



# City of Oakland

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City  
Clerk

## Meeting Minutes - DRAFT Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board

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

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

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Tuesday, May 21, 2019

5:30 PM

City Council Chamber, 3rd Floor

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The Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board was held on the above date. Opening with the Pledge of Oakland Jazz Choir the meeting was convened at 5:58 P.M.

### 1 PLEDGE OF ALLEGIANCE

### 2 ROLL CALL / CITY COUNCIL

**Present** 8 - Nikki Bas, Lynette McElhaney, Loren Taylor, Sheng Thao, Larry Reid, Noel Gallo, Dan Kalb, and Rebecca Kaplan

**Vice Mayor Reid took a point of personal privilege to present a Proclamation to Tyrone Lee Jones family**

**4.1** Subject: Honoring Asian American Pacific Islander Heritage Month  
From: Councilmember Thao And Councilmember Bas  
Recommendation: Adopt A Resolution In Celebration Of Asian American And Pacific Islander Heritage Month Honoring Asian American And Pacific Islanders Whose Service And Leadership In Oakland Contribute To The City's Cultural Diversity And Its Spirit Of Community Service

[18-1512](#)

**Sponsors:** Bas and Thao

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

[View Supplemental Report 5/17/2019](#)

*The Agenda was modified to show item 4.1 heard before Open Forum*

**A motion was made by Nikki Bas, seconded by Sheng Thao, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

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

*There were 14 speaker on this item*

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

**5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 7, 2019  
[18-1776](#)**

**Attachments:** [View Report 5/7/2019 - 4 P.M.](#)  
[View Report 5/7/2019 - 5:30 P.M.](#)

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

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

*The Council approved to withdraw and reschedule Item 7.1 to The June c18, 2019  
City Council Agenda*

*There was a motion made to move item S17 from Non-Consent to be heard before  
the Consent items*

*There was a motion made to Change the June 10, 2019 Special City Council time  
to 5:00 p.m.*

*Councilmember Gibson McElhaney, made a motion, seconded by Vice Mayor  
Reid, to withdraw Item S14, with a vote: 5 Ayes: Bas, Gibson McElhaney, Thao,  
Kaplan, and Vice Mayor Reid, 2 Noes Kalb and Gallo, and 1 recused Taylor. The  
Motion failed*

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

*There were 24 speakers on this item*

7.1 Subject: Oakland Area Geologic Hazard Abatement District  
From: Geologic Hazard Abatement District (GHAD)  
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Appointing Loren Taylor As GHAD Chairperson; And  
[18-1807](#)

**Sponsors:** Outside Agency

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

**This City Resolution be Withdrawn and Rescheduled.to go before the \*  
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the  
City Council to be heard 6/18/2019**

2) A Resolution Approving The 2019/2020 Annual Budget For The GHAD; And  
[18-1805](#)

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

**This City Resolution be Withdrawn and Rescheduled.to go before the \*  
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the  
City Council to be heard 6/18/2019**

3) A Resolution No 19-03 Authorizing GHAD Treasurer, Inc. As The Leona Quarry GHAD  
[18-1806](#)

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

**This City Resolution be Withdrawn and Rescheduled.to go before the \*  
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the  
City Council to be heard 6/18/2019**

### ***Approval of the Consent Agenda***

***There were 25 speakers on this item***

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 7.2 Subject: 2019 Council And Committee Calendar  
From: Council President Kaplan  
Recommendation: Accept A Report And Recommendation For The City Council To Amend The Proposed 2019 Schedule Of City Council And Council Committee Meetings For July 2019 And An Associated Agenda and Report Distribution Schedule  
[18-1800](#)

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

*Councilmember Kaplan amended this item to show the June 5, 2019 special budget meeting starting at 5pm*

**This Report and Recommendation was Approve with the following amendments.**

- 7.3 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic  
[18-1777](#)

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

**This City Resolution was Adopted.**

- 7.4 Subject: Declaration Of Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland  
[18-1778](#)

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

**This City Resolution was Adopted.**

- 7.5 Subject: Declaration Of A Local Emergency On Homelessness  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis  
[18-1779](#)

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

**This City Resolution was Adopted.**

- 7.6** Subject: Amending The FY 2019-20 Master Fee Schedule  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13497 C.M.S. (The Fiscal Year 2018-19 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein  
[18-1637](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 5/3/2019](#)  
[View Supplemental Report 5/10/2019](#)

