



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, February 17, 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 5:44 p.m.

2 ROLL CALL / CITY COUNCIL

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 13 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Godwin Taylor.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Mildred Massey. Councilmembers Reid, Gibson McElhaney and Campbell Washington requested association.

Councilmember Gallo took a point of personal privilege and requested that the meeting be adjourned in memory of Ramon Jimenez. Councilmember Guillen requested association.

Councilmember Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Brittania Gatlin and Charles Stewart Jr.

- 4.1 Subject: Black History And Heritage Month 2015
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Honoring African American Leaders From Throughout Oakland For Black History And Heritage Month 2015: Tennessee Reed, Dr. William Love, Arnold Perkins, Reverend Harry Louis Williams, Mr. Charles King And Mrs. Celeste King, Carroll Fife, Cat Brooks, Jennifer Johns, Kev Choice, Ms. Gladys Green, Robbie Clark And Just Cause, And Ericka Huggins
[14-0517](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85393 CMS.pdf](#)

There was one speaker on this item.

This City Resolution was Adopted.

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JANUARY 28, 2015 AND FEBRUARY 3, 2015
[14-0483](#)

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

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

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

Absent: 1 - Kaplan

- 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):

Items 7.5, 7.6 and 7.7 were continued to the City Council meeting of March 3, 2015.

Item 7.13 was withdrawn by the Council President with no new date.

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

- 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
[14-0484](#)

Attachments: [View Report.pdf](#)
[85394 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
[14-0485](#)

Attachments: [View Report.pdf](#)
[85395 CMS.pdf](#)

This City Resolution was Adopted.

- 7.3 Subject: Chabot Space And Science Center Joint Powers Authority Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Mayor Libby Schaaf And Councilmember Anne Campbell Washington As The Elected Members Of The Oakland City Council To The Chabot Space & Science Center Joint Powers Authority Board Of Directors Until January 2017, To Complete The Term Previously Held By Former Councilmember Libby Schaaf
[14-0473](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85396 CMS.pdf](#)

This City Resolution was Adopted.

- 7.4 Subject: Youth Ventures Joint Powers Authority Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Anne Campbell Washington And Council President Lynette Gibson McElhaney To The Youth Ventures Joint Powers Authority Until June 30, 2015, To Complete The Remainder Of The Terms Previously Held By Councilmembers Patricia Kernighan And Libby Schaaf
[14-0474](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85397 CMS.pdf](#)

This City Resolution was Adopted.

- 7.5 Subject: Amendment To The Oakland Housing Authority Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Amending Resolution No. 85352 C.M.S., Which Confirmed The Mayor's Appointment Of Donna Griggs Murphy To The Oakland Housing Authority Board To A Non-Tenant Seat, To Correct The Term Of Appointment, Which Should Commence July 1, 2014 And End June 30, 2018
[14-0491](#)

Attachments: [View Report.pdf](#)

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 7.6 Subject: Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jessica "Jessie" Warner, Tyfahra D. Singleton And Reappointment Of Noah Frigault To The Housing, Residential Rent And Relocation Board [TITLE CHANGE]
[14-0314](#)

Attachments: [View Report.pdf](#)

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 7.7 Subject: WPAD Advisory Board Appointment - Petouhoff
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Mike Petouhoff As A Member Of The Wildfire Prevention And Assessment District Advisory Board
[14-0510](#)

Attachments: [View Report.pdf](#)

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 3/3/2015

- 7.8 Subject: Salary Ordinance Amendment To Increase Minimum Wage
From: Human Resource Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salary Rates For All Classifications For Which The Lowest Step Would Be Below The City Of Oakland Minimum Wage Of Twelve Dollars And Twenty-Five Cents (\$12.25) Per Hour, Effective March 2, 2015; And Raising The Salary Ranges For Related Classifications In The Classification Series To Prevent Salary Compaction; And Authorizing, Without Return To Council, A Similar Amendment To The Salary Schedule Annually Based On The Consumer Price Index As Required In The City Of Oakland Municipal Code Section 5.92

[14-0367](#)

