



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

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

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California, 94612*

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, October 4, 2016

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 5:46 pm.

2 ROLL CALL / CITY COUNCIL

Councilmember Brooks left the meeting at 7:28 pm.

Councilmember Gallo left at 8:05 pm.

Excused 1 - Lynette Gibson McElhaney

Present 7 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

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

There were 21 Open Forum speakers.

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

Councilmember Desley Brooks and Councilmember Dan Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Tavio Briggs.

President Pro Tempore Reid and Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Henry Mozelle.

- 4.2** Subject: Children With Incarcerated Parents Month
From: Councilmember Desley Brooks
Recommendation: Adopt A Proclamation Declaring The Month Of October Children
With Incarcerated Parents Month And Raising Awareness
[16-0178](#)

There were 3 speakers on this item.

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

Excused: 1 - Gibson McElhaney

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

- 4.3** Subject: Recognizing Oakland's Police Activity League
From: President Pro Tem Reid
Recommendation: Adopt A Resolution Recognizing Oakland's PAL (Police Activity
League) For Their Achievements (Team And Individual Honors) During The 2016
Summer Olympic Games Held In Sacramento California In July Of 2016
[16-0179](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

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

Excused: 1 - Gibson McElhaney

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

- 4.4** Subject: Honoring Dexter English
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Acknowledging The Retirement Of Dexter
English After Thirty Years Of Dedicated Service To The City Of Oakland
[15-1231](#)

Attachments: [View Report](#)

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

Excused: 1 - Gibson McElhaney

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

- 4.5** Subject: Presentation By The Alameda County Mosquito Abatement District
From: Council President Lynette Gibson McElhaney
Recommendation: Receive A Brief Informational Presentation From The District
Manager And Council Appointed Trustee Of The Alameda County Mosquito
Abatement District
[16-0211](#)

Attachments: [View Report](#)

This Informational Report be Received and Filed.

- 4.1** Subject: Update On State Of The City Report
From: Office Of the Mayor
Recommendation: Receive An Oral Update From Mayor Libby Schaaf Providing A
Digest Of The Upcoming State of the City Address
[16-0200](#)

This item was heard as the last item on the Actions On Special Orders Of The Day.

There was 1 speaker on this item.

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

Excused: 1 - Gibson McElhaney

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

AT THIS TIME, ITEM S13 WAS TAKEN OUT OF ORDER (AT 7:21 P.M.)

- S13** Subject: Naming Grove In Defremery Park In Honor Of Bobby Hutton
From: Council President Gibson McElhaney And Pro Tempore Reid
Recommendation: Adopt A Resolution To Name The Grove In Defremery Park As
'Bobby Hutton Grove' In Commemoration Of The 50TM Anniversary Of The Founding
Of The Black Panther Party
[16-0143](#)

Attachments: [View Report](#)

The amendement appears in the last Resolved of the Resolution and it reads as follows:

That the grove of trees located in the southeastern portion of DeFremery Park between Magnolia Street, the center of Adeline Street and the corner of Adeline and 16th Street is hereby renamed and will henceforth be known as the "Bobby Hutton Grove" in commemoration of the 50th Anniversary of the founding of the Black Panther Party.

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

Excused: 1 - Gibson McElhaney

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

COUNCIL RETURNED TO THE ORDER OF THE AGENDA.

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JULY 19, JULY 26, AND SEPTEMBER 20, 2016.
[16-0263](#)

Attachments: [View Report](#)

[View Report](#)

[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: 2 - Brooks, and Gibson McElhaney

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

**6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests To: Reschedule Items From Consent To Non-Consent
To The Next Council Agenda, Speak On Consent Calendar, Register Votes,
Change Order Of Items, Reconsiderations, Pull Items Held In Committee):**

It was announced that items 7.3 and 7.18 be withdrawn to a future Council meeting.

7 CONSENT CALENDAR (CC) ITEMS:

There were 8 speakers on this item.

Approval of the Consent Agenda

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

Excused: 2 - Brooks, and Gibson McElhaney

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

- 7.1** Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: 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") I Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[16-0170](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.2** Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[16-0171](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.3 Subject: The Public Safety And Services Violence Prevention Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayors Appointment Of
Natasha Middleton To The Public Safety And Services Violence Prevention Oversight
Commission
[16-0116](#)

Attachments: [View Report](#)
[86348 CMS](#)

This City Resolution be Withdrawn with No New Date.