**This Ordinance was Approved for Final Passage.**

- 7.7** Subject: Repeal And Adopt Code For Minimum Ceiling Heights  
From: Council President Kaplan  
Recommendation: Adopt An Ordinance Repealing Part Of The Oakland Amendments To The 2016 Edition Of The State Housing Law Regulations And The California Model Building Construction Codes Implemented Through Ordinance No. 13407 And No. 13408 In The Oakland Municipal Code By Striking Out Sections 15.04.3.2545 And 15.04.3.2550 And Amending Section 15.08.210.A By Adopting The Existing 2016 California Residential Code To Require A Minimum Ceiling Height Of 7' Feet For Habitable Spaces And 6 Feet 8 Inches For Bathrooms Toilet Rooms, And Laundry Rooms In Buildings Within The Scope Of The California Residential Code As Set Forth In California Residential Code Section 1.1.3  
[18-1486](#)

**Attachments:** [View Report](#)  
[View Report 4/18/2019](#)

**This Ordinance was Approved for Final Passage.**

- 7.8** Subject: Emergency Building Standards Amendments  
From: Building And Planning Department  
Recommendation: Adopt An Ordinance For Emergency Building Standards Amendments To The 2016 California Building Code Adding Section 15.04.3.2400 To The Oakland Municipal Code Chapter 15.04 (2016 Oakland Building Construction Code) To Incorporate Emergency Building Standards As Recently Adopted By The State Of California For Emergency Housing Buildings And Facilities, With Local Modifications [18-1666](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 4/19/2019](#)  
[View Supplemental Report 5/3/2019](#)

**This Ordinance was Approved for Final Passage.**

- 7.9** Subject: Settlement Agreement In Chana Trahan 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 Chana Trahan V. City Of Oakland, Et Al., Alameda County Superior Court Case No. HG18918504 In The Amount Of One Hundred Fifty-Four Thousand Dollars And No Cents (\$154,000.00) Arising From A September 25, 2017 Auto Accident Involving An Oakland Police Department Vehicle At The Intersection Of High Street And International Boulevard (Oakland Police Department - Automobile Accident) [18-1791](#)

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

**This City Resolution was Adopted.**

- 7.10** Subject: Settlement Agreement - Dawit Behre 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 Dawit Behre V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG17881593, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) As A Result Of An Automobile Collision On December 27, 2016 (Oakland Public Works - Automobile Collision) [18-1797](#)

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

**This City Resolution was Adopted.**

- 7.11 Subject: Susan Jeffries 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 Susan Jeffries And George Fitzgerald V. City Of Oakland, Et Al, U.S. District Court, Northern District Of California, Case No. 18-CV-04498-KAW, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Parks And Recreation - American's With Disabilities Act Violation)  
[18-1803](#)

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

**This City Resolution was Adopted.**

- 7.12 Subject: OPD EBRCSA Member MOU  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Amending Resolution 87525 And Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The East Bay Regional Communications System Authority Members) Establishing Clear Guidelines For Use Of OPD East Bay Regional Communications System Authority (EBRCSA) Frequencies To Facilitate Interagency Communication  
[18-1792](#)

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

**This City Resolution was Adopted.**

- 7.13 Subject: Support Of AB 362 - Overdose Prevention Programs  
From: Mayor Schaaf And Councilmember Bas  
Recommendation: Adopt A Resolution In Support Of AB 362 - Overdose Prevention Programs (Eggman) And Request That, In Addition To The City And County Of San Francisco, The Bill Be Amended To Give The City Of Oakland Discretion To Authorize Qualified Entities To Operate Overdose Prevention Programs In The City Of Oakland  
[18-1713](#)

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

**This City Resolution was Adopted.**

- 7.14** Subject: Supporting AB 646 & ACA 6  
From: Councilmember Taylor, Thao And President Pro Tem Kalb  
Recommendation: Adopt A Resolution Supporting California State Assembly Bill No. 646 (AB 646), The "Free The Vote Act" And Assembly Constitutional Amendment No. 6 (ACA 6), Authored By Assembly Member Kevin McCarty That Would Restore Voting Rights To Every Person On Parole In California And Urging The State Legislature To Put AB 646 And ACA 6 On California's 2020 Ballot  
[18-1709](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 5/10/2019](#)

