



City of Oakland

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

Meeting Minutes - FINAL

Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board

Tuesday, July 24, 2018

3:00 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 3:25 P.M.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Councilmember McElhaney present at 3:52 P.M.

Present 8 - Desley Brooks, Annie Campbell Washington, Abel J. Guillén, Noel Gallo, Dan Kalb, Rebecca Kaplan, Lynette McElhaney, and Laurence E. Reid

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

32 speakers spoke during Open Forum.

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

Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Nia Wilson. The Full Council joined the request for tribute.

Councilmembers McElhaney and Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Mom Lindsay

Councilmembers Kalb and President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Joyce Roy

Council President Reid and Councilmember McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory Esther Concepcion

- 4.1 Subject: Honoring Deputy City Attorney Richard Illgen Upon His Retirement
From: Council President Reid, Vice Mayor Campbell Washington, President Pro
Tem Guillen, Councilmember Kalb And City Attorney Parker
Recommendation: Adopt A Resolution Honoring Richard Illgen For 19 Years Of
Exemplary Service To The City Of Oakland
[18-0717](#)

Attachments: [View Report](#)
[87278 CMS](#)

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

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

Absent: 1 - McElhaney

NO VOTE: 0

- 4.2 Subject: Honoring Deputy City Attorney Daniel Rossi Upon His Retirement
From: Council President Reid, Vice Mayor Campbell Washington, President Pro
Tem Guillen, And City Attorney Parker
Recommendation: Adopt A Resolution Honoring Daniel Rossi For 28 Years Of
Exemplary Service To The City Of Oakland
[18-0700](#)

Attachments: [View Report](#)
[87279 CMS](#)

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

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

Absent: 1 - McElhaney

NO VOTE: 0

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JULY 10, 2018
[18-0757](#)

Attachments: [View Report](#)

**A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter
be Approved. The motion carried by the following vote:**

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

Absent: 1 - McElhaney

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):**

Councilmember McElhaney made a motion, seconded by Councilmember Kaplan to withdraw item 12 and refer the item to Rules for rescheduling.

Councilmember Kaplan made a motion to modify the recommendation of item S7.19 to strike the word "existing".

7 CONSENT CALENDAR (CC) ITEMS:

AT 5:02 P.M. THE MEETING OF THE OAKLAND AREA GEOLOGICAL HAZZARD AND ABATEMENT SHALL BE CONVENED

AT 5:03 PM COUNCILMEMBER BROOKS WAS SEATED AS CHAIR OF THE GHAD

7.1 Subject: Oakland Area Geologic Hazard Abatement District
From: Geological Hazard Abatement District (GHAD)
Recommendation: Adopt The Oakland Area GHAD Resolution No. 2018/01 Adopting The GHAD Budget For 2018/2019 Fiscal Year And Updating GHAD Manager Payment Limit Under Consulting Services Agreement, As Recommended By The GHAD Attorney And GHAD Manager
[18-0765](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

7.2 Subject: Leona Quarry Geologic Hazard Abatement District
From: Geological Hazard Abatement District (GHAD)
Recommendation: Adopt A Resolution Approving The 2018/2019 Annual Budget For The GHAD
[18-0766](#)

Attachments: [View Report](#)

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

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

NO VOTE: 0

AT 5:08 PM, THE MEETING OF THE OAKLAND AREA GEOLOGICAL HAZZARD AND ABATEMENT WILL BE ADJOURNED AND THE SPECIAL MEETING OF THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY AND CITY COUNCIL RESUMED

Approval of the Consent Agenda

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

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

NO VOTE: 0

- 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
[18-0755](#)

Attachments: [View Report](#)
[87280 CMS](#)

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
[18-0756](#)

Attachments: [View Report](#)
[87281 CMS](#)

This City Resolution was Adopted.

