



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

Tuesday, October 30, 2018

5:30 PM

City Council Chamber, 3rd Floor

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

1 PLEDGE OF ALLEGIANCE

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 16 speakers on this item

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

Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Alana Derich Cyril, Ntozake Shnge and Allen Feaster

Councilmember McElhaney, Councilmember Kaplan and Vice Mayor Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Joyce Fienberg, Richard Gottfried, Rose Mallinger, Jery Rabinowitz, Cecil Rosenthal, David Rosenthal, Bernice Simon, Sylvan Simon, Daniel Stein, Melvin Wax, Irving Younger, Vickie Lee Jones and Maurice E. Stallard

- S4.1** Subject: Recognizing The Month Of November 2018 As "First Nation's Month"
From: Councilmember Gallo
Recommendation: Adopt A Resolution Recognizing The Month Of November 2018 As
"National First Nations Month" Celebrating The Heritages And Cultures Of First Nations
People And The Contributions Of The First Nations People To The United States
18-1039

Attachments: [View Report](#)
[87385 CMS](#)

There was 1 speaker on this item

A motion was made by Noel Gallo, seconded by Larry Reid, 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

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 16, 2018
18-1014

Attachments: [View Report](#)

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

Excused: 1 - Brooks

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

- 7** CONSENT CALENDAR (CC) ITEMS:

There were 37 speakers on this item

Approval of the Consent Agenda

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
18-1020

Attachments: [View Report](#)

[87386 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
18-1021

Attachments: [View Report](#)

[87387 CMS](#)

This City Resolution be Adopted.

- 7.3 The Item Regarding the "Resolution Honoring Diane Fields Upon Her Retirement" was removed from this agenda at the October 25, 2018 Rules And Legislation Committee

- 7.4** Subject: Cal Fire Urban Forestry Grant
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Nine Hundred Seventy Thousand, One Hundred Thirty Dollars And Eight Cents (970,130.08) From The California Department Of Forestry And Fire Protection (Cal Fire) Urban And Community Forestry Grant Program, As Provided Through The Greenhouse Gas Reduction Fund, For Completion Of A Citywide Street And Urban Park Tree Inventory, Development Of Oakland's Urban Forest Master Plan (UFMP), And The Planting Of Seven Hundred (700) Trees; 2) Waive The Advertising And The Competitive Request For Proposal/Qualification Selection Requirements For Related Community Engagement Services And Award A Contract To Oakland Climate Action Coalition In The Amount Of Forty-Six Thousand Dollars (46,000); And 3) Authorize The City Administrator To Accept And Award A Contract For Citywide Street And Urban Park Tree Inventory And Oakland's Urban Forest Master Plan In An Amount Of Six Hundred Twenty-Five Thousand Dollars (625,000) To The Successful Proposer After Conducting A Competitive Request For Proposal Without Returning To Council
18-0856

Attachments: [View Report](#)

[87388 CMS](#)

This City Resolution was Adopted.

- 7.5** Subject: Ordinance Repealing In Its Entirety Ordinance No. 10342
From: Office Of The City Attorney And Councilmember McElhaney
Recommendation: Adopt An Ordinance Repealing Ordinance No. 10342 C.M.S. Entitled Loitering About Property Owned By The Housing Authority Of The City (Oakland Municipal Code Title 9, Chapter 9.08, Section 9.08.250), Which Makes It An Infraction To Loiter On Oakland Housing Authority Property Without Lawful Business And Fail To Leave Upon The Request Of A Peace Officer
18-0978

Attachments: [View Report](#)

[13505 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: Resolution Authorizing Grant For Artist Debra Koppman
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$5,000 From
Councilmember Kaplan's Graffiti Abatement Mural And Green Wall Funds To Artist
Debra Koppman For A Mural On The Corner Of Maple Street And Macarthur Boulevard In
The Dimond Neighborhood
18-1022

Attachments: [View Report](#)

[87389 CMS](#)

This City Resolution was Adopted.

7.7 The Item Regarding the "California Homeless Emergency Funds For Emergency Homeless Services" Was moved to the Non Consent Calendar of this Agenda by the October 25, 2018 Rules And Legislation Committee.