**This City Resolution was Adopted.**

- 7.15** Subject: Public Safety And Services Violence Prevention Oversight Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Carlotta Brown, Nikki Uyen T. Dinh, Dayna Rose, And Edwillis Wright As Members Of The Public Safety And Services Violence Prevention Oversight Commission  
[18-1804](#)

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

**This City Resolution was Adopted.**

- S7.16** Subject: Resolution In Support Of SB 18 (Skinner)  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution In Support Of Senate Bill 18 (Skinner) That Would (1) Require The Regular Publication Of A Landlord-Tenant Legal Guide; (2) Extend Indefinitely The Existing State Law Protections For Tenants Whose Landlord Goes Into Foreclosure; And (3) Provide Funding For Rental Assistance And Legal Aid To Tenants Through Competitive Grants To Statewide Programs  
[18-1767](#)

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

- S7.17** Subject: Honoring 2019 Oakland Tech Ice Hokey Team  
From: President Pro Tempore Kalb  
Recommendation: Adopt A Resolution Honoring The Oakland Technical High School Ice Hokey Team For Its Second Consecutive League Championship  
[18-1842](#)

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

*Councilmember Kalb made a motion seconded by Councilmember Thao to approve the urgency finding on item 7.17 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.*

**This City Resolution was Adopted.**

- S7.18** Subject: Resolution In Support Of Performance Management  
From: Councilmember Taylor  
Recommendation: Adopt A Resolution Directing The City Administrator To Develop Recommendations For Applying The Best Practices Of Performance Management, Measurement, And Reporting To Increase Employee Satisfaction And Retention Through Increased Staff Empowerment And Accountability, And To Increase Public Confidence Through Greater Transparency And Consistent Reporting  
[18-1707](#)

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

[View Report - Color Attachment](#)

[View Supplemental Report 5/10/2019](#)

**This City Resolution was Adopted.**

**S7.19** Subject: Prop. 68 Statewide Parks Grant - Project Recommendations  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee  
To: 1) Apply For, Accept, And Appropriate Grant Funds From The Proposition 68 -  
California Statewide Park Development And Community Revitalization Program Grant  
For The Lincoln Square Park Recreation/Community Center Re-Build/Expansion Project  
For An Amount Not-To-Exceed Eight Million Five Hundred Thousand Dollars  
(\$8,500,000.00) And 2) To Apply For, Accept, And Appropriate Grant Funds From Future  
Rounds Of The Proposition 68 - California Statewide Park Development And Community  
Revitalization Program Grant For The Following Alternate Projects, For An Amount  
Not-To-Exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000.00) For Each  
Of The Following Projects: Arroyo Viejo Recreation Center Renovation, Brookdale  
Recreation Center Renovation/Expansion, Mosswood Park New Recreation/Community  
Center, San Antonio Rec Center Renovation  
[18-1743](#)

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

**This City Resolution was Adopted.**

**S7.20** Subject: Mosswood Park Project Architectural Services Agreement Award  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To Award And Execute A Professional Services Agreement For Architectural And  
Engineering Design Services With Leddy Maytum Stacy Architects (LMSA) For An  
Amount Not-To-Exceed Seven Hundred Sixty-Five Thousand Dollars (\$765,000.00) To  
Complete Programming And Master Planning Through Schematic Design Services, With  
The City Option To Complete Remaining Design Service Through Construction Support  
Utilizing LMSA Upon The Identification Of Additional Funding And Future Council  
Approval For The New Mosswood Park Community Center And Park Master Plan Project  
(No.1003625)  
[18-1744](#)

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

**This City Resolution was Adopted.**

**S7.21** Subject: TDA Article 3 FY19-20 Funds Approval  
From: Transportation Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Forty-Four Thousand Seven Hundred And Ninety-Six Dollars (\$444,796.00) In Fiscal Year (FY) 2019-20 State Transportation Development Act Article 3 Funds As Follows: (1) Outlook To Hillmont And Parkway Cascade Stair Path Projects, Two Hundred Forty Four Thousand Seven Hundred Ninety Six Dollars (\$244,796.00); (2) Bicycle Signage Program, One Hundred Thousand Dollars (\$100,000.00); (3) Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000.00); And (4) Bicycle Education Program, Twenty Five Thousand Dollars (\$25,000.00); And

[18-1747](#)

