



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

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, June 2, 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 5:39 p.m.

The Roll Call was modified to note Vice Mayor Kaplan present at 5:45 p.m.

The Roll Call was modified to note Councilmember Gibson McElhaney absent from 7:18 p.m. to 9:00 p.m.

The Roll Call was modified to note Councilmember Guillen absent from 12:30 a.m. to 1:01 a.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 27 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Alice Spearman. Councilmembers Kalb, Reid, Gallo, Guillen & Gibson McElhaney requested association with this adjournment.

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Michael Lange. Councilmembers Gibson McElhaney & Gallo requested association with this adjournment.

Councilmember Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Lucious Vassan.

- 4.1 Subject: Recognizing OUSD Educational Leaders
From: Councilmembers Guillen And Gallo
Recommendation: Adopt A Resolution Honoring Franklin Elementary School Principal Jeanette MacDonald On Her Retirement After 43 Years With The Oakland Unified School District; And
[14-0966](#)

Attachments: [View Report.pdf](#)
[85609 CMS.pdf](#)

A motion was made by Gallo, seconded by Guillén, 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

- 2) A Resolution Recognizing Oakland Unified School District (OUSD) Educational Leader Sam Pasarow, Principal Of Edna Brewer Middle School, For His Years Of Contribution To Academic Enrichment; And
[14-0969](#)

Attachments: [View Report.pdf](#)
[85610 CMS.pdf](#)

A motion was made by Gallo, seconded by Guillén, 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

3) A Resoltuion Recognizing Oakland Unified School District (OUSD) Educational Leader Timothy White, Assistant Superintendent Of Facilities, For His Years Of Contribution To Academic Enrichment

[14-0989](#)

Attachments: [View Report.pdf](#)
[85611 CMS.pdf](#)

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

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

4.2 Subject: Recognizing Spanish Oakland City Academy Graduates
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing The Graduating Class Of The City Of Oakland's Spanish Oakland City Academy Spring 2015

[14-0975](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85612 CMS.pdf](#)

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

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE CITY COUNCIL MEETINGS OF MAY 11, 2015 AND MAY 19, 2015

[14-0887](#)

Attachments: [View Report.pdf](#)
[View Report.pdf](#)

A motion was made by Reid, seconded by Guillén, 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 McElhane

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 7 speakers on the Consent portion of the agenda.

Approval of the Consent Agenda

**A motion was made by Reid, seconded by Gallo, 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
[14-0894](#)

Attachments: [View Report.pdf](#)
[85613 CMS.pdf](#)

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
[14-0895](#)

Attachments: [View Report.pdf](#)
[85614 CMS.pdf](#)

This City Resolution was Adopted.

- 7.3 Subject: Graffiti Abatement Grant To East Bay Asian Youth Center (EBAYC)
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$7,000
From Vice Mayor Rebecca Kaplan's Graffiti Abatement Mural And Green Wall Funds
To East Bay Asian Youth Center (EBAYC) For A Mural On The Property At 1227 18th
Avenue, Oakland, California
[14-0945](#)

Attachments: [View Report.pdf](#)
[85615 CMS.pdf](#)

This City Resolution was Adopted.

- 7.4 Subject: Graffiti Abatement Grant To Community Rejuvenation Project - Nido Wall
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$8,000 From Vice Mayor Rebecca Kaplan's Graffiti Abatement Mural And Green Wall Funds To Community Rejuvenation Project For A Mural On Nido Restaurant At 444 Oak Street, Oakland, California
[14-0946](#)

Attachments: [View Report.pdf](#)
[85616 CMS.pdf](#)

This City Resolution was Adopted.

- 7.5 Subject: Graffiti Abatement Grant To Community Rejuvenation Project - White Bldg
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Authorizing 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 32715th Street, Oakland, California
[14-0947](#)

Attachments: [View Report.pdf](#)
[85617 CMS.pdf](#)

This City Resolution was Adopted.