- 7.5** Subject: Hardship Payment Schedule For Lower Income Homeowners
From: Councilmember McElhanev And Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending The Uniform Residential Tenant Relocation Ordinance To Provide City Assistance For Low Income And Low Asset Homeowners To Pay Relocation Payments To Tenants Displaced By Owner And Relative Move In Evictions
[18-0663](#)

Attachments: [View Report](#)
[13499 CMS](#)
[Proof Of Publication](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: Consolidation Of The City Of Oakland General Election
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 6, 2018
[18-0683](#)

Attachments: [View Report](#)
[View Supplemental Report 7-13-2018](#)
[13500 CMS](#)
[Proof Of Publication](#)

This Ordinance was Approved for Final Passage.

- 7.7 Subject: Planning Code Amendments For Transient Habitation Commercial Activities
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code Regulating Transient Habitation Commercial Activities (Hotels) To: 1) Require A Major Conditional Use Permit For Transient Habitation Commercial Activities, 2) Change The Central Business. District - Commercial Zone (CBD-C) And Wood Street District Zone - 8 (D-WS-8) To Require A Conditional Use Permit For Transient Habitation Commercial Activities; And 3) Require The Additional Findings In Planning Code Section 17.103.050 For Several Zoning Districts Where This Was Omitted For Transient Habitation Commercial Activities

[18-0649](#)

Attachments: [View Report](#)
[13501 CMS](#)
[Proof Of Publication](#)

This Ordinance was Approved for Final Passage.

- 7.8 Subject: Authorizing Graffiti Abatement Grant For Attitudinal Healing Connection
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$4,910 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing Connection For A Mural On 32nd Street Between San Pablo Avenue And Filbert Street

[18-0770](#)

Attachments: [View Report](#)
[87282 CMS](#)

This City Resolution was Adopted.

- 7.9 Subject: Travel Authorization For Councilmember McElhaney
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmember Lynette Gibson McElhaney's Costs Of Approximately \$1,674 From The Council Contingency Fund For Travel To Washington, Dc For Attendance At The Annual Legislative Conference Of The Congressional Black Caucus Foundation From September 12-16, 2018

[18-0771](#)

Attachments: [View Report](#)
[87283 CMS](#)

This City Resolution was Adopted.

- 7.10** Subject: Settlement Agreement - Shelley Watkins 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 Shelley Watkins V. City Of Oakland, Et Al. United States District Court Case No. 17-Cv-06002 JCS, City Attorney's File No. 31859, In The Amount Of Fifty Thousand Dollars And Zero Cents (\$50,000.00) (Oakland Police Department - False Arrest)
[18-0772](#)

Attachments: [View Report](#)
[87284 CMS](#)

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

Abstained: 1 - Brooks

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

NO VOTE: 0

- 7.11** Subject: Resolution In Support Of Assembly Bill 2314 (Ting)
From: Councilmember Kaplan
Recommendation: Adopt Resolution In Support Of Assembly Bill 2314 (Ting), Which Would Create The Domestic Work Enforcement Pilot Program At The Division Of Labor Standards Enforcement
[TITLE CHANGE]
[18-0634](#)

Attachments: [View Report](#)
[87285 CMS](#)

This City Resolution was Adopted.

- 7.12** Subject: The Chinese American World War II Veterans Congressional Gold Medal Act
From: President Pro Tempore Guillén And Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Calling On The United States Congress To Pass (H.R.) 2358 And Senate Bill (S.)1050, "The Chinese American World War II Veterans Congressional Gold Medal Act"
[18-0716](#)

Attachments: [View Report](#)
[View Supplemental Report 7-6-2018](#)
[87286 CMS](#)

This City Resolution was Adopted.

S7.13 NUMBER NOT USED

S7.14 Subject: Verified Residents Circulation Of Petitions 2018
From: Office Of The City Clerk
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Pursuant To An Initiative Petition, Submitting To The Electors At The November 6, 2018 General Municipal Election A Proposed Ordinance And Amendments To The Oakland Municipal Code “Creating Workplace Protections And A Minimum Wage For Hotel Employees, Modifying How Oakland’s Local Employment Standards Are Enforced, And Creating A Department Of Workplace And Employment Standards”; Requesting That The Election Be Consolidated With The Statewide General Election; Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication; And Authorizing Certain Other Election Activities; And [18-0779](#)

Attachments: [View Report](#)
[87287 CMS](#)

This City Resolution was Adopted.