Attachments: [View Report.pdf](#)
[13291 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.9 Subject: Ordinance For 5050 Coliseum Way And 750 50th Avenue
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease For 5050 Coliseum Way And 750 50th Avenue With DODG Corporation (The Property Owner) For A Term Of Ten (10) Years, With Five, Three Year Options To Extend The Lease, In The Monthly Amount Of Thirty-Six Thousand Six Hundred Forty-Seven Dollars And Fifty-Four Cents (\$36,647.54), For The Initial Annual Amount Of Four Hundred Thirty-Nine Thousand Seven Hundred Seventy Dollars And Forty-Eight Cents (\$439,770.48), Plus Consumer Price Index Increases Each Annual Anniversary Date

[14-0373](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13292 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.10 Subject: Continue The Pilot Extended Hours Permits Program
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12 Cabaret Extended Hours Permit Process To Make The Pilot Program A Permanent Part Of The OMC [TITLE CHANGE]
[14-0309](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13293 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.11 Subject: Partial Abandonment Of Thomas Berkley Way
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Vacating To The City Of Oakland A Portion Of The Public Right-Of-Way Of Thomas Berkley Way (Formerly Known As 20th Street) From Its Intersection At Harrison Street To Its Intersection With Lakeside Drive
[14-0357](#)

Attachments: [View Reportt.pdf](#)
[View Supplemental Report.pdf](#)
[13294 CMS.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.12 Subject: Alameda County Transportation Commission Appointments
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb To The Alameda County Transportation Commission, To The Seat Previously Held By Councilmember Larry Reid, And Appointing Councilmember Abel Guillen To Serve As Alternate To The Alameda County Transportation Commission ("ACTC") For One (1) Year Terms Commencing March 9, 2015 And Ending March 8, 2016
[14-0511](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85398 CMS.pdf](#)

This City Resolution was Adopted.

7.13 Subject: Workforce Investment Board Nomination
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Nominating Councilmember Annie Campbell
Washington To Be The City Council Representative On The Oakland Workforce
Investment Board

[14-0512](#)

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

This City Resolution was Withdrawn with No New Date.

7.14 Subject: Settlement Agreement - Socorro Guzman 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 Socorro Guzman v. City Of Oakland, Et Al.,
Alameda County Superior Court Case No. RG13663115, City Attorney's File No.
29290, For A Sum Not To Exceed Five Hundred Thousand Dollars And No Cents
(\$500,000.00) (Oakland Public Works - Dangerous Condition)

[14-0513](#)

Attachments: [View Report.pdf](#)
[85399 CMS.pdf](#)

This City Resolution was Adopted.

7.15 Subject: League Of California Cities Board Of Directors Appointment
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb To The
League Of California Cities Board Of Directors For A Two Year Term Commencing
February 17, 2015 And Ending February 16, 2017

[14-0516](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85400 CMS.pdf](#)

This City Resolution was Adopted.

- S7.16** Subject: Amending Salary Schedule To Create Benefits Coordinator
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of
Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of
Benefits Coordinator
[14-0418](#)

Attachments: [View Report.pdf](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Meeting of the Oakland City Council to be heard 3/3/2015**

- S7.18** Subject: Comprehensive Annual Financial Report (CAFR)
From: Finance Department
Recommendation: Receive The Comprehensive Annual Financial Report (CAFR)
And Management Letter For Fiscal Year 2013-2014
[14-0420](#)

Attachments: [View Report.pdf](#)

This Informational Report was Received and Filed.

- S7.19** Subject: ORSA Audited Financial Report
From: Finance Department
Recommendation: Receive The Oakland Redevelopment Successor Agency
("ORSA") Audited Financial Report For Fiscal Year 2013-2014
[14-0421](#)

Attachments: [View Report.pdf](#)

This Informational Report was Received and Filed.

- S7.20** Subject: Minimum Wage Implementation Info Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Impact Of Implementing
The Voter Approved Local Minimum Wage ("Measure FF"), Which Takes Effect March
2, 2015
[14-0410](#)

Attachments: [View Report.pdf](#)

[View Supplemental Report.pdf](#)

This Informational Report was Received and Filed.

- S7.21** Subject: Encroachment For Existing Building At 1820 Embarcadero
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Wilcox Embarcadero Associates, LLC To Allow An Existing Building To Encroach Into The Public Right-Of-Way Along The Building's Frontage On 22nd Avenue At 1820 Embarcadero
[14-0394](#)

Attachments: [View Report.pdf](#)
[85401 CMS.pdf](#)

This City Resolution was Adopted.