- 7.6 Subject: License Agreement With Metropolitan Horsemen's Association
From: Oakland Parks & Recreation Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Execute A License Agreement With Metropolitan Horsemen's Association To Manage Sequoia Arena And Clubhouse And Provide Equestrian And Related Activities For A Five-Year Term With Two Five-Year Options To Renew
[14-0790](#)

Attachments: [View Report.pdf](#)
[13309 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.7 Subject: Lease Amendment With East Oakland Boxing Association
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To The 2007 Lease Entered Into With East Oakland Boxing Association For City-Owned Property Located At 816 And 828 98th Avenue To Extend The Term For An Additional Fifteen (15) Years From July 30, 2017 To July 30, 2032, For Zero Rent In Exchange For In-Kind Services As Authorized By Ordinance No. 11722 C.M.S.

[14-0870](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13310 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.8 Subject: Children's Hospital And Research Center Oakland's Master Plan Project
From: Planning & Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, (A) Adopting CEQA Findings, Including Certification Of Environmental Impact Report; And (B) Rezoning A Portion Of The Project Site From RM-2, Mixed Housing Type Residential Zone-2 To S-1 Medical Center Zone, For Children's Hospital And Research Center Oakland's Master Plan, Located At 747 52 Street, Oakland

[14-0801](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13311 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.8-1 Subject: Tract No. 8194 Subdivision Map (Phase 1) Children's Hospital
From: Planning & Building Department
Recommendation: Adopt A Resolution Adopting Appropriate CEQA Findings And Conditionally Approving A Phase 1 Final Map For Tract No. 8194 Located At 747 52nd Street And Authorizing The City Administrator To Enter Into A Subdivision Improvement Agreement With Children's Hospital And Research Center Oakland For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 8194

[14-0903](#)

Attachments: [View Report.pdf](#)
[85618 CMS.pdf](#)

This City Resolution was Adopted.

- 7.9** Subject: LDDA And New Market Tax Credits For Foothill And Seminary Project
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13114 C.M.S.,
Authorizing The Disposition Of Property At Foothill Boulevard And Seminary Avenue
To Sunfield Development, LLC, For Development As A Retail Center, To Change The
Disposition From A Sale To A Long-Term Ground Lease With An Option To Purchase,
And To Rescind The Allocation Of \$150,000 For A Developer Remediation Allowance
And Allocate \$75,000 To City Remediation Costs
[14-0867](#)

Attachments: [View Report.pdf](#)
[13312 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.10** Subject: Settlement Agreement - Case Of Jacob Crawford
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Case Of Jacob Crawford, Et Al. V. City Of Oakland,
Et Al., United States District Court, Northern District Of California Case No.
3:14-Cv-3003 VC, City Attorney's File No. 30162 In The Amount Of Nine Thousand,
Five Hundred Dollars (\$9,500.00) (Oakland Police Department- Performance Of Duty)
[14-0982](#)

Attachments: [view Report.pdf](#)
[85619 CMS.pdf](#)

This City Resolution was Adopted.

- 7.11** Subject: Settlement Agreement - Case Of Elizabeth Paloma Gonzalez
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Case Of Elizabeth Paloma Gonzalez V. City Of
Oakland, Alameda County Superior Court Case No. Rg13677698, City Attorney's File
No. 29273, In The Amount Of Eight Thousand Five Hundred Dollars (\$8,500.00)
(Oakland Public Works -Trip And Fall)
[14-0983](#)

Attachments: [View Report.pdf](#)
[85620 CMS.pdf](#)

This City Resolution was Adopted.

7.12 Subject: Settlement Agreement - Claim Of Ellen Reier
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Ellen Reier (Claim No. C30485) In The Final Total Settlement Amount Of One Hundred Ninety-Two Thousand Six Hundred Fifty-Five Dollars And Sixteen Cents (\$192,655.16), Which Resulted From Property Damage Due To A Failed City Sewer Main On February 18, 2015 (Public Works Agency - Dangerous Condition/Sewers)
[14-0984](#)

Attachments: [View Report.pdf](#)
[85621 CMS.pdf](#)

This City Resolution was Adopted.

