And Workforce Development Department's Application To The U.S. Small Business Administration's Startup In A Day Grant Program And 2) Authorizing The City Administrator, Or Her Designee, To Accept And Appropriate Fifty Thousand Dollars (\$50,000) In U.S. Small Business Administration Startup In A Day Grant Funds For Digital Services To Improve Online Access To Licensing, Permitting And Support For Oakland Businesses

[15-0342](#)

Attachments: [View Report](#)
[85919 CMS](#)

This City Resolution was Adopted.

7.20 Subject: Rockridge BID Annual Report And Intention To Set Levy
From: Economic And Workforce Development Department
Recommendation: Adopt Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2016-2017 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For January 5, 2016

[15-0348](#)

Attachments: [View Report](#)
[85920 CMS](#)

This City Resolution was Adopted.

- 7.21 Subject: Montclair BID Annual Report And Intention To Set Levy
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment
For Fiscal Year 2016-2017 For The Montclair Business Improvement District,
Approving The Annual Report Of The Montclair Business Improvement District
Advisory Board, And Scheduling A Public Hearing For January 5, 2016
[15-0349](#)

Attachments: [View Report](#)

[85921 CMS](#)

This City Resolution was Adopted.

- 7.22 Subject: Temescal BID Pedestrian Lighting Loan Assessment Assignment
Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Consent
To Execution Of An Assignment Of Assessments Loan Collateral Agreement Between
The Temescal Telegraph Avenue Community Association Of Oakland ("Borrower")
And Community Bank Of The Bay ("Lender") To Disburse To Lender From Temescal /
Telegraph Avenue Business Improvement District Of 2015 ("TTBID 2015") Special
Assessment Funds Held On Behalf Of The TTBID 2015 In Support Of The Temescal
Telegraph Pedestrian Lighting Project
[15-0350](#)

Attachments: [View Report](#)

[85922 CMS](#)

This City Resolution was Adopted.

- 7.23** Subject: CAO Authorization for FTZ Subzone Operating Agreements
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Negotiate And Enter Into Operating Agreements With Various
Companies For Zone Designation Under The Alternative Site Framework Of The
Oakland Foreign Trade Zone #56
[15-0351](#)

Attachments: [View Report](#)
[85923 CMS](#)

*The Council adopted the resolution as amended to add the following to the last
Further Resolved clause:*

***FURTHER RESOLVED, that the City Attorney shall review and approve as to form
and legality all such Operating Agreements of the FTZ #56, and all such
agreements shall be filed with the City Clerk and disclosed to the City Council's
Community & economic Development Committee via a noticed informational
report brought at least semi-annually unless no such Operating Agreements were
approved during the prior six months.***

**A motion was made by Gallo, seconded by Reid, that this matter be Adopted as
Amended. The motion carried by the following vote:**

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson
McElhanev

- 7.24** Subject: ORSA FY 2014-15 Annual Report
From: Economic And Workforce Development Department
Recommendation: Receive An Informational Report Presenting The Oakland
Redevelopment Successor Agency (Agency) Fiscal Year (FY) 2014-15 Annual Report
On Blight, Loans, Property, And Time Limits In Accordance With The Reporting
Requirements Of The California Community Redevelopment Law
[15-0337](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

7.25 Subject: FY 2015 UASI Program Grant Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To (1) Enter Into The Urban Area Security Initiative (UASI) Grant Administration Agreement With The City And County Of San Francisco To Accept And Appropriate Up To One Million One Hundred Thousand Dollars (1,100,000.00) For Federal Fiscal Year 2015 UASI Grant Funds; And (2) Accept, Appropriate, And Administer Said UASI Federal Grant Funds; And 3. Approve The 2015 UASI Recommended Proposed Spending Plan And Authorize A Contribution From The General Purpose Fund In An Amount Equivalent To Central Services Overhead (CSO) Charges Affiliated With Said Grant Estimated At Thirty-One Thousand One Hundred Ninety Five Dollars (\$31,195.00) For Fiscal Year 2015-16 And Thirty-Seven Thousand Four Hundred Thirty Three Dollars (\$37,433.00) For Fiscal Year 2016-17; And 4. Expend Funds In Accordance With Said Recommended Proposed Spending Plan Without Further Council Approval Provided The City's Hiring And Contracting Requirements And Programs/Policies Are Followed.

[15-0358](#)

Attachments: [View Report](#)

[85924 CMS](#)

This City Resolution was Adopted.

7.26 Subject: State Homeland Security Grant Program (2015) Funding Request
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee (1) Enter Into A Grant Agreement With The Alameda County Sheriff's Office To Accept State Homeland Security Grant Program (SHSGP) Funds In The Amount Of Two Hundred Thousand Dollars (\$200,000.00); 2. Accept, Appropriate And Administer Said SHSGP Funds; And . 3. Expend Funds To Purchase 45 Minute Air Cylinders For Self Contained Breathing Apparatus (SCBA) In Accordance With The City's Purchasing Requirements

[15-0359](#)

Attachments: [View Report](#)

[85925 CMS](#)

This City Resolution was Adopted.

- 7.27 Subject: Measure Z - Violence Prevention (January 2016 - June 2017)
From: Human Services Department/Oakland Unite
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Violence Intervention Services In Accordance With The 2014 Oakland Public Safety And Services Violence Prevention Act (Measure Z) For Period January 1, 2016 To June 30, 2017 In An Amount Not To Exceed \$9,555,000 (An Annualized Amount Of \$6,370,000), With A One Year Option To Renew Through June 30, 2018 Pending Council Approval
[15-0354](#)

Attachments: [View Report](#)
[85926 CMS](#)

This City Resolution was Adopted.