2) A Resolution, Pursuant To An Initiative Petition, Submitting To The Qualified Electors At The November 6, 2018 General Municipal Election A Proposed Amendment To The Charter Of The City Of Oakland Creating The “Children’s Initiative Of 2018” And Approving A Parcel Tax To Fund Early Childhood Education And College Readiness Programs; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities [18-0778](#)

Attachments: [View Report](#)
[87288 CMS](#)

This City Resolution was Adopted.

S7.15 Subject: Travel Authorization
From: Councilmember Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Authorizing Vice Mayor Annie Campbell
Washington And Councilmember Abel Guillen To Travel To Long Beach, California To
Attend The 2018 Annual League Of California Cities Conference From September
12-14, 2018, And Be Reimbursed For Necessary Expenses
[18-0774](#)

Attachments: [View Report](#)
[87289 CMS](#)

This City Resolution was Adopted.

S7.16 Subject: Support Of The California Affordable Housing Act
From: Member Of The Public
Recommendation: Adopt A Resolution In Support Of The California Affordable Housing
Act
[18-0785](#)

Attachments: [View Report](#)
[87290 CMS](#)

This City Resolution was Adopted.

S7.17 Subject: On-Call Recruitment Services Contract
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Establish
An On-Call Contract With Cooperative Personnel Services Human Resources Consulting
(CPS HR Consulting) To Provide Recruitment Services At A Total Contracting Cost Not
To Exceed \$2,000,000 Over A Three-Year Period Beginning September 1, 2018
Through August 31, 2021
[18-0703](#)

Attachments: [View Report](#)
[87291 CMS](#)

This City Resolution was Adopted.

S7.18 Subject: ECAP Ad Hoc Community Advisory Committee
From: Councilmember Kalb
Recommendation: Adopt A Resolution Creating An Energy And Climate Action Plan Ad Hoc Community Advisory Committee Of Eleven (11) To Fifteen (15) Appointees With Each Councilmember Able To Make Up To Three Appointee Recommendations To The Mayor
[18-0719](#)

Attachments: [View Report](#)

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

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

[87292 CMS](#)

President Pro Tem Guillen made a motion to accept the amendments of Councilmember Kalb, to amend the Resolution to change the number of appointees from "Eleven to Fifteen" to "Thirteen", amend the 5th Whearas Clause on the first page to read "WHEREAS, a joint effort by all stakeholders is necessary to build a movement around local climate actions and encourage day-to-day decisions by individuals, organizations and businesses that positively contribute to successfully reducing GHG emissions and inequality as it relates to climate impacts and climate justice in Oakland; and" , and the last two Further Resolves to read

"FURTHER RESOLVED: That the membership of the ECAP Ad Hoc Community Advisory Committee shall (1) reflect the geographic, racial, age, and economic diversity of the city of Oakland, (2) have no more than one of its members residing outside of the City of Oakland, (3) have at least half of the members residing in most-impacted, neighborhoods within the top 25% Cal-EnviroScreen 3.0 and (4) shall have more than half of the members having expertise in one or more of the following areas: renewable energy and energy efficiency, green buildings, housing affordability as it relates to greenhouse gas emissions and climate impacts, transportation and land use planning as it relates to reducing greenhouse gas emissions, waste reduction and sustainable consumption, climate adaptation and local climate impacts; urban forestry and sequestration, water efficiency, youth and public education as it relates to climate justice and greenhouse gas emissions and, and climate justice and equity; and be it

FURTHER RESOLVED: That the ECAP Ad Hoc Community Advisory Committee shall meet and work with City staff in a transparent manner, and shall be disbanded the day following the date that the City Council adopts the next Oakland Energy and Climate Action Plan."