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

**This City Resolution was Adopted.**

2) A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Professional Services Agreement To The East Bay Bicycle Coalition (DBA Bike East Bay) In An Amount Not-To-Exceed Twenty-Five Thousand Dollars (\$25,000.00) To Conduct Bicyclist Safety Education Classes

[18-1748](#)

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

**This City Resolution was Adopted.**

**S7.22** Subject: Major Encroachment Permit At 13th St. Between Broadway And Franklin St.  
From: Transportation Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Downtown Oakland & Lake Merritt / Uptown Community Benefit & Business Improvement Districts To Paint Sidewalks And Roadway, And Install Bollards And Planters Within 13th Street To Create A "Pavement To Parks" Facility Into The Public Right-Of-Way On 13th Street Between Broadway And Franklin Street, Major Encroachment Permit ENMJ18065

[18-1746](#)

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

**This City Resolution was Adopted.**

**S7.23** Subject: Improve Quality Of Life For Residents In/Around Opportunity Zones  
From: Councilmember Taylor  
Recommendation: Adopt A Resolution Directing The City Administrator To Develop  
Recommendations For Leveraging Available Incentives And City Resources To  
Encourage Responsible Investment Resulting In The Improvement Of The Quality Of Life  
For Oakland Residents Living In The Communities In And Around Opportunity Zones  
[18-1708](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 5/10/2019](#)

**This City Resolution was Adopted.**

**S7.24** Subject: Acceptance Of The Surdna Grant  
From: Economic Workforce And Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee  
To Accept And Appropriate Grant Funds From The Surdna Foundation In The Total  
Amount Of Seventy-Five Thousand Dollars (\$75,000.00) To Be Used To Support The  
Objectives Of The City's Cultural Plan "Belonging In Oakland: A Cultural Development  
Plan" And The City Of Oakland, Cultural Affairs Division's Participation As A Planning  
Partner Advising The Surdna Foundation's "Thriving Cultures" Program  
[18-1745](#)

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

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

**S7.25** Subject: 2019 Summer Food Service Program  
From: Human Services Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept The Summer Food Service Program (SFSP) Grant From The California Department Of Education, Nutrition Services Division In An Amount Not To Exceed \$294,000; 2) Authorizing The City Administrator To Enter Into Agreements With Uptons, Inc. DBA School Foodies In An Amount Not To Exceed \$232,686 And With Revolution Foods In An Amount Not To Exceed \$73,350 To Provide Food Services For The Period June 10, 2019 Through August 9, 2019; 3) Authorizing The City Administrator To Accept And Appropriate Additional SFSP Grant Money That Becomes Available And Amend The Agreements To Increase The Grant Amount Within The Grant Term Of June 10, 2019 Through August 9, 2019; 4) Adjusting The FY 2018-2019 Adopted Budget To Transfer Salary Savings In The Amount Of Approximately \$158,057 To Fund Operations And Maintenance; And 5) Authorizing A Contribution From The General Purpose Fund In An Estimated Amount Of \$133,307 To Offset Overhead Charges  
[18-1750](#)

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

**This City Resolution was Adopted.**

**S7.26** Subject: 2019-2021 Alameda County Social Services Agency Match Funding  
From: Human Services Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Accept And Appropriate Alameda County Social Service Agency Grant Funds In An Amount Of \$349,056 For Fiscal Year 2019- 2020 And \$350,134 For Fiscal Year 2020-2021 For The Henry J. Robinson Multi Service Center, And Accept Additional Funds And Adjust The Appropriation Depending On The Exact Grant Award; And 2) Authorizing The City Administrator To Enter Into A Grant Agreement With Bay Area Community Services For The Provision Of Transitional Housing And Support Services Each Year For Fiscal Years 2019-2020 And 2020-2021; And 3) Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To The Department's Central Services Overhead In An Estimated Amount Of \$4,459 For Fiscal Year 2019-2020 And \$4,548 For Fiscal Year 2020-2021  
[18-1754](#)