- 7.8** Subject: Settlement Of Thomas Lippman 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 Thomas Lippman V. City Of Oakland, Et Al,
Alameda County Superior Court Case No. RG12657623, California Court Of Appeal
Case No. A141865, City Attorney's File No. X03868, In The Amount Of Sixty Thousand
Dollars And Zero Cents (\$60,000.00) (Oakland Planning And Building Department -
Building Services)
18-1025

Attachments: [View Report](#)

[87390 CMS](#)

This City Resolution was Adopted.

- 7.9** Subject: Settlement Agreement - Marcia Ewing 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 Marcia Ewing V. City Of Oakland, Et Al, Alameda
County Superior Court Case No. RG16842616, In The Amount Of Seventy Five Thousand
Dollars And No Cents (\$75,000.00) As A Result Of A Trip And Fall Accident On
December 2, 2015 (Department Of Transportation - Dangerous Condition)
18-1026

Attachments: [View Report](#)

[87391 CMS](#)

This City Resolution was Adopted.

- 7.10** Subject: Settlement Agreement In Harold Bowles 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: Harold Bowles V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG16837846 In The Amount Of Seventy-Five Thousand Dollars And No Cents (\$75,000.00) Based On Claims Of Discrimination, Harassment, And Retaliation In Violation Of The Fair Employment And Housing Act, And Intentional Infliction Of Emotional Distress
18-1027

Attachments: [View Report](#)
[87392 CMS](#)

This City Resolution was Adopted.

- 7.11** Subject: Award FY 2018-19 Cultural Funding Grant to Karen Smith
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Karen Smith To Provide Arts And Cultural Services In Oakland During The Fiscal Year 2018-19 In A Total Amount Not To Exceed \$4,999
18-0966

Attachments: [View Report](#)
[87393 CMS](#)

This City Resolution was Adopted.

- S7.12** Subject: Resolution Urging Registrar Of Voters Regarding RCV
From: Councilmember Kalb
Recommendation: Adopt A Resolution Urging The Alameda County Registrar Of Voters To Implement Comprehensive Ranked Choice Voting Reporting
18-0979

Attachments: [View Report](#)
[View Supplemental Report](#)
[87394 CMS](#)

The City Council approved the recommendation with the following amendments:

The first RESOLVED: That the Oakland City council urges the Registrar to immediately implement unofficial, cost-neutral reporting of the RCV count until the final two candidates remain, to be conducted concurrently with the Registrar's official reporting, in order to provide greater election result transparency to the public while the election is on the mind of the voters and to ensure that all votes are fully counted; and be it

This City Resolution be Adopted as Amended.

S7.13 Subject: FY 2017-18 4TH Quarter Revenue And Expenditure Report
From: Finance Department
Recommendation: Receive An Informational Report On Fiscal Year (FY) 2017-18 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For The General Purpose Fund (GPF, 1010) And Selected Funds; And Overtime Analysis For The General Purpose Fund (GPF, 1010) And All Funds
18-0948

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.14 Subject: Post-Employment Benefits (OPEB) Unfunded Actuarial Liability
From: Finance Department
Recommendation: Receive An Informational Report On The City's Other Post-Employment Benefits (OPEB) Unfunded Actuarial Liability
18-1003

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.15 Subject: CalPERS Pension Rates And Forecast Through FY 2023-24
From: Finance Department
Recommendation: Receive An Informational Report On The June 30, 2017 CalPERS Actuarial Valuation Reports For Miscellaneous And Safety Plans That Establishes Employer Pension Contributions For Fiscal Year (FY) 2019-20 And Provides Forecast Employer Contribution Rates Through Fiscal Year 2023-24
18-1004