- S7.22** Subject: Encroachment For Existing Building At 1110 Jackson Street
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To The Housing Authority Of The City Of Oakland To Allow A New Building's Bay Window Projections, Planter Boxes And Canopy To Encroach Into The Public Right-Of-Way Along The Building's Frontages On 11th, 12th And Jackson Streets At 1110 Jackson Street
[14-0412](#)

Attachments: [View Report.pdf](#)
[85402 CMS.pdf](#)

This City Resolution was Adopted.

Approval of the Consent Agenda

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

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

- S7.23** Subject: Encroachment For Existing Building At 414 29th Avenue
From: Planning & Building Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 29th Avenue Group LLC To Allow A Portion Of The Building To Encroach Into The Public Right-Of-Way Along The Building's Frontage At 414 29th Avenue
[14-0413](#)

Attachments: [View Report.pdf](#)
[85403 CMS.pdf](#)

This City Resolution was Adopted.

S7.24 Subject: Sanitary Sewer Rehabilitation
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers At Lakeside Park Pump Station (Project No. C267640) And With Contractor's Bid In The Amount Of One Hundred Eighty Thousand One Hundred Dollars (\$180,100.00); And [14-0415](#)

Attachments: [View Report.pdf](#)
[85404 CMS.pdf](#)

This City Resolution was Adopted.

2) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate With Bidders And Execute A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Park Boulevard, Hollywood Avenue, Sunnyhills Road, And Brighton Avenue (Project No. C329143) In An Amount Up To Two Million Five Hundred Seventy-Six Thousand Fifty-Three Dollars (\$2,576,053.00) [14-0416](#)

Attachments: [85405 CMS.pdf](#)

S7.26 Subject: Bay Area Regional Prosperity Plan Report
From: Economic & Workforce Development Department
Recommendation: Receive An Informational Report Requesting That City Council Review And Comment On The Economic Prosperity Strategy, As An Interim Product Of The Bay Area Regional Prosperity Plan [14-0359](#)

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

This Report and Recommendation was Approve as Submitted.

S7.27 Subject: ROPS And Admin Budget 15-16A
From: Office Of The City Administrator
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution
Approving The Submission Of A Recognized Obligation Payment Schedule And
Successor Agency Administrative Budget For July Through December 2015 To The
Oakland Oversight Board, The County And The State
[14-0411](#)

Attachments: [View Report.pdf](#)
[2015-001 ORSA.pdf](#)

This ORSA Resolution was Adopted.

S7.28 Subject: Recyclers ENA Extension
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Negotiate And Execute A Third Amendment To The City's Exclusive Negotiating
Agreement (ENA) With California Waste Solutions, Inc. And Cass, Inc., Regarding A
Proposed Recycling Project On Up To Approximately 20 Acres In The North Gateway
Area Of The Former Oakland Army Base Extending The ENA To December 15, 2015
[14-0423](#)

Attachments: [View Report.pdf](#)
[85406 CMS.pdf](#)

This City Resolution was Adopted.

S7.29 Subject: Housing Related Parks Program Grant 2014
From: Housing and Community Development Department
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept
And Appropriate Grant Funds From The California Department Of Housing And
Community Development Under The Housing Related Parks Program In An Amount
Not To Exceed \$2,000,000 For Improvements To Saint Andrew's Plaza, Curt Flood
Field And Josie De La Cruz Park
[14-0431](#)

Attachments: [View Report.pdf](#)
[85407 CMS.pdf](#)

This City Resolution was Adopted.

Subject: Affordable Housing NOFA Funds
From: Housing And Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Appropriating \$3,800,000 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities; And [14-0432](#)

Attachments: [View Report.pdf](#)
[85408 CMS.pdf](#)

This City Resolution was Adopted.

2) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,000,000 To EAH, Inc., For The 3706 San Pablo Avenue Project; And [14-0433](#)

Attachments: [85409 CMS.pdf](#)

This City Resolution was Adopted.

3) A Resolution Authorizing An Affordable Housing Preservation And Rehabilitation Loan In An Amount Not To Exceed \$2,000,000 To Community Housing Development Corporation And Dignity Housing West, Inc., For Harp Plaza Apartments Located At 430 28th Street, And Authorizing A Loan Extension And Change In Terms For The Previous Development Loan For The Project; And [14-0434](#)

Attachments: [85410 CMS.pdf](#)

This City Resolution was Adopted.