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

**This City Resolution was Adopted.**

**S7.27** Subject: FY 19-21 Oakland Path ReHousing Initiative And LHAP  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into An Agreement With The Oakland Housing Authority (OHA) And Accept Funds In The Amount Of \$2,000,000 Each Year For Fiscal Year (FY) 2019-2020 And FY 2020-2021 To Continue Implementing The Oakland Path Re Housing Initiative (OPRI); And 2) Enter Into An Agreement With OHA And Accept Funds In An Amount Not To Exceed \$965,400 Each Year For FY 2019-2020 And 2020- 2021 To Implement The Moving To Work Local Housing Assistance Program (LHAP); And Appropriate Said Funds; And 3) Enter Into Grant Agreements With Service Providers For The Provision Of Transitional Housing Services For LHAP And For The Provision Of Permanent Housing And Support Services Under OPRI For FY 2019-2020 And FY 2020-2021; And 4) Accept And Appropriate Additional Funds That Become Available From OHA For The LHAP Or OPRI Within The Grant Terms Of FY 2019-2020 And FY 2020-2021 And Amend The Grant Agreements To Adjust The Grant Amounts Without Returning To Council  
[18-1756](#)

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

**This City Resolution was Adopted.**

**S7.28** Subject: Summer Youth Employment Program 2019 Funding Recommendation  
From: Economic Workforce And Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grants And Contributions And To Allocate Such Funds Upon Receipt To The City For The Summer Youth Employment Services Of The Oakland Workforce Development Board, And To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Nonprofit Organizations To Provide Summer Youth Employment Services And / Or Program Support, Without Returning To Council  
[18-1765](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 5/10/2019](#)

**This City Resolution was Adopted.**

**S7.29** Subject: Audit Of The Alameda County Sheriff's Office  
From: Councilmember Bas  
Recommendation: Adopt A Resolution Supporting Community Requests For An  
Independent Audit Of The Alameda County Sheriff's Office In The Interests Of  
Transparency And Accountability  
[18-1680](#)

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

**This City Resolution was Adopted.**

**S7.30** Subject: OPD-US Marshals MOU  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee  
To Enter Into A Memorandum Understanding (MOU) With The United States Marshals  
Service (USMS) To Allow Oakland Police Department (OPD) Participation In The  
Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating  
And Apprehending Fugitives  
[18-1119](#)

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

[View Supplemental Report 11/27/2018](#)

[View Supplemental Report 11/29/2018](#)

[View Supplemental Report 5/3/2019](#)

**This City Resolution was Adopted.**

**S7.31** Subject: Official Bird Of The City Resolution  
From: Councilmember Kalb And Mayor Schaaf  
Recommendation: Adopt A Resolution Naming The Black-Crowned Night Heron The  
Official Bird Of The City Of Oakland  
[18-0060](#)

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

[View Supplemental Report 5/10/2019](#)

**This City Resolution was Adopted.**

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

*There were 3 final decisions made in closed session on May 21, 2019*

**1) Blake Trisler v. City of Oakland Alameda County Superior Court Case No.  
RG18899726**

*This matter is listed as Item No. 1(d) on the Closed Session Agenda:*

*The council authorized settlement in the amount of \$50,000.00*

*This case arose out of incidents occurring on: April 5, 2016*

*This settlement resolves all claims in this matter.*

*A motion was made by Vice Mayor Reid, seconded by Councilmember Thao*

**8 AYES: Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and  
President Kaplan**

**2) Beverly Wittington Burton v. Mark Hoffmann, City of Oakland et al. Alameda  
County Superior Court Case No. RG17883475**

*This matter is listed as Item No. 1(e) on the Closed Session Agenda:*

*The council authorized settlement in the amount of: \$50,000.00*

*This case arose out of incidents occurring on: November 23, 2015. This settlement  
will resolve all claims in this matter.*

*A motion was made by Councilmember McElhaney, seconded by Vice Mayor Reid*

**8 AYES: Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and  
President Kaplan**

**3) Juanita Johnson v. City of Oakland and Gloria Brown Alameda County  
Superior Court Case No. RG17886477**

*This matter is listed as Item No. 1(f) on the Closed Session Agenda:*

*The council authorized settlement in the amount of \$34,500.00*

*This case arose out of incidents occurring on: May 27, 2017, This settlement  
resolves all claims in this matter.*

*A Motion was made by Councilmember Gallo, seconded by Councilmember Taylor*

**8 AYES: Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and  
President Kaplan**

*A motion was made that this matter be Accepted. The motion carried by the  
following vote:*

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**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

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

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

- 9.1** Subject: FY 2019-20 Landscaping And Lighting District (LLAD) - Confirmation  
From: Finance Department  
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) 2019-20 And The  
Levying Of Assessments  
[18-1758](#)

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

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*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at  
8:10 p.m.*