- 7.4 Subject: Resolution In Support Of Prop 57
From: Councilmember Kalb And Council President Gibson McElhane
Recommendation: Adopt A Resolution In Support Of California Proposition 57 That
Would Increase Parole And Good Behavior Opportunities For Felons Convicted Of
Nonviolent Crimes And Allow Judges Instead Of Prosecutors To Decide Whether To
Try Certain Juveniles As Adults In Court
[16-0210](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.5 Subject: Compromise And Settle The Case Of Fu Ming Zhang 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 Fu Ming Zhang V.City Of Oakland, Et Al.,
Alameda County Superior Court Case No. RG15779485, City Attorney's File No.
30611, In The Amount Of Sixty Thousand Dollars (\$60,000.00) (Public Works - Motor
Vehicle Collision)
[16-0155](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.6 Subject: Elba Becerra 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 Elba Becerra V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG15-772706, In The Amount Of Seventy Five Thousand Dollars And No Cents (\$75,000.00) As A Result Of A Trip And Fall Accident On April 2, 2015 (Public Works - Dangerous Condition)
[16-0156](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.7 Subject: Off-Street Parking And Loading Requirement Updates
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Planning Code To Comprehensively Update Citywide Off-Street Parking And Loading Regulations And Make Conforming Changes To Other Planning Code Sections, And Adopting Environmental Findings
[16-4](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

This Ordinance was Approved for Final Passage.

- 7.8 Subject: City Center 14th DDA Amendment
From: Economic And Workforce Development
Recommendation: Adopt A City Ordinance (A) Authorizing A 14th Amendment To The City Center Disposition And Development Agreement Between The City Of Oakland And Oakland T12 LLC For Development Of Property Located At 601 12th Street To Extend Performance Dates And To Establish And Accept Extension And Administrative Fees, And (B) Separately And Independently Relying On (1) The "T12 Project California Environmental Quality Act ("CEQA") Analysis (Addendum #6)" Dated March 2016 To (1) The Previously Certified 2000 City Center Environmental Impact Report, (2) The Previously Certified 1998 Land Use Transportation Element Environmental Impact Report And (3) The Previously Certified 2011 Redevelopment Plan Amendments Environmental Impact Report Per CEQA Guidelines Sections 15164, 15183, 15183.3, And 15168 And 15180
[16-39](#)

Attachments: [View Report](#)

This Ordinance was Approved for Final Passage.

- 7.9** Subject: James Barrett 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 James Barrett V.City Of Oakland, Alameda County Superior Court Case No. RG15777910, City Attorney's File No. 30502, In The Amount Of Thirty Five Thousand Dollars (\$35,000.00) (Public Works - Dangerous Condition)
[16-0157](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.10** Subject: Settlement Agreement Of Allene Hutchinson, Et Al., V. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Allene Hutchinson, Et Al. V. City Of Oakland, Et Al., United States District Court, Northern District Of California Case No.15-CV-05011/16-CV-01669, City Attorney's File No. 30189, In The Amount Of One Million Two Hundred Thousand Dollars And No Cents (\$1,200,000.00) (Oakland Police Department -Wrongful Death)
[16-0198](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.11** Subject: Settlement Agreement - Soumpholthadky, 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 Vongviseth Soumpholthadky V. City Of Oakland, Alameda County Superior Court, Case No. Rg15760052 (Consolidate With California Charter Schools Joint Powers V. City Of Oakland, Alameda County Superior Court, Case No. Rg15764149) In The Amount Of Fifteen Thousand Dollars And No Cents (\$15,000) As A Result Of A Trip And Fall Accident On October 13, 2013. (Public Works - Dangerous Condition)
[16-0199](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

7.12 Subject: Claim Of Chris Latraille
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Chris Latraille In The Amount Of Fifteen Thousand Three Hundred Thirty Six Dollars And 38/100 Cents (\$15, 336.38) (Oakland Public Works-Hillside Washout)
[16-0201](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

7.13 Subject: Mauricio Calmo 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 Mauricio Calmo V.City Of Oakland, Et. Al., Alameda County Superior Court Case No. RG15782631, City Attorney's File No. 30671, In The Amount Of Seventeen Thousand And Five Hundred Dollars And Zero Cents (\$17,500.00) (Oakland Police Department - Motor Vehicle Accident)
[16-0202](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