4) A Resolution (1) Authorizing An Additional Affordable Housing Development Loan In An Amount Not To Exceed \$2,000,000 To Satellite Affordable Housing Associates For The Redwood Hill Townhomes Project Located At 430 28th Street, (2) Approving A Change In The Project From Ownership To Rental, (3) Authorizing Assumption Of The Existing Loan For The Project By Satellite Affordable Housing Associates, And (4) Authorizing Repayment Extension And Changes In Terms For The Existing Loan For The Project; And [14-0435](#)

Attachments: [View Report.pdf](#)
[85411 CMS.pdf](#)

This City Resolution was Adopted.

5) A Resolution Amending Resolution No. 84857 C.M.S. To Increase The Amount Of The Affordable Housing Loan To Meta Housing Corporation For The Civic Center 14 Transit Oriented Development Rental Project Located At 632 14th Street By \$1,000,000 For A Total Loan Amount Of \$2,575,000; And
[14-0436](#)

Attachments: [85412 CMS.pdf](#)

This City Resolution was Adopted.

6) A Resolution Amending Resolution No. 84860 C.M.S., Which Authorized A \$750,000 Loan To Habitat For Humanity East Bay/Silicon Valley To Acquire And Rehabilitate Foreclosed Single Family Homes, To Allow Loan Funds To Be Used To Acquire And Rehabilitate Any Vacant And Abandoned Properties; And
[14-0437](#)

Attachments: [85413 CMS.pdf](#)

This City Resolution was Adopted.

7) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From The California Strategic Growth Council In An Amount Not To Exceed \$15 Million Under The 2014-2015 Affordable Housing And Sustainable Communities Programs, And Allocate Such Funds To Eligible Projects Without Returning To Council; And
[14-0438](#)

Attachments: [85414 CMS.pdf](#)

This City Resolution was Adopted.

8) A Resolution Authorizing The Grant Of Federal Home Funds To Provide Operating Support And Technical Assistance To Community Housing Development Corporation, Dignity Housing West, Inc., And Satellite Affordable Housing Associates In An Aggregate Amount Not To Exceed \$150,000; And
[14-0439](#)

Attachments: [85415 CMS.pdf](#)

This City Resolution was Adopted.

9) A Resolution Amending Existing Loans To The Marcus Garvey Commons Affordable Housing Project At 721 A Wood Street To Extend The Loan Maturity Terms And Reduce The Interest Rate To 3%; And
[14-0440](#)

Attachments: [85416 CMS.pdf](#)

This City Resolution was Adopted.

10) A Resolution Amending Resolution No. 84038 C.M.S. To Extend The Loan Maturity Term For An Existing Loan To The Hismen Hin-Nu Terrace Affordable Housing Project At 2555 International Boulevard; And

[14-0441](#)

Attachments: [85417 CMS.pdf](#)

This City Resolution was Adopted.

11) A Resolution Authorizing The Transfer Of \$600,000 To The First-Time Homebuyer Mortgage Assistance Program, \$200,000 From General Purpose Funds And \$400,000 From Affordable Housing Trust Fund; And

[14-0442](#)

Attachments: [85418 CMS.pdf](#)

This City Resolution was Adopted.

12) A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement To Provide Construction Monitoring Services For Affordable Housing Projects For Up To 36 Months In An Amount Not To Exceed \$100,000 Without Returning To Council

[14-0443](#)

Attachments: [85419 CMS.pdf](#)

This City Resolution was Adopted.

S7.30 Subject: Oakland Animal Services Community Advisory Commission
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Establishing The Oakland Animal Services Community Advisory Commission; Providing For The Appointment Of Members Thereof, And Defining The Duties Of Said Commission

[14-0395](#)

Attachments: [View Report.pdf](#)

[View supplemental Report](#)

The Ordinance was amended to require that four of the seven Commission members be Oakland residents, not merely do business in Oakland.

This Ordinance was Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council to be heard 3/3/2015

S7.31 Subject: Budget Amendment To Fund Lateral Officer Academies
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Appropriation Of Funds From
FY 2014-15 General Purpose Fund Undesignated Fund Balance In The Amount Of
\$807,980 And Reserving An Additional \$60,599 In Accordance With The General
Purpose Fund Emergency Reserve Policy To Fund Two Oakland Police Department
(OPD) Lateral Academies; And Amending The City Of Oakland's FY 2013-15 Biennial
Budget, Which Was Adopted Pursuant To Resolution No. 84466 C.M.S. And
Amended By Subsequent Resolutions
[14-0478](#)

Attachments: [View Report.pdf](#)
[85420 CMS.pdf](#)

This City Resolution was Approve as Submitted.