*1 individuals spoke on this item.*

*President Pro Tempore Kalb made a motion, seconded by Vice Mayor Reid to close  
the Public Hearing, and hearing no objections, the motion passed by 8 Ayes:  
Taylor, Thao, Gallo, Bas, President Pro Tempore Kalb, Gibson McElhaney, Vice  
Mayor Reid and President Kaplan,*

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 9.2** Subject: Measures M, N, Q, Z, And D FY 19-20 Cost-Of-Living Tax Adjustment  
From: Finance Department  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2019-20 Increase In Accordance With The Consumer Price Index (CPI), Fixing The Rate Of The Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year (FY) 2019-20 For Voter Approved Measure M (The Emergency Medical Services Retention Act Of 1997), Measure N (The Paramedic Services Act Of 1997), Measure Q (The Library Services Retention And Enhancement Act Of 2004), Measure Z (The 2014 Oakland Public Safety And Services Violence Prevention Act), And Measure D (The 2018 Oakland Public Library Preservation Act)  
[18-1757](#)

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

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:12 p.m.*

*2 individuals spoke on this item.*

*Vice Mayor Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, President Pro Tempore Kalb, Gibson McElhaney, Vice Mayor Reid and President Kaplan,*

**A motion was made by Larry Reid, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- 9.3** Subject: Emergency Shelter Activities And Amendment To Planning Code  
From: Building And Planning Department  
Recommendation: Adopt An Ordinance, As Recommended By The City Planning  
Commission, Amending Oakland Planning Code Section 17.07.060 To Allow Emergency  
Shelter Residential Activities And Emergency Housing Facilities On Property Designated  
By The City Administrator And Owned Or Leased By The City With No Discretionary  
Planning Approvals  
[18-1762](#)

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

[View Supplemental Report 5/24/2019](#)

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:17 p.m.*

*7 individuals spoke on this item.*

*Vice Mayor Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, President Pro Tempore Kalb, Gibson McElhaney, Vice Mayor Reid and President Kaplan*

**A motion was made by Larry Reid, seconded by Noel Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**S9.5** Subject: Fruitvale Transit Village IIB LDDA And Ground Lease  
From: Economic Workforce Development Department  
Recommendation: Adopt An An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, A Ninety-Nine Year Ground Lease And Related Documents (Collectively "LDDA") Among The City Of Oakland, The Spanish Speaking Unity Council Of Alameda County, Inc., And Bridge Housing Corporation Or Affiliated Entities For The Fruitvale Transit Village Phase IIB Affordable Housing Development To Be Located On APN 033-2197-019 Bounded By East 12th Street, 35th Avenue To The West, And 36th Avenue To The East  
[18-1749](#)

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

*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 8:44 p.m.*

*1 individuals spoke on this item.*

*Councilmember Gallo made a motion, seconded by Councilmember Bas to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, President Pro Tempore Kalb, Gibson McElhaney, Vice Mayor Reid and President Kaplan*

**A motion was made by Noel Gallo, seconded by Nikki Bas, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:**

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

**10 THIS NUMBER INTENTIONALLY NOT USED**

- 11 Subject: 3Y Paving Plan  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Award All Paving And Concrete Construction Contracts That Follow All City Advertising And Competitive Bidding Requirements And Are Awarded In Direct Service Of Delivering The 2019 Three Year Prioritization Plan, Without Return To Council  
[18-1664](#)

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

[View Supplemental Report 4/19/2019](#)

[View Supplemental Report 5/10/2019](#)

*There was a motion by councilmember Thao, seconded by councilmember Bas to approve the resolution with the following amendments (Kaplan) The motion FAILED with a vote of 4 AYES (Bas, Gallo, Thao and Kaplan); 3 NOS (Kalb, McElhaney and Reid) and 1 ABSTAIN (Taylor)*

*Councilmember Kalb made a motion, seconded by Councilmember Reid to approve the following amendments: (Kalb) This motion PASSED with a vote of 8 AYES (Bas, Gallo, Kalb, Reid, Taylor, Thao and Kaplan)*

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- S13 Subject: City Of Oakland 2019-2020 Tax And Revenue Anticipation Note  
From: Finance Department  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And The Issuance And Sale Of 2019-2020 Notes Payable From Revenues Received During The Fiscal Year 2019-2020 In An Amount Not To Exceed \$120,000,000 And Approving Certain Related Matters  
[18-1740](#)