7.14 Subject: Christina Brennan 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 Christina Brennan V.City Of Oakland, Alameda County Superior Court Case No. RG14743083, City Attorney's File No. 29953, In The Amount Of Twenty-Five Thousand Dollars And Zero Cents (\$25,000.00) (Public Works - Dangerous Condition)
[16-0204](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.15** Subject: Michael Green 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 Michael Green V.City Of Oakland Alameda County Superior Court Case No. RG15759494 City Attorney's File No. 30189, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) (Oakland Public Works - Dangerous Condition)

[16-0205](#)

Attachments: [View Report](#)
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This City Resolution was Adopted.

- 7.16** Subject: Settlement Agreement Of Nigar Raza 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 Nigar Raza V. City Of Oakland, Alameda County Superior Court Case No.RG15790241, City Attorney's File No. 30042, In The Amount Of Twenty-Five Thousand Dollars And Zero Cents (\$25,000.00) (Public Works - Dangerous Condition)

[16-0206](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.17** Subject: Philip Onwuatogwu 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 Philip Onwuatogwu V. City Of Oakland, Alameda County Superior Court Case No. RG1300368, City Attorney's File No. 29286, In The Amount Of Thirty Thousand Dollars And No Cents (\$30,000.00) (Oakland Police Department - Property Damage)

[16-0207](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.18 Subject: Green Wall Funds To Golden Gate Community Association
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To
Golden Gate Community Association For A Mural On The Property At 950 57th Street
(The Warehouse Wall Of Glow Glass Art Studio) In Oakland
[16-0113](#)

Attachments: [View Report](#)

This City Resolution be Withdrawn with No New Date.

- 7.19 Subject: Green Wall Funds To North Oakland Community Charter School
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$8,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To
North Oakland Community Charter School (NOCCS) For A Mural On The Property At
1000 42nd Street (Wall Facing Linden Park) In Oakland
[16-0107](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.20 Subject: Green Wall Funds Mural On The Outside Of The Arlington Medical
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$6,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Outside Of The
Arlington Medical Center Bldg. At 5709 Market Street In Oakland In Cooperation With
Ms. Caroline Watson.
[16-0112](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.21 Subject: Green Wall Funds For A Mural At 6200 Shattuck In Oakland
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,500
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Property At 6200 Shattuck In Oakland In
Collaboration With Claremont Middle School
[16-0114](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.22** Subject: Green Wall Funds To The Temescal Bid Mural By Artist Lori Anne Fischer
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,450
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Lori Anne Fischer With The Support Of The Temescal-Telegraph Business
Improvement District For A Mural On The Property At 4685 Telegraph Avenue In The
Temescal Neighborhood.
[16-0115](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- 7.24** Subject: Resolution In Support Of Prop 55
From: Councilmembers Kalb, Guillen. Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution In Support Of California Proposition 55 That
Would Continue Increased Taxes On Personal Incomes Over \$250,000
[16-0209](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

The Admendment consisted of title change as follows:

**RESOLUTION IN SUPPORT OF CALIFORNIA PROPOSITION 55 THAT WOULD
CONTINUE INCREASED TAXES ON PERSONAL INCOMES OVER \$250,000 IN
ORDER TO FUND K-12 SCHOOLS AND COMMUNITY COLLEGES AND
HEALTHCARE**

This City Resolution be Adopted as Amended.

7.23 Number Not used

- 7.25** Subject: Public Safety And Services Violence Prevention Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Troy
Williams To The Public Safety And Services Violence Prevention Oversight
Commission
[16-0146](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

7.26 Subject: Appointment-Community Policing Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jack Bryson As A Member Of The Community Policing Advisory Board
[16-0212](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

S7.27 Subject: Acceptance Of Grant Funds From The Kenneth Rainin Foundation
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The Kenneth Rainin Foundation In The Total Amount Of Four Hundred Seventeen Thousand Six Hundred Dollars (\$417,600), With The First Half, Two Hundred Eight Thousand Eight Hundred Dollars (\$208,800), To Be Paid Upon The Foundation's Receipt Of The Signed Grant Agreement, And The Balance To Be Paid In August 2017, To Be Used To Fully Fund A Part Time (80 Percent) Position As The Mayor's Policy Director For Art Spaces For A Two-Year Period.
[16-0153](#)

Attachments: [view report](#)

This City Resolution was Adopted.