S7.13 Subject: Support For SB 548: Raising Child Care Quality
From: Councilmember Guillen And Office Of The City Attorney
Recommendation: Adopt A Resolution In Support Of California Senate Bill (58) 548 Raising Child Care Quality & Accessibility Act (De Leon And Atkins), Which Would Expand Access To Quality Child Care That Supports The Development Of Very Low Income Children
[14-0967](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[85622 CMS.pdf](#)

This City Resolution was Adopted.

S7.14 Subject: Appropriation Of Residential Rehab Program Income
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The Use Of Current And Future Loan Repayment Funds From The Home Maintenance And Improvement Program, The Neighborhood Housing Revitalization Program, And The Weatherization And Energy Retrofit Program To Fund Grants And Loans Made Under Any City Residential Rehabilitation Program, And Appropriating Current Loan Repayment Funds From These Programs For This Purpose
[14-0922](#)

Attachments: [View Report.pdf](#)
[85623 CMS.pdf](#)

This City Resolution was Adopted.

S7.15 Subject: West Oakland Library Transportation Grant
From: Oakland Public Library
Recommendation: Adopt Resolution (1) Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed \$249,813 To Continue An Existing Program Providing Transportation To And From The West Oakland Branch Library For Preschool And Kindergarten Children For A Period Of Three Years; And (2) Authorizing The Filing Of An Application For Funding Through The Metropolitan Transportation Commission's Lifeline Transportation Program, Committing The Necessary Local Match And Stating The Assurance To Complete The Project
[14-0919](#)

Attachments: [View Report.pdf](#)
[85624 CMS.pdf](#)

This City Resolution was Adopted.

S7.16 Subject: Information & Assistance (I&A) Program 2015-2017
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant In An Estimated Amount Of \$49,288.38 Per Year For Fiscal Years 2015-2016 And 2016-2017 For A Total Amount Of \$98,576.76 For Two Years From Alameda County Social Services Agency, Area Agency On Aging For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2015 Through June 30, 2017
[14-0920](#)

Attachments: [View Report.pdf](#)
[85625 CMS.pdf](#)

This City Resolution was Adopted.

S7.17 Subject: OFCY Grant Renewals For FY 2015-2016
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Renew The Oakland Fund For Children And Youth Grant Agreements Between The City Of Oakland And Various Public And Non-Profit Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2015-2016 In An Amount Not To Exceed \$11,089,081
[14-0950](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85626 CMS.pdf](#)

This City Resolution was Adopted.

S7.18 Subject: Senior Companion / Foster Grandparent Program Grant Funds
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds For Fiscal Year 2015-2016 From The Corporation For National And Community Services (CNCS) In An Estimated Amount Of \$316,610 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) From July 1, 2015 Through June 30, 2016
[14-0952](#)

Attachments: [View Report.pdf](#)
[85627 CMS.pdf](#)

This City Resolution was Adopted.

S7.19 Subject: Senior AIDES Program Fiscal Year 2015-2016
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In An Estimated Amount Of \$922,216 From Senior Services America, Inc., For The Oakland Senior AIDES Program From July 1, 2015 Through June 30, 2016
[14-0953](#)

Attachments: [View Report.pdf](#)
[85628 CMS.pdf](#)

This City Resolution was Adopted.

S7.20 Subject: Multipurpose Senior Services Program (MSSP) FY 2015-2016
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Apply For, Accept And Appropriate State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number MS-1516-01 With The State Of California Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2015-2016, And 2) Enter Into Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2015 Through June 30, 2016 In A Total Amount Not To Exceed \$210,821; And Waiving The Request For Proposal/Qualifications Requirement For The Agreements
[14-0956](#)

Attachments: [View Report.pdf](#)
[85629 CMS.pdf](#)

This City Resolution was Adopted.