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.16 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 Classifications Of Transportation Planner I, Transportation Planner II, Transportation Planner III, And Police Communications Dispatcher, Senior; To Add The Part-Time Classification Of Head Start/Early Head Start Assistant Instructor, PT; To Add The Permanent Part-Time Equivalent Classification Of Fire Communications Dispatcher, PPT; To Amend The Title Of Open Government Coordinator To Open Government & Legal Services Coordinator; To Amend The Title Of Cook III To Cook, Supervising; To Amend The Title Of Litter/Nuisance Enforcement Officer To Environmental Enforcement Officer; To Amend The Title Of Assistant Director, Public Works Agency To Assistant Director, Public Works; To Amend The Representation Unit Of The Classification Of Budget Administrator, Assistant From U31 To Up1; And To Delete The Title Of Engineer, Transportation Assistant
18-0968

Attachments: [View Report](#)

[View Supplemental Report 10-25-2018](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 11/27/2018

S7.17 Subject: Salary Amendment To Add Assistant Director, Planning & Building
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 Assistant Director, Planning And Building From The Operation Of Civil Service And;

18-0967

Attachments: [View Report](#)

[87395 CMS](#)

This City Resolution was Adopted.

Subject: Salary Amendment To Add Assistant Director, Planning & Building
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 Title Of Assistant Director, Planning
And Building
18-0981

Attachments: [View Report](#)

[View Supplemental Report 10-25-2018](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Special Concurrent Meeting of the Oakland Redevelopment Successor
Agency/City Council to be heard 11/27/2018

S7.18 Subject: Occupational Medical Services Contract
From: Human Resource Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate
And Execute An Agreement With Concentra Health Services For The Provision Of
Occupational Medical Services For A Contract Amount Not To Exceed \$600,000 For
Contract Year 2018-19, And With Acceptable Performance, Options To Extend The
Agreement For Three Additional Two-Year Terms For A Total Not To Exceed \$600,000
Per Contract Year For Contract Years 2019-21, 2021-23, And 2023-25 For A Total Not
To Exceed \$4,200,000.
18-1007

Attachments: [View Report](#)

[87396 CMS](#)

This City Resolution was Adopted.

S7.19 Subject: Climate Emergency Resolution
From: Councilmembers Kaplan, Kalb, Mayor Schaaf, And City Attorney Parker
Recommendation: Adopt A Resolution Endorsing The Declaration Of A Climate
Emergency And Requesting Regional Collaboration On An Immediate Just Transition
And Emergency Mobilization Effort To Restore A Safe Climate
18-0882

Attachments: [View Report](#)

[87397 CMS](#)

The City Council approved the recommendation with the following amendments

The second WHEREAS, global warming of approximately 1 degree C has already increased and intensified wildfires, floods, rising seas, diseases, droughts, and extreme weather; and

Removing the 6th WHEREAS and the Removing the 14th WHEREAS

15th WHEREAS, marginalize populations in Oakland and worldwide, including people of color, immigrants, indigenous communities, low-income individuals, and people with disabilities, are already disproportionately affected by climate change, and continue to bear an excess burden as temperatures increase; and

16th WHEREAS, building a society that is resilient to the current, expected and potential effects of climate change will protect health, lives, environments, and economies, and resilience will safeguard best if it takes into account the most dramatic potential consequences of climate change; and

17th WHEREAS, justice calls for climate resilience that addresses the specific experience, vulnerabilities and needs of the marginalized communities most affected by climate change, and includes those communities in climate resilience planning, policy and actions; and

18th WHEREAS, actions to reduce carbon emissions and/or sequester greenhouse gases may be taken in ways that also improve resilience to the effects of climate change, and vice versa; and

19th WHEREAS, The City of Oakland has begun a robust process to create a newly revised and expanded Energy and Climate Action Plan (ECAP) to meet or exceed the Council-adopted emission reduction target of 56% by the year 2030 and 83% by 2050 using the year 2005 as the baseline, while still implementing priority actions under the 2012-adopted Plan; and

3rd FURTHER RESOLVED, That the City of Oakland commits to take actions to safeguard against the inevitable and potential consequences of climate change through climate resilience efforts at the city and regional levels, and invite the full participation of all communities in climate resilience efforts, including those communities most vulnerable to the effects of climate change; and be it

4th FURTHER RESOLVED, That the City of Oakland commits to coordinating it's climate mobilization to restore a safe climate with it's initiative to increase climate

resilience, in ways that best use available physical and economic resources and the energies and efforts of Oakland's staff residents, advocates and allies; be it

5th FURTHER RESOLVED, remove the word who

This City Resolution be Adopted as Amended.