Councilmember Brooks made a friendly amendment to Councilmember Kalbs amemdment, to the second to last Further Resolved Clause on page two to read "(1) reflect the geographic, racial, age diversity, and income inequality of the City of Oakland..." , and further down to read " shall have more than half of the members having experiential, educational or work related expertise..." which was accepted by the maker of the motion.

This City Resolution was Adopted as Amended.

S7.19 Subject: Resolution Initiating Process To Develop A Community Workforce Agreement
From: Council President Pro Tem Guillén And Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Initiating A Process Toward Developing A
Community Workforce Agreement For The City's Large Public Works Projects, With
Such Agreement To Ensure Labor Peace, Provide Quality, Equitable Employment And
Training Opportunities, And Enhance The City's Local Employment And Local
Contracting Programs; And Directing The City Administrator To Undertake An Equity
Impact Analysis And Community Engagement Process
[18-0749](#)

Attachments: [View Report](#)
[87293 CMS.pdf](#)

The Council amended the legislation to explicitly include on the list on page one 1) an analysis of the existing data, 2) evaluating barriers that may exclude workers such as drivers license and cannabis testing and 3) funding strategies, and to list these three items as item 16, 17 and 18 respectively

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

Abstained: 1 - Reid

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

NO VOTE: 0

S7.20 Subject: Shared Mobility Update and Dockless Bike and Scooter Share Policy
From: Councilmembers Kaplan, Gallo, McElhaney And The Department Of
Transportation
Recommendation:
Adopt The Following Pieces Of Legislation;

1) An Informational Report on the City's Shared Mobility Initiatives, And
[18-0396](#)

Attachments: [View Report](#)
[View Supplemental Report 7-13-2018](#)
[View Supplemental Report 7-20-2018](#)

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

Abstained: 2 - Guillén, and Reid

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

NO VOTE: 0

Subject: Shared Mobility Update and Dockless Bike and Scooter Share Policy
From: Councilmembers Kaplan, Gallo, McElhaney And The Department Of
Transportation

Recommendation: Adopt An Ordinance Amending Title 10 And Title 12.08 Of The
Oakland Municipal Code To Establish Regulations And New Permits To Operate And
Park Dockless Bike And Scooter Sharing Programs In The Public Right Of Way
[18-0732](#)

Attachments: [View Report](#)

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

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

[View Kaplan Supplemental Report 9-7-2018](#)

The Council amended the legislation to remove all references to "Dockless Bicycles" from the Ordinance, and focus solely on "Dockless Scooters".

A motion was made that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council, to be heard 9/17/2018. The motion carried by the following vote:

Abstained: 2 - Guillén, and Reid

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

NO VOTE: 0

S7.21 Subject: Purchase Bicycle eLockers
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding And Award A Contract To Elock Technologies, LLC, In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000.00) For A Period Of Five Years For Purchase, Installation, And Service Of Electronic Bicycle Lockers
[18-0696](#)

Attachments: [View Report](#)

[87294 CMS](#)

This City Resolution was Adopted.

S7.22 Subject: Pedestrian Lighting And Sidewalk Project (1000844)
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications, For The Pedestrian Lighting And Sidewalk Improvements On International Boulevard From 42nd Avenue To 107th Avenue Project (Project No. 1000844) In An Amount Not-To-Exceed Four Million Two-Hundred Thousand Dollars (\$4,200,000.00)
[TITLE CHANGE]
[18-0687](#)

Attachments: [View Report](#)
[View Supplemental Legislation](#)
[View Supplemental Report 7-13-2018](#)
[87295 CMS](#)

This City Resolution was Adopted.

S7.23 Subject: The Caltrans Sustainable Communities Grant
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate A Grant From The California Department Of Transportation (Caltrans), Sustainable Communities Grant Program In An Amount Of Four Hundred Forty-Two Thousand Six Hundred Fifty Dollars (\$442,650.00) To Develop A Grand Avenue Mobility Plan; And To Commit A Local Match Of Fifty-Seven Thousand Three Hundred Fifty Dollars (\$57,350.00).
[18-0689](#)

Attachments: [View Report](#)
[87296 CMS](#)

This City Resolution was Adopted.