S7.21 Subject: Measure B/Measure BB Paratransit Services
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Measure BB Direct Local Program Distribution Funds (DF) In The Amount Of \$244,493 For Fiscal Year 2014-2015 And \$1,101,397 Measure B DF, \$1,058,749 Measure BB DF And Up To \$92,500 Measure B Gap Grant Funds For Fiscal Year 2015-2016 From The Alameda County Transportation Commission To Provide Paratransit Services; And Authorizing The City Administrator To Execute Reimbursement Agreements For Fiscal Year 2015-2016 In Amounts Of: 1) \$715,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company And Metro Yellow Cab Company, 2) \$220,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Corp, 3) \$320,000 To Quality Transit, LLC And 4) \$125,000 To Bay Area Charters, Inc.; And Authorizing The City Administrator To Accept And Appropriate Any Additional Grant Funds That Become Available For FY 2015-2016 And Amend The FY 2015-2016 Agreements Without Returning To City Council
[14-0955](#)

Attachments: [View Report.pdf](#)
[85630 CMS.pdf](#)

This City Resolution was Adopted.

S7.22 Subject: Violence Prevention Contracts Extension
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Oakland Unite Grant Agreements With Various Non-Profit And Public Agencies And Allocate Funding To City Departments Providing Direct Services To Extend Fiscal Year 2014-2015 Violence Prevention Services Through December 31, 2015 In An Estimated Amount Up To \$3,141,889
[14-0951](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85631 CMS.pdf](#)

Council adopted the resolution as amended to include the amendment to the second Whereas clause to correct the language to reflect the language and intent of Measure Z.

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 Gallo, seconded by Reid, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of 2 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: Oakland Tourism Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing To Satisfy The Public Meeting
Requirement Regarding The Proposed Formation Of An Oakland Tourism Business
Improvement District 2015 (OTBID) And Pursuant To California Streets And Highways
Code Section 36623 And Government Code Section 54954.6; On The July 7, 2015
And July 21, 2015 City Council Agenda As A Public Hearing
[14-0748](#)

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

**A motion was made by Kaplan, seconded by Kalb, that this matter be Continued
to the Meeting of the Oakland City Council, to be heard 6/16/2015 as a Public
Hearing. The motion carried by the following vote:**

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

- 9.2** Subject: 2014 Housing Element Annual Progress Report
From: Planning & Buiding Department
Recommendation: Conduct A Public Hearing To Receive Input From The City Council
And The Public On The 2014 Housing Element Annual Progress Report
[14-0865](#)

Attachments: [View Report.pdf](#)

***Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at
7:09 p.m.***

One individuals spoke on this item.

***Councilmember Reid 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, Guillen, Kalb, Kaplan, Reid and
Council President Gibson McElhaney.***

**A motion was made by Reid, 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
McElhaney

- 9.3** Subject: Fruitvale Transit Village Phase II
From: Economic Workforce And Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, A Sixty-Six (66) Year Ground Lease And Related Documents (Collectively "LDDA") Between The City Of Oakland And The Spanish Speaking Unity Council Of Alameda County, Inc. And L & M Development Partners, Inc. For Development Of Mixed-Income Housing Located On APN 033-2177-021 At 35th Avenue And East 12th Street; On The June 22, 2015 Special City Council Agenda
[14-0959](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:18 p.m.

Seven individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Kaplan, Reid and 1 Absent - Gibson McElhaney.

A motion was made by Gallo, seconded by Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 1 - Gibson McElhaney

9.4 Subject: Municipal Code Amendments For Zero Waste Implementation
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 8.28 ("Solid Waste Collection And Disposal And Recycling"), To Implement The Zero Waste System Design And Zero Waste Collection Services Franchise Contracts, By: 1) Establishing A Nuisance Abatement Process To Address Failures To Ensure Proper Handling Of Solid Waste; 2) Restricting Collection Of Commercial Organic Materials To Authorized Collectors; 3) Changing Definitions And Other Provisions To Allow For Regulation Of Commercial Recyclers And Non-Exclusive Franchise Haulers Of Construction And Demolition Debris, And 4) Conforming The New Zero Waste System To The Zero Waste Collection Services Franchises Awarded By City Council, Services To Begin July 1, 2015; And
[14-0961](#)

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

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:37 p.m.