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

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

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

**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: CAPER And Development Of The Five-Year Consolidated Plan
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive The Consolidated Annual Performance And Evaluation Report (CAPER) Submitted To The U.S. Department Of Housing And Urban Development (HUD) For Fiscal Year 2013-2014
[14-0425](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:12 p.m.

One individual spoke on this item.

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

A motion was made by Reid, seconded by Kaplan, that the FY 2013-2014 CAPER Report be Received and Filed. The motion carried by the following vote:

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

- 9.2** Subject: Ordinance Extending The Moratorium On Unattended Donation Boxes
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Consider Extending Ordinance No. 13232 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Continuing A Temporary Moratorium On The Establishment, Installation, Placement, Construction, And/Or Expansion Of Unattended Donation/Collection Boxes, To take Immediate Effect, Through December 31,2015 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First. (7 VOTES REQUIRED FOR PASSAGE)
[14-0514](#)

Attachments: [View Report.pdf](#)
[13295 CMS.pdf](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:18 p.m.

No individuals spoke on this item.

President Pro Tempore Reid made a motion, seconded by Vice Mayor Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, Reid and Council President Gibson McElhaney and 1 No - Gallo.

A motion was made by Reid, seconded by Kaplan, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

No: 1 - Gallo

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Citywide Curb Ramps And Sidewalk Repair Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Rosas
Brothers Construction, The Lowest Responsive, Responsible Bidder, In Accordance
With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair
(Project No. C428013) And With Contractor's Bid In The Amount Of Nine Hundred
Thirty Eight Thousand Six Hundred Six Dollars And Eighty Cents (\$938,606.80)
[14-0305](#)

Attachments: [View Report.pdf](#)
[85421 CMS.pdf](#)

There was one speaker on this item.

*Vice Mayor Kaplan made a motion to approve the item with a request that staff
reports back on the progress of incorporating City workers in the project.*

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

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

12 Subject: Racial Inequality Within The Economic And Criminal Justice Systems
From: Council President Gibson McElhaney
Recommendation: Continued Discussion With Possible Action On Items Raised At
The Special City Council Meeting On Saturday, January 24 To Address Racial
Inequality Within The Economic And Criminal Justice Systems, Trauma Endured By
Exposure To Violence, And The Loss Of Black Lives, In Response To The Local
Protests And Demonstrations That Have Called For Elected Leaders To Create Policy
And Programs That Address This Inequality And Injustice
[14-0383](#)

Attachments: [View Report.pdf](#)
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This Report and Recommendation was Withdrawn with No New Date.

- 13** Subject: Update To City Council Resolution #77353
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve Industrial Disability Retirements For Local Safety Members Of The California Public Employees' Retirement System And Authorizing The City Administrator To Apply For Industrial Disability Retirements On Their Behalf
[14-0469](#)

Attachments: [View Report.pdf](#)
[85422 CMS.pdf](#)

A motion was made by Reid, seconded by Kaplan, 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

- S-14** Subject: Measure C-Oakland Hotel Tax Audit And Program Status Report
From: Finance Department
Recommendation: Receive The Measure C - Oakland Hotel Tax Audit And Program Status Report For Fiscal Year 2014
[14-0422](#)

Attachments: [View Report.pdf](#)

A motion was made by Reid, seconded by Kaplan, 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

- S-15** Subject: Amending Oakland Municipal Code Chapter 12.12 - Excavation
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Municipal Code (OMC) Chapter 12.12-Excavation To Enhance Preservation Of City's Street And Sidewalk Assets
[14-0417](#)

Attachments: [View Report.pdf](#)

This Ordinance was * Withdrawn and Rescheduled to the Meeting of the Oakland City Council to be heard 3/3/2015 as a Public Hearing

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 Godwin Taylor, Mildred Massey, Ramon
Jimenez, Brittanica Gatlin and Charles Stewart Jr. at 8:07 p.m.*

Americans With Disabilities Act

**If you need special assistance to participate in Oakland City Council and
Committee meetings please contact the Office of the City Clerk. When possible,
please notify the City Clerk 48 hours 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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THOSE ATTENDING MEETINGS.**

**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.**