S7.24 Subject: Construction Award For Lions Pool Renovation
From: Oakland Public Works
Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, Authorizing The City Administrator, Or Designee, To Negotiate, Award And Execute A Construction Contract Without Return To Council For An Amount Not-To-Exceed Six Hundred Seventy Thousand Dollars (\$670,000) In The Open Market For The Construction Of The Lions Pool Renovation (Project No. 1003434) In Accordance With The Project Plans And Specifications
[18-0690](#)

Attachments: [View Report](#)
[87297 CMS](#)

This City Resolution was Adopted.

S7.25 Subject: Amendments To As-Needed Civil Engineering Services Agreements
From: Oakland Public Works
Recommendation: Adopt A Resolution Waiving Further Competitive Request For Proposal/Qualification Requirement And Authorizing The City Administrator Or Designee To Amend As-Needed Civil Engineering Services Agreements With: 1. Wood Rodgers, Inc. By An Amount Not-To-Exceed Eight Hundred Thousand Dollars (\$800,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To One Million Three Hundred Thousand Dollars (\$1,300,000.00) To Support Of Measure DD Estuary Waterfront Trail Projects And Extend The Time Of Performance Of The Contract From December 31, 2018, To December 31,2020; And 2. Moffatt And Nichol By An Amount Not-To-Exceed Seven Hundred Thousand Dollars (\$700,000.00), Bringing The Total Contract Amount From Five Hundred Thousand Dollars (\$500,000.00) To One Million Two Hundred Thousand Dollars (\$1,200,000.00) To Support Of Measure DD Estuary Waterfront Trail Project And Extend The Time Of Performance Of The Contract From December 31,2018, To December 31,2020.
[18-0684](#)

Attachments: [View Report](#)
[87298 CMS](#)

This City Resolution was Adopted.

S7.26 Subject: Cost To Implement Owner Occupancy Exemption Regulations
From: Housing And Community Development Department
Recommendation: Receive An Informational Report Of The Cost To Implement Regulations That Ensure Compliance With The Provision Within The Just Cause Eviction Ordinance (O.M.C. 8.22.300) Which Exempts Buildings With Two Or Three Units From Just-Cause Protection If The Property Owner Lives In One Of The Units As A Primary Residence

[18-0569](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.27 Subject: Affordable Housing Sustainable Communities Program
From: Housing And Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Amending Resolution No. 86993 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 7th And Campbell Project At 1664-1676 7th Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And

[18-0576](#)

Attachments: [View Report](#)

[87299 CMS](#)

This City Resolution was Adopted.

2) A Resolution Amending Resolution No. 86994 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 3268 San Pablo Project At 3268 San Pablo Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation Related Improvements; And

[18-0577](#)

Attachments: [View Report](#)

[87300 CMS](#)

This City Resolution was Adopted.

3) A Resolution Amending Resolution No. 86995 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Coliseum Place Project At 905 72nd Avenue, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And [18-0578](#)

Attachments: [View Report](#)
[87301 CMS](#)

This City Resolution was Adopted.

4) A Resolution Amending Resolution No. 86216 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Empyrean & Harrison Hotel At 1300 Webster Street And 1415 Harrison Street, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements; And [18-0579](#)

Attachments: [View Report](#)
[87302 CMS](#)

This City Resolution was Adopted.

5) A Resolution Amending Resolution No. 86217 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Lakehouse Commons Project At E 12th And Lake Merrit Boulevard, To Revise Fiscal Provisions, Include Provisions Required By The State, And Authorize Agreements With Bart And AC Transit For Transportation-Related Improvements [18-0580](#)

Attachments: [View Report](#)
[87303 CMS](#)

This City Resolution was Adopted.