No individuals spoke on this item.

Councilmember Kalb made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Kaplan, Reid and 1 Absent - Gibson McElhaney.

A motion was made by Kalb, seconded by Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 1 - Gibson McElhaney

2) An Ordinance Amending Oakland Municipal Code Chapter 15.34 (“Construction And Demolition Debris Waste Reduction And Recycling Requirements”) To Establish A Non-Exclusive Franchise Agreement System For The Hauling Of Such Debris To Become Effective July 1, 2015; And Authorizing The City Administrator To Execute Such Non-Exclusive Franchise Agreements; On The June 22, 2015 Special City Council Agenda

[14-0962](#)

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

A motion was made by Kalb, seconded by Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 1 - Gibson McElhaney

9.5 Subject: FY 2015-16 Landscaping And Lighting Assessment District Intention
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer’s Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year (FY) 2014-2016 And The Levying Of Assessments

[14-0974](#)

Attachments: [View Report.pdf](#)

[View Report Part 2.pdf](#)

[View Report Part 3.pdf](#)

[85632 CMS.pdf](#)

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:52 p.m.

No individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kaplan, Reid and 2 Absent - Kalb, Gibson McElhaney.

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

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

Absent: 2 - Kalb, and Gibson McElhaney

- 9.6** Subject: FY 2015-16 Measure Q Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q); On The June 22, 2015 Special City Council Agenda [14-0970](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 7:54 p.m.

One individual spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Campbell Washington, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Reid and 2 Absent - Kaplan, Gibson McElhaney.

A motion was made by Gallo, seconded by Campbell Washington, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 2 - Kaplan, and Gibson McElhaney

- 9.7** Subject: FY 2015-16 Measure M Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M); On The June 22, 2015 Special City Council Agenda [14-0971](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 7:58 p.m.

No individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Campbell Washington, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Reid and 2 Absent - Kaplan, Gibson McElhaney.

A motion was made by Gallo, seconded by Campbell Washington, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 2 - Kaplan, and Gibson McElhaney

- 9.8** Subject: FY 2015-16 Measure Z Tax Adjustment
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services, In Accordance With The Consumer Price Index, And Pursuant To The Public Safety And Services Violence Prevention Act Of 2014 (Measure Z)

[14-0972](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.8 by the City Clerk, the Public Hearing was opened at 7:59 p.m.

No individuals spoke on this item.

Councilmember Kalb made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Kaplan, Reid and 1 Absent - Gibson McElhaney.

This Ordinance was No Action Taken.

- 9.9** Subject: FY 2015-16 Measure N Tax Adjustment
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2015-16 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The 1997 Paramedic Services Act (Measure N); On The June 22, 2015 Special City Council Agenda

[14-0973](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.9 by the City Clerk, the Public Hearing was opened at 8:12 p.m.

No individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Guillen, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Gallo, Guillen, Kalb, Kaplan, Reid and 1 Absent - Gibson McElhaney.

A motion was made by Gallo, seconded by Guillén, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

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

Absent: 1 - Gibson McElhaney

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Planning Commission Apointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
Amanda Monchamp And Reappointment Of Emily Weinstein And Adhi Nagral To The
City Planning Commission
[14-0968](#)

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[85633 CMS.pdf](#)

There were two speakers on this item.