S7.20 Subject: Mills Act Contracts
From: Planning And Building Department
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Nine (9) Mills Act Contracts Between The City Of Oakland And The Properties At 4690 Tompkins Avenue (Estimated \$42,825/Year Property Tax Reduction), 528 28th Street (Estimated \$5,664/Year Property Tax Reduction), 260 Park View Terrace (Estimated \$9,083/Year Property Tax Reduction), 1255 Trestle Glen Road (Estimated \$14,239/Year Property Tax Reduction), 581 Vernon Street (Estimated \$3,075/Year Property Tax Reduction), 5701 International Blvd. (Estimated \$15,835/Year Property Tax Reduction), 677 Longridge Road (Estimated \$9,536/Year Property Tax Reduction), 1419 12th Street (Estimated \$4,432/Year Property Tax Reduction), 2440 10th Avenue (Estimated \$11,690/Year Property Tax Reduction), Pursuant To Ordinance No. 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs
18-0958

Attachments: [View Report](#)
[87398 CMS](#)

This City Resolution was Adopted.

S7.21 Subject: Loan Term Extension For Madison Park Apartments
From: Housing Development Services
Recommendation: Adopt A Resolution Amending Oakland Redevelopment Successor Agency Resolution No. 2011-0015 To Extend The Term Of The Existing Madison Park Apartments Loan To The Earlier Of Fifty-Five (55) Years From Permanent Loan Conversion Or December 31, 2076 And To Change The Interest Rate Of The Existing Loan To The Long-Term, Compounding Applicable Federal Rate (AFR)
[NEW TITLE]
18-0860

Attachments: [View Report](#)
[View Supplemental Report 10-12-2018](#)
[View Supplemental Report 10-19-2018](#)
[2018-014 CMS](#)

This City Resolution was Adopted.

S7.22 Subject: 2018-2019 BACS Grant Agreement
From: Human Services Department
Recommendation: Adopt Resolution: 1) Authorizing The City Administrator To Enter Into A Grant Agreement With Bay Area Community Services (BACS) For An Amount Not To Exceed \$800,000 To Provide An Interim Housing Program For Unsheltered Persons At The City-Owned Property Located At 641 West Grand Avenue For A Term Of November 1, 2018 Through June 30, 2019; And 2) Finding And Determining That The Lease Of The Property At 641 West Grand Avenue To BACS For Less Than Its Fair Market Rental Value Is In The Best Interest Of The City; And 3) Determining That The Actions Authorized By This Resolution Are Exempt From The California Environmental Quality Act (CEQA) Pursuant To CEQA Guidelines Section 15301
18-0959

Attachments: [View Report](#)

[View Supplemental Report 10-26-2018](#)

[87399 CMS](#)

This City Resolution was Adopted.

S7.23 Subject: OFCY FY 2019-2022 Strategic Investment Plan
From: Human Services Department
Recommendation: Adopt A Resolution Approving The 2019-2022 Strategic Investment Plan Of The Oakland Fund For Children And Youth
18-0961

Attachments: [View Report](#)

[View Report Attachment A](#)

[View Report Attachment B](#)

[View Report Attachment C](#)

[View Report Attachment D](#)

[View Supplemental Report 10-26-2018](#)

[87400 CMS](#)

This City Resolution was Adopted.

S7.24 Subject: Services Agreement To Provide After-School Meals At OPYRD And OPL Sites
From: Human Services Department
Recommendation: Adopt A Resolution Waiving The Request For Proposals/Qualifications Requirements, And Authorizing The City Administrator To Allocate Sugar-Sweetened Beverage Distribution Tax Revenues To Enter Into A Professional Services Agreement With Revolution Foods In An Amount Not To Exceed \$517,121 To Provide After-School Meals And Snacks At Oakland Parks, Recreation And Youth Development And Oakland Public Library Sites From November 1,2018 Through June 14, 2019
18-0962

Attachments: [View Report](#)
[87401 CMS](#)

This City Resolution was Adopted.