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

A motion was made by Lynette McElhaney, seconded by Larry Reid, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

2) A Resolution Of The Council Of The City Of Oakland Providing For The Borrowing Of Funds For Fiscal Year 2019-2020 And The Issuance And Sale Of The City Of Oakland 2019- 2020 Tax And Revenue Anticipation Note In An Amount Not To Exceed \$120,000,000, And Approving The Execution Of A Note Purchase Agreement Relating To Such Note And Authorizing Other Actions In Connection Therewith  
[18-1742](#)

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

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

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**S9.4** Subject: Ordinance Amending Cannabis Business Tax Rates  
From: Pro Tempore Kalb And Council President Kaplan  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 5,  
Chapter 5.04, Section 5.04.480 And Section 5.04.481, To Create A Tiered And  
Category Based Tax Structure For Cannabis Businesses, Merge Medical And  
Non-Medical Cannabis Business Classifications, And Reduce Tax Rates For Cannabis  
Businesses  
[18-1321](#)

**Attachments:** [View Report](#)  
[View City Administrator Report](#)  
[View Supplemental Report 5/3/2019](#)  
[View Supplemental Finance Report 5/3/2019](#)  
[View Supplemental Finance Report 5/10/2019](#)  
[View Supplemental Legislation 5/17/2019](#)  
[View Supplemental Finance Report 5/17/2019](#)  
[View Supplemental Legislation 5/24/2019](#)

*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 9:50 p.m.*

*63 individuals spoke on this item.*

*Councilmember Taylor made a motion, seconded by Councilmember Thao adopt an ordinance to approve the low rate on the \$500K and below at .012 % at the January 2020 billing and close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, President Pro Tempore Kalb, Gibson McElhaney, Vice Mayor Reid and President Kaplan*

*The council also made a scheduling motion to adopt a tax rate for cannabis businesses tax above \$500K to the June 4, 2019 City council meeting with a supplemental report detailing the equity program (the number of regular permits vs equity), information on loan payback and job training.*

*A motion was made by Loren Taylor, seconded by Sheng Thao, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:*

**Aye:** 8 - Bas, McElhaney, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**S17** Subject: Naming Rights Agreement For Oakland-Alameda County Coliseum  
From: Council President Kaplan, Vice Mayor Reid And City Attorney Parker  
Recommendation: Adopt A Resolution Authorizing The Council's Representatives On The Oakland- Alameda County Coliseum Joint Powers Authority ("JPA") Board To Vote To Approve The Naming Rights Licensing Agreement Between The JPA And Ringcentral, Inc, For The Oakland-Alameda County Coliseum With (1) A Three Year Term Ending June 30,2022, (2) An Annual Licensing Fee Of One Million Dollars (\$1,000,000), (3) An Option For Ringcentral To Extend The Agreement For An Additional 12 To 18 Months And (4) Ringcentral's Right To Rename The Coliseum Ringcentral Stadium (Or Such Other Name That Ringcentral Selects) For The Term Along With The Replacement Of Relevant Signage, Media Collateral, And Marketing Materials  
[18-1824](#)

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

*Councilmember Kaplan made a motion seconded by Councilmember Reid to approve the urgency finding on item 17 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action*

*is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting*

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

**Excused:** 1 - McElhaneey

**Aye:** 7 - Bas, Taylor, Thao, Reid, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**The Roll Call was modified to note Councilmember Reid excused at 11:40 p.m.**

**S14** Subject: Elimination Of Rent Ordinance For Owner-Occupied Duplexes And Triplexes  
From: President Pro Tempore Kalb And Councilmember Gallo  
Recommendation: Adopt An Ordinance Amending (1) The Rent Adjustment Ordinance (O.M.C. 8.22.020 Et SEQ) To Eliminate Exemptions For Owner-Occupied Duplexes And Triplexes And Allow A Limited Transitional Rent Increase For Newly Covered Units And (2) The Tenant Protection Ordinance (O.M.C. 8.22.600 Et SEQ) To Eliminate Exemptions For Owner-Occupied Duplexes And Triplexes  
[18-1636](#)

**Attachments:** [View Report](#)  
[View City Administrator Report](#)  
[View Supplemental Report 5/17/2019](#)

*Councilmember Kalb made a motion, seconded by Council Gallo to approve the ordinance as amended to change the date on page 9 to June 30, 2020 and request a task force of small landlords and include information about education and outreach.*