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

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

Absent: 1 - Gibson McElhaney

12 Subject: Update On The Status Of The Zero Waste Garbage Contract
From: Vice Mayor Rebecca Kaplan
Recommendation: Receive An Informational Report On The Status Of Zero Waste
Implementation
[14-0536](#)

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

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

Absent: 1 - Gibson McElhaney

- 13** Subject: Oakland Private Industry Council Grant
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing A \$250,000 Administrative Support Grant To The Oakland Private Industry Council, Inc.
[14-0842](#)

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[85634 CMS.pdf](#)

There were 15 speakers on this item.

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

Abstained: 1 - Kalb

Aye: 5 - Brooks, Gallo, Kaplan, Reid, and Gibson McElhaney

No: 2 - Campbell Washington, and Guillén

- 14** Subject: Interim Measure BB Funding Agreement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving The Interim Measure BB Master Programs Funding Agreement Between The Alameda County Transportation Commission And The City Of Oakland Effective From April 1, 2015 To June 30, 2016
[14-0902](#)

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[85635 CMS.pdf](#)

There were 2 speakers on this item.

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

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

Absent: 1 - Gibson McElhaney

- 15** **The item was removed to the Consent portion of the agenda as Item 7.8-1.**

- 16** Subject: Subordinated Tax Allocation Refunding Bonds, Series 2015-TE & 2015-T
From: Treasury Bureau
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Confirming The Issuance Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2015-Te And Oakland Redevelopment Successor Agency Taxable Subordinated Tax Allocation Refunding Bonds, Series 2015-T Pursuant To An Indenture Of Trust, Approving Preliminary And Final Official Statements And Providing For Other Matters Relating Thereto
[14-0957](#)

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[2015-003 ORSA.pdf](#)

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

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

Absent: 1 - Gibson McElhaney

- 17** Subject: DDA For 12th Street Remainder Parcel
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing: (1) The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland, And A Development Entity Comprised Of Urbancore Development, LLC, And UDR, Inc., (Or Its Related Entities Or Affiliates) For Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue For No Less Than \$5.1 Million And Development As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A; (2) Set -Aside Of No More Than \$500,000 From Land Sales Proceeds For Remediation Of Property, And (3) Appropriation Of \$200,000 From Land Sales Proceeds To Fund An Asset Portfolio Management Plan
[14-0662](#)

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Councilmember Brooks made a motion, seconded by Councilmember Guillen, to Continue the item to the next meeting to allow the developer and community continue to negotiate to possibly resolve disputes.

There were 91 speakers on this item.

A motion was made by Brooks, seconded by Guillén, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 6/16/2015. The motion carried by the following vote:

Recused: 1 - Kaplan

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

- 18** **Subject:** Professional Service Agreement With Priority Dispatch
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) To Waive The Competitive Request For Proposals (RFP) Process, And 2) To A Ward A Contract To Priority Dispatch For Continued Medical Priority Dispatch System (Mpd) Software Licenses Triage Cards And External Auditing Of The City Of Oakland's 911 Medical Dispatch Services, In An Amount Not To Exceed One Hundred Fifty -Seven Thousand Nine Hundred Ninety Seven Dollars And Eighty Cents (\$157,997) For The Period July 1, 2015 Through June 30, 2018 With Two One-Year Options To Extend In An Amount Not To Exceed Fiftytwo Thousand Six Hundred Sixty-Six Dollars (\$52,666) Each Year, For A Total Contract Amount Including The Possible Extension Periods, Not To Exceed Two Hundred Sixty-Three Thousand Three Hundred Twenty Nine Dollars (\$263,329)

[14-0843](#)

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[85636 CMS.pdf](#)