S7.25 Subject: Peralta College Policing Services
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The Alameda County Sheriff's Office (ACSO) Regarding Law Enforcement Responsibilities On Properties Owned, Operated, Controlled Or Administered By The Peralta Community College District (PCCD) In The City Of Oakland
18-0964

Attachments: [View Report](#)
[87402 CMS](#)

This City Resolution was Adopted.

S7.26 Subject: Community Policing Advisory Board 2018 Annual Report
From : Office Of The City Administrator
Recommendation: Receive An Informational Report From The Community Policing Advisory Board
18-0403

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.27 Subject: Oakland Measure Z Policing Services Evaluation: Year 1 Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Of The First Evaluation By Resource Development Associates Of Policing Services Funded Through The Safety And Services Act Of 2014 (Measure Z)
18-0222

Attachments: [View Report](#)

[View Supplemental 4/13/2018](#)

[View Supplemental Report 6-22-2018](#)

This Informational Report was Received and Filed.

S7.28 Subject: Unapproved Surveillance Technology Usage
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Oakland Police Department With Information Regarding Usage of Unapproved Surveillance Technology
18-0858

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.29 Subject: Monthly Police Staffing Report
From: Oakland Police Department
Recommendation: Receive The Oakland Police Department's (OPD) Monthly Informational Report On Recruiting And Sworn Staffing Levels As Of July 31, 2018
18-0870

Attachments: [View Report](#)

[View Supplemental Report 10-12-2018](#)

This Informational Report was Received and Filed.

S7.30 Subject: Quarterly Reports Regarding Police Training, Policy & Accountability
From: Office Of The City Attorney & Oakland Police Department
Recommendation: Receive The Quarterly Informational Report With Information
Regarding Internal Affairs Investigations, Police Personnel Trainings, Updates To Police
Policy, And Recent Developments In Police Discipline
18-0507

Sponsors: Office Of The City Attorney and Oakland Police Department

Attachments: [View Report](#)

[View Supplemental Report 5-18-2018](#)

[View Supplemental Report 8-31-2018](#)

[View Supplemental Report 10-12-2018](#)

This Informational Report was Received and Filed.

S7.31 Subject: Overtime Expenditures In The Police And Fire Departments
From: Finance Department
Recommendation: Receive This Monthly Report From The Oakland Police Department
(OPD) And Oakland Fire Department (OFD) That Includes Additional Information On
Overtime Policies, Procedures, And Controls
18-0871

Attachments: [View Police Report](#)

[View Fire Report](#)

[View Supplemental Report 9-21-2018](#)

[View Supplemental Report 10-12-2018](#)

This Informational Report was Received and Filed.

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

*There were no final decisions made in closed session. There were 3 speakers on
this item.*

This be Accepted.

Excused: 1 - Brooks

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

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 The Ordinance regarding "Residential Hotel Regulations: New Section 17.153" was removed from this agenda and scheduled to be heard as a Public Hearing at the November 27, 2018 Special City Council Meeting.

The Ordinance regarding "Residential Hotel Regulations: Amending The Master Fee" was removed from this agenda and continued to the November 13, 2018 Community and Economic Development Committee.

**9.2 Subject: Dockless Scooter Sharing Program
From: Transportation Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:**

1) An Informational Report On The Draft Terms And Conditions For The Dockless Scooter Sharing Program; And
18-1010

Attachments: [View Report 10-26-2018](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:26 p.m.