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

A motion was made by Kaplan, seconded by Campbell Washington, that this matter be Approved as Submitted from the Office of the City Attorney of 4 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

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: 6846 Saroni Drive Utility Pole Telecommunications Project Appeal
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Denying Appeal #PLN15149-A01 And Upholding The Decision Of The City
Planning Commission To Approve Regular Design Review To Install A
Telecommunications Facility Onto A Replacement Utility Pole Located In The Public
Right-Of-Way Fronting The Lot Line At 6846 Saroni Drive
[15-0363](#)

Attachments: [View Report](#)
[85927 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:59 p.m.

Two individuals spoke on this item.

Councilmember Campbell Washington made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and Council President Gibson McElhane.

Council adopted the resolution as amended with the following addition:

Tree Trimming Conditional Approval: Existing vegetation within the right-of-way immediately surrounding the existing utility pole shall be preserved and only minimal pruning (if any) shall be allowed if absolutely necessary to facilitate the actual installation of the pole extension, antennas and/or equipment. Furthermore, any vegetation proposed for trimming and/or removal shall be first marked with colored tape or ribbon (visible from ground level) at least 14 calendar days in advance of proposed removal, with review and approval to trim and/or remove vegetation granted by the Zoning Division Manager, and if applicable, by the Department of Public works Tree Services Division. The only exception to this protocol would be trimming necessary for immediate life safety considerations for public safety.

A motion was made by Campbell Washington, seconded by Gallo, that this matter be Adopted as Amended. The motion carried by the following vote:

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhane

- 9.2** Subject: Amendments To Transitional And Supportive Housing Regulations
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To: 1) Change Transitional And Supportive Housing Regulations To Comply With State Law; 2) Revise Regulations For Secondary Units; And 3) Make Miscellaneous Minor Changes In Various Chapters Of The Planning Code, And Make Appropriate California Environmental Quality Act Determinations [15-0357](#)

Attachments: [View Report](#)

[ATTACHMENT A](#)

[ATTACHMENT B](#)

[ATTACHMENT C](#)

[ATTACHMENT D](#)

[View Supplemental Report](#)

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This Ordinance was * Withdrawn and Rescheduled to the Meeting of the Oakland City Council to be heard 1/5/2016

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** Subject: The Safety For All Act of 2016
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution In Support Of The California Initiative, "Safety For All Act", Which Will Implement Reasonable Reforms To Close Loop-Holes In California's Gun And Ammunition Laws [15-0318](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

[85928 CMS](#)

There were 3 speakers on this item.

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

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 12** Subject: Agreement With The State Board Of Equalization
From: Finance Department
Recommendation: Adopt A Resolution Of The City Of Oakland Authorizing The City Administrator To Execute An Agreement With The State Board Of Equalization For Implementation Of The Local Prepaid Mobile Telephony Services Collection Act
[15-0364](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[85929 CMS](#)

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

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 13** Subject: 2015 USDOJ/COPS Grant Acceptance
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, On Behalf Of The City Of Oakland To: (1) Accept Grant Funds In An Amount Not To Exceed One Million Eight Hundred Seventy-Five Thousand Dollars (\$1,875,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) To Fund The Entry-Level Salary And Fringe Benefits Costs Of Fifteen (15) Full-Time Equivalent (FTE) Police Officers And Appropriate Said Funds To The Oakland Police Department (OPD); (2) Authorize An Appropriation Of Nine Million Three Hundred Seventy-Seven Thousand Seven Hundred Twenty-Six Dollars (\$9,377,726) To Cover The Local Cash Match Requirement; And (3) Authorize The General Purpose Fund To Subsidize The Central Services Overhead Costs Of Eight Hundred Seventy Seven Thousand Thirty-Eight Dollars (\$877,038) For A Total City Contribution Of Ten Million Two Hundred Fifty-Four Thousand Seven Hundred Sixty-Three Dollars (\$10,254,763)
[15-0355](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[85930 CMS](#)

There were 25 speakers on this item.

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

Abstained: 2 - Kaplan, and Gibson McElhaney

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

No: 1 - Brooks

- 14 Subject: Declaring A Shelter Crisis In The City Of Oakland
From: Office Of The Mayor And Councilmember Guillén
Recommendation: Adopt An Ordinance Declaring A Shelter Crisis In The City Of Oakland, Making Findings That A Significant Number Of Persons Are Without The Ability To Obtain Shelter, And That The Situation Has Resulted In A Threat To The Health And Safety Of Those Persons And Suspending Planning, Zoning, And Other Permit Requirements For Additional Homeless Shelters If Needed And Subject To Further Council Approval

[15-0352](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

There were 9 speakers on this item.

The Council approved on introduction the ordinance as amended with the following addition:

"For additional homeless shelters if needed subject to further Council approval."

A motion was made by Guillén, seconded by Gibson McElhane, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 1/5/2016. The motion carried by the following vote:

Aye: 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhane

- 15 Subject: Surplus Lands Act Discussion
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Waiving Attorney-Client Privilege For Certain Legal Opinions On The Applicability Of The California Surplus Land Act To City Real Property Transactions

[15-0375](#)

Attachments: [View Report](#)

This Report and Recommendation was Withdrawn with No New Date.

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 f Henry "The Champ" Winston, Dr. Violet Kiteley, Sheree Yvette Weems, Patricia Alvarez, Jack Lewis and Tony Crear at 10:50 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.

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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.