*This item will be placed on non-consent*

**A motion was made by Dan Kalb, seconded by Noel Gallo, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:**

**Excused:** 2 - McElhaney, and Reid

**Recused:** 1 - Taylor

**Aye:** 5 - Bas, Thao, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**A motion was moved, seconded and carried to extend the meeting past 12:00 a.m.**

- 12** Subject: Citizens Options For Public Safety Grant FY 2018 Supplemental Report  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To Accept And Appropriate The Fiscal Year (FY) 2018 State Of California "Citizens  
Options For Public Safety" (State Cops Grant XXI) Allocation In The Amount Of Six  
Hundred Fifty-One Thousand Seven Hundred Forty-Three Dollars (\$651,743) Plus  
Accrued Interest Earnings, To Purchase A Mobile Command Vehicle, A Bearcat  
Armored Vehicle, And Officer Trauma Plate Packs  
[TITLE CHANGE]  
[18-1634](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 4-19-2019](#)  
[View Supplemental Report 5/17/2019](#)

*There were 8 speakers on this item*

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

**Excused:** 3 - McElhaney, Taylor, and Reid

**Aye:** 5 - Bas, Thao, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

- S15** Subject: Brooklyn Basin Affordable Housing Agreements  
From: Housing And Community Development Department  
Recommendation: Adopt An Ordinance (1) Authorizing Lease Disposition And  
Development Agreements With Midpen Housing Corporation And The Oakland Housing  
Authority, Or Affiliated Entities, For The Long-Term Ground Lease Of Parcel A At  
Brooklyn Basin, 2) Finding And Determining That The Lease Of The Parcel A Property To  
Nibbi Brothers Associates, Inc. For Less Than Its Fair Market Rental Value Is In The Best  
Interest Of The City, And (3) Making CEQA Findings For This Action  
[18-1751](#)

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

*There was 1 speaker*

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

**Excused:** 3 - McElhaney, Taylor, and Reid

**Aye:** 5 - Bas, Thao, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

2) A Resolution (1) Authorizing An Additional Unsecured Predevelopment Loan In The Amount Of \$3,532,000 To Midpen Housing Corporation, Or Affiliated Entities, To Support The Development Of Affordable Housing On Parcel A At Brooklyn Basin, And Amend Existing Predevelopment Loans To 0% Interest, (2) Authorizing A Secured Affordable Housing Development Loan In An Amount Not To Exceed \$29,775,000, To Midpen Housing Corporation, Or Affiliated Entities, To Support The Development Of 254 Units Of Affordable Housing On Parcel A At Brooklyn Basin, (3) Appropriate \$2,003,436.22 In Master Developer Fee Contributions And Interest Earnings And \$9,984,957.25 In Net Sales Proceeds From The OHA Purchase Of An Ownership Interest In The Affordable Housing Parcels Into Development Financing Of The Affordable Housing Units For Development Of Both Parcel A And Parcel F, And (4) Making CEQA Findings For This Action

[18-1752](#)

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

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

**Excused:** 3 - McElhaney, Taylor, and Reid

**Aye:** 5 - Bas, Thao, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

**S16** Subject: The Sanctuary City Contracting And Investment Ordinance  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance: (1) Amending Title Two Of The Oakland Municipal Code (Title Two) To Prohibit The City From Contracting With Companies That Contract With The United States Immigration And Customs Enforcement (ICE) Or Customs And Border Protection (CBP) To Provide Services Or Goods For Data Collection Or Immigration Detention Facilities; (2) Amending Title Two To Prohibit The City From Investing In Companies That Contract With Ice Or CBP For The Services Or Goods Mentioned Above; And (3) Requiring The City To Encourage The Governing Bodies Of The City's Employee Pension Plans To Avoid Investing In Companies That Contract With Ice Or CBP For The Services Or Goods Mentioned Above

[18-1056](#)

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

[View Supplemental Report 5/17/2019](#)

*There were 3 speakers on this item*

**A motion was made that this matter be Approved On Introduction and Scheduled for Final Passage to go before the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/4/2019. The motion carried by the following vote:**

**Excused:** 3 - McElhaney, Taylor, and Reid

**Aye:** 5 - Bas, Thao, Gallo, Kalb, and Kaplan

**NO VOTE:** 0

## **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 at 1:23 p.m.*

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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.**