13 individuals spoke on this item

Councilmember Kaplan made a motion, seconded by Councilmember McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan and McElhaney. 1 Abstained: Reid and 1 Excused: Brooks

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Received and Filed. The motion failed by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

Subject: Dockless Scooter Sharing Program
From: Transportation Department
Recommendation: Adopt An Ordinance Amending Ordinance Number 13497 C.M.S.
(Fiscal Year 2018-2019 Master Fee Schedule) Establishing Fees For The Dockless
Scooter Sharing Program
18-0733

Attachments: [View Report](#)

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

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

[View Supplemental Report 10-26-2018](#)

[View Supplemental Report 11-16-2018](#)

[View Supplemental Report 11-21-2018](#)

*The City Council approved the recommendation with the following amendments:
Specify the speed limit to be up to 15 mph, change the violation time of scooter
parked in violation from 5 days to 48 hour removal, change the insurance general
aggregate from \$2 million to \$10 million and the word fee to be changed to fine in
the Improper Parking Fee.*

This Ordinance be Approved As Amended On Introduction and Scheduled for
Final Passage.to go before the Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council to be heard 11/27/2018

Excused: 1 - Brooks

Abstained: 1 - Reid

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

The Roll Call was modified to note Council President Reid absent at 9:59 p.m.

- 11 Subject: Updates To The Conflict Of Interest Code
From: Office Of The City Clerk
Recommendation: Receive An Informational Report On The Draft Ordinance To Update
The Conflict Of Interest Code (Ordinance)

[TITLE CHANGE]

18-0945

Attachments: [View Report](#)

There were 2 speakers on this item

A motion was made 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

- S12 Subject: Status Of Negative Fund Citywide
From: Budget Office
Recommendation: Receive An Informational Report On The Status Of Negative Funds As
of June 30, 2018
18-0854

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

[View Supplemental Report 10-19-2018](#)

There were 3 speakers on this item.

The Roll Call was modified to show Council President Reid out his seat at 9:58 p.m.

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

Excused: 2 - Brooks, and Reid

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

NO VOTE: 0

S13 Subject: California Homeless Emergency Funds For Emergency Homeless Services
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To: Accept \$8.6 Million In Funding From The State Of California Homeless Emergency Aid Program ("HEAP") For Emergency Homeless Services Through June 30, 2021; Execute Three Lease Agreements With Cal Trans For The Use Of Cal Trans Properties To Operate Community Cabin Emergency Shelters And Recreational Vehicle (RV) Parking Areas; Execute A Lease Agreement With Peralta Community College District For Use Of The Property At 11 4th Street To Operate An RV Parking Area; Execute A License Agreement With The Lao Family Community Development Inc. For Use Of City-Owned Property For An Amount Less Than Fair Market Value To Operate And Manage A Volunteer Encampment In Partnership With "The Village"; Amend Existing Grant Agreements And Enter Into New Grant Agreements For Year-Round And Winter Emergency Shelter Through June 30, 2021 Using Heap Funding, Without Returning To Council; Execute New Agreements And Amend Existing Agreements With Service Providers To Operate Managed RV Parking Areas And Community Cabin Shelters And Provide Hygiene Services Through June 30, 2021 Using Heap Funding, Without Returning To Council; And Waiving The Competitive Request For Proposals/Qualification Requirement For The Agreements; And Accept Donations From Outside Sources, Including Other Governmental Agencies To Support These Programs Without Returning To Council; And Create A 1.0 Full Time Employee (FTE) Position In The Human Services Department To Provide Direct Services To Unsheltered Persons

[TITLE CHANGE]

18-1024

Attachments: [View Report](#)

[87403 CMS](#)

There were 62 speakers on this item

The Roll Call was modified to show Council President Reid present at 11:07 p.m.

The City Council approved recommendations as amended to include the words; at no cost to the executed lease agreement

A motion was made that this matter be Adopted as Amended. The motion carried by the following vote:

Excused: 2 - Brooks, and Reid

Aye: 5 - Campbell Washington, McElhaney, Guillén, Kalb, and Kaplan

No: 1 - Gallo

NO VOTE: 0

A motion was moved by Councilmember McElhaney, seconded President Reid and carried to extend the meeting past 12:00 a.m.

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 Alana Derich Cyril, Ntozake Shnge and Allen Feaste, Joyce Fienberg, Richard Gottfried, Rose Mallinger, Jery Rabinowitz, Cecil Rosenthal, David Rosenthal, Bernice Simon, Sylvan Simon, Daniel Stein, Melvin Wax, Irving Younger, Vickie Lee Jones and Maurice E. Stallard at 12:07a.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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