S7.28 Subject: Acceptance Of Grant Funds From The Oakland Public Education Fund
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The Oakland Public Education Fund In The Total Amount Of Two Hundred Seven Thousand Dollars (\$207,000) To Be Used To Provide Full Funding For The Mayor's Director Of Education For The Remainder Of Fiscal Year 2017 (November 2016-June 2017)
[16-0150](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- S7.29** Subject: Fire And Police Trainees
From: Hunman Resources Managemnet Department
Recommendation: Adopt A Resolution Recommending To The Civil Service Board
That The Classifications Of Fire Fighter Trainee, Fire Fighter Paramedic Trainee, And
Police Officer Trainee Be Exempted From Civil Service
[16-0141](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

- S7.30** Subject: I.T. Salary Ordinance Amendment
From: Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
No. 12187 C.M.S. ("Salary Ordinance") To Change The Titles Of Information Systems
Supervisor And Information Systems Manager To Information Systems Manager I And
Information Systems Manager II, Respectively; And To Increase The Salary Rate For
Information Systems Manager I
[16-0137](#)

Attachments: [View Report](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Meeting of the Oakland City Council to be heard 11/1/2016**

- S7.31** Subject: Salary Ordinance Amendment - 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 Permanent Part-Time
Classifications Of Early Head Start Instructor, PPT, Head Start Instructor, PPT, And
Van Driver, PPT; Reactivate And Amend The Title Of Curator Of History, Chief, To
Curator Of African American Museum & Library At Oakland (AAMLO), Chief; Correct
The Salary Rates For Cable TV Production & Operations Manager, Environmental
Services Analyst, Assistant, And Capital Improvement Project Coordinator, Assistant;
Adjust The Title Of Police Program And Performance Auditor To Police Program And
Performance Audit Supervisor; And Adjust The Title Of Americans With Disabilities
Act (ADA) Projects Coordinator To Disability Access Coordinator
[16-0140](#)

Attachments: [View Report](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Meeting of the Oakland City Council to be heard 11/1/2016**

S7.32 Subject: On-Call Construction Contract Amendment For DC Construction
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding
And Authorizing The City Administrator, Or Designee, To Amend The On-Call
Construction Contract With DC Construction Increasing The Total Contract Amount
From Six Hundred Thousand Dollars (\$600,000.00) To Seven Hundred Twenty-Five
Thousand Dollars (\$725,000.00)

[16-0132](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

S7.33 Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes
Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance
With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In
The Area Bounded By Campus Drive, Mountain Boulevard, Knoll Avenue And
Rusting Avenue (Project No.C329147) And With Contractor's Bid In The Amount Of
Two Million Seven Hundred One Thousand One Hundred Eighty-Two Dollars
(\$2,701,182.00)

[16-0134](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

S7.34 Subject: Encroachment Permit
From: Oakland Public Works
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment
Permits To Center For Elders' Independence To Allow Portion Of The Building Below
Sidewalk At 510 17th Street To Encroach Into Public Right-Of-Way Along 17th Street;
And

[16-0129](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

This City Resolution was Adopted.

2) Resolution Granting A Conditional And Revocable Major Encroachment Permit To Bay Devre, LLC To Allow Portion Of Existing Building Above Sidewalk At 3139 To 3145 West Street To Encroach Into The Public Right-Of-Way Along West Street And 32nd Street; And

[16-0130](#)

This City Resolution was Adopted.

3) Resolution Granting A Conditional And Revocable Major Encroachment Permit To Jean W. SETO, Trustee Of The Jean W. SETO Living Trust, To Allow Architectural Features Above Sidewalk At 580 Grand Avenue To Encroach Into Public Right-Of-Way Along Burk Street And Grand Avenue, Encroachment Permit ENMJ16061.

[16-0131](#)

This City Resolution was Adopted.