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

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

Absent: 1 - Reid

S-19 Subject: Library Grant For AAMLO Education Center
From: Oakland Public Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Apply For, Accept And Appropriate A Museum Grant For African American History And Culture Museums From The Institute For Museum And Library Services In The Amount Of \$139,245.00; 2) Enter Into A Two year Professional Services Agreement With Christine A. Fogarty For An Amount Not To Exceed Thirty Thousand Dollars (\$30,000); 3) Enter Into A One-Year Professional Services Agreement With Noah U. Landis For An Amount Not To Exceed Thirty-Five Thousand Dollars (\$35,000); 4) Enter Into A One-Year Professional Services Agreement With Lisa Strong For An Amount Not To Exceed Thirty Thousand (\$30,000); And Waiving The Advertising And Request For Proposal/ Qualifications (Rfp/Q) Process For The Proposed Agreements With Christine A. Fogarty, Noah U. Landis And Lisa Strong
[14-0917](#)

Attachments: [View Report.pdf](#)
[85637 CMS.pdf](#)

The Council adopted the resolution as amended to require Council approval of waiver be obtained prior to staff filing grant applications with specific contractors.

This item was taken after Item 8.

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

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

No: 1 - Brooks

S-20 Subject: DAC Privacy And Data Retention Policy
From: Office Of The City Administrator
Recommendation: Adopt A Resolution 1) Establishing The City Of Oakland's Policy
For Privacy And Data Retention For The Port Domain Awareness Center (DAC)
Privacy; And [TITLE CHANGE]
[14-0475](#)

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The Council adopted the DAC Privacy Policy with the following amendments:
1. Designate the City Administrator, or designee, as the Chief Privacy Officer;
and
2. Strike the second Further Resolved clause and sections A & B regarding Sanctions to remove criminal penalties and private right of action.

There were 22 speakers on this item.

This City Resolution was Adopted as Amended.

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

Absent: 1 - Kaplan

2) Consideration For Future Action Of An Ordinance Imposing Enforcement Penalties
Including Creating A Private Right Of Action To Seek A Writ Of Mandate, Injunctive
And/Or Declaratory Relief [TITLE CHANGE]
[14-1033](#)

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The Council approved future adoption of injunctive relief.

A motion was made by Brooks, seconded by Gallo, that this matter be Approve with the following amendments. The motion carried by the following vote:

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

Absent: 1 - Kaplan

3) Receive Additional Policy Recommendations Which Require Future Council Action From The DAC Ad Hoc Advisory Committee Intended To Support The Policy, Assure Ongoing Compliance With The Policy, Establish Penalties For Policy Violations, And Potentially Extend The Components Of The Policy To A Broader Range Of City Functions

[14-0479](#)

The Council adopted Staff Recommendations #4 and #5 to create a permanent Advisory Committee for the entire City, which would also encompass DAC policy.

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

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

Absent: 1 - Kaplan

S-21 Subject: FEMA Vegetation Management Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution No. 79731 C.M.S. By Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Million Dollars (\$4,000,000) In 2006 Federal Emergency Management Agency Pre-Disaster Mitigation Grant Funds For The Oakland Regional Fuel Management Project, Extend The Project Timeline To Ten (10) Years, And Increase Oakland's Matching Fund Requirement

[14-0963](#)

Attachments: [View Report.pdf](#)
[85639 CMS.pdf](#)

There were 44 speakers on this item.

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

Abstained: 1 - Kaplan

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

S-22 Subject: FBI-OPD Joint Workspace
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) With The Federal Bureau Of Investigation (FBI) Violent Criminal Threat Section (VCTS), To Facilitate The Joint Purchase And Installation Of A Computer Network Infrastructure, Computers And Furniture At The Police Administration Building (PAB) To Create A Shared Work Space For The Safe Streets Taskforce, And Waiving The Advertising And Bidding Requirements For The City's Expenditure Of \$63,000.00 Toward The Purchase Of Said Items
[14-0958](#)

Attachments: [View Report.pdf](#)
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The Resolution was adopted as amended to limit the FBI investigations to homicides only.

There were 12 speakers on this item.

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

Aye: 6 - Brooks, Campbell Washington, Gallo, Kalb, Reid, and Gibson McElhane

No: 1 - Kaplan

Absent: 1 - Guillén

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 Alice Spearman, Michael Lange and Lucious Vassan at 3:00 a.m.

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