S7.35 Subject: State Youth Soccer Grant
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The California Youth Soccer And Recreation Development Program For The Rainbow Recreation Center Renovation Project In An Amount Not-To-Exceed Six Hundred Thousand Dollars (\$600,000.00) And For The Raimondi Park Phase Two Synthetic Field In An Amount Not-To-Exceed One Million Dollars (\$1,000,000.00)

[16-0133](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

S7.38 Subject: Actions To Preserve Residential Hotels For Low Income Oaklanders
From: Councilmember Gibson McElhaney, Reid and Guillen
Recommendation: Adopt A Resolution (1) Requesting The City Planning Commission To Consider Zoning Regulation Changes To Further Preserve Residential Hotels For Very Low And Low Income Residents, (2) Strengthening Tenant Protections And (3) Directing The City Administrator To Prepare Options To Preserve Oakland's Supply Of Residential Hotels Available For Very Low And Low Income Residents

[16-0144](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

S7.39 Subject: 2016-2017 Unity Council Agreement Amendment
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend
The Grant Agreement With Unity Council For Head Start And Early Head Start
Services From July 1, 2016 To June 30, 2017 To Increase The Grant By Up To
\$200,199, For A Total Grant Amount Of \$4,689,123
[16-0135](#)

Attachments: [View Report](#)

This City Resolution was Adopted.

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

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

9.1 Subject: Appeal Of Planning Commission Approval
This item was removed from the agenda

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Fox Theater Loan Assignment And Guarantee
From: Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Agency Administrator To Consent To The
Assignment Of The \$1.4 Million Loan Agreement Between The Agency And Fox
Theater Master Tenant, LLC To Assign The \$1.4 Million Loan To Fox Oakland
Theater, Inc. And Subordinate The Loan To A New \$4,600,000 Loan; And
[16-55](#)

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

There were 3 speakers on this item.

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

Excused: 2 - Brooks, and Gibson McElhaney

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

Absent: 1 - Gallo

2) Resolution Regarding The Fox Theater Project Amending Resolution Nos. 2006-0073 And 2009-0057 To Modify The Existing Loan Repayment Guarantee From The Redevelopment Agency Of The City Of Oakland To Fox Oakland Theater, Inc. For Conventional Loan Not To Exceed \$4,600,000.

[16-0089](#)

Attachments: [View Report](#)

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

Excused: 2 - Brooks, and Gibson McElhaney

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

Absent: 1 - Gallo

S12 Subject: Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Tracie Mason To The Housing, Residential Rent And Relocation Board

[16-0149](#)

Attachments: [View Report](#)

There was 1 speaker on this item.

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

Excused: 2 - Brooks, and Gibson McElhaney

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

Absent: 1 - Gallo

S14 Subject: Ellis Act For Preservation Of Residential Hotels In Oakland
From: Council President Gibson McElhaney And Councilmember Guillen
Recommendation: Adopt A Resolution Urging The State Legislature And Governor To Amend The Ellis Act (Government Code SEC. 7060 ET SEQ.) To Permit All California Cities To Effectively Regulate Residential Hotels

[16-0145](#)

Attachments: [View Report](#)

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

Excused: 2 - Brooks, and Gibson McElhaney

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

Absent: 1 - Gallo

S15 Subject: Support Of Prop 62 And In Opposition To Prop 66
From: President Pro Tem Larry Reid, Councilmember Kalb And Kaplan And City Attorney Barbara Parker
Recommendation: Adopt A Resolution In Support Of California Proposition 62 That Would Repeal The Death Penalty And In Opposition To Proposition 66 That Would Make Carious Changes To Procedures In Death Penalty Cases
[16-0208](#)

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

There was 1 speaker on this item.

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

Excused: 2 - Brooks, and Gibson McElhaney

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

Absent: 1 - Gallo

AT 8:38 P.M. COUNCILMEMBER KALB STATED A NEED TO BE RECUSED ON ITEM 16 DUE TO A CONFLICT ON INTEREST ON THE ITEM. COUNCILMEMBER KALB WAS NOTED ABSENT AT 8:39 P.M.

S16 Subject: Citizens' Police Review Board.
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jose A. Dorado To The Citizen's Police Review Board
[16-0091](#)

Attachments: [View Report](#)

President Gibson McElhaney arrived at the dais at 8:39 p.m.

There was 1 speaker on this item.

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

Excused: 1 - Brooks

Recused: 1 - Kalb

Aye: 5 - Campbell Washington, Guillén, Kaplan, Reid, and Gibson McElhaney

Absent: 1 - Gallo

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 Tavier Briggs and Henry Mozelle at 8:43 p.m.*

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Committee meetings please contact the Office of the City Clerk. When possible,
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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.