S7.28 Subject: Anti-Displacement Services Program
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into A Services Agreement With Centro Legal De La Raza To Administer The Anti-Displacement Program And To Provide Related Services To Oakland Residents In The Amount Of \$2,200,000 From The Affordable Housing Trust Fund (1870) For A Two-Year Term And Waive The Request For Proposals Process
[18-0665](#)

Attachments: [View Report](#)
[87304 CMS](#)

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

Abstained: 1 - Reid

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

NO VOTE: 0

S7.29 Subject: Professional Services Agreement With FUSE Corps
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: 1) Negotiate And Execute A Contract Between Fuse Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow For The Planning And Building Department For A Full 12-Month Contract Term 2) Negotiate And Execute A Contract Between Fuse Corps And The City In An Amount Not-To-Exceed One Hundred And Fifty Thousand Dollars (\$150,000) To Fund One Executive-Level Fellow For The Economic And Workforce Development Department For A Full 12- Month Contract Term; 3) Accept And Appropriate One Hundred And Twenty-Five Dollars (\$125,000) From Fuse Corps; And 4) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process Requirement For Listed Agreements
[18-0648](#)

Attachments: [View Report](#)
[87305 CMS](#)

This City Resolution was Adopted.

S7.30 Subject: FEMA Grants For Residential Soft Story Seismic Retrofits
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Apply For, Accept, And Appropriate Up To A Total Of \$15,000,000 In Hazard Mitigation Grant Program Funds From The Federal Emergency Management Agency And The State Of California Governor's Office Of Emergency Services For (1) A 5-9 Unit Soft Story Apartment Seismic Retrofit Grant Up To \$5,000,000;(2) A 10+ Unit Soft Story Apartment Retrofit Grant Up To \$5,000,000; And (3) A Soft Story Apartment Retrofit Grant For Publicly Supported Buildings For Up To \$5,000,000

[18-0715](#)

Attachments: [View Report](#)
[87306 CMS](#)

This City Resolution was Adopted.

S7.31 Subject: Property BID Annual Reports and Assessment Payment Approval
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Approving The Fiscal Year 2017-2018 Annual Reports Of The Fruitvale Property Business Improvement District Of 2011, The Lakeshore/Lake Park Business Improvement Management District Of 2012, The Jack London Improvement District, The Temescal/Telegraph Business Improvement District 2015, And The Laurel Business Improvement District 2016 Advisory Boards; (B) Confirming The Continuing Annual Assessment For Each Said District And For The Koreatown/Northgate Community Benefit District 2017 For Fiscal Year 2018-2019; And (C) Authorizing Payment Of The City's Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$26,453.74 For City-Owned Properties In The Fruitvale District, The Jack London District, The Temescal District And The Koreatown District; And

[18-0746](#)

Attachments: [View Report](#)
[87307 CMS](#)

This City Resolution was Adopted.

2) A Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2018-2019 Fair Share Assessment In An Approximate Amount Of \$707.98 For One Oakland Redevelopment Successor Agency-Owned Property In The Downtown Oakland Community Benefit District Of 2008 [18-0747](#)

Attachments: [View Report](#)
[2018-013 CMS](#)

This ORSA Resolution was Adopted.

S7.32 Subject: California Waste Solutions ENA
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement ("ENA") With California Waste Solutions, Inc. ("CWS"), Permitting Staff To 1) Negotiate The Price And Terms Of A Development And Disposition Agreement With CWS For The Relocation Of Its Existing West Oakland Recycling Uses To A Portion Of The North Gateway Parcels Located At The Former Oakland Army Base; 2) Accepting And Appropriating A Project Expense Payment In Connection With The ENA; And 3) Confirming The Application Of An Existing Security Deposit
[18-0745](#)

Attachments: [View Report](#)
[View Supplemental Report 7-20-2018](#)
[87308 CMS](#)

This City Resolution was Adopted.

S7.33 Subject: Air Quality Plan For Operations Of The At The Former Oakland Army Base
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Air Quality Plan Approved By The City Administrator For Operations Of The PODS Facility In The CE-1 Warehouse At The Oakland Army Base Redevelopment Project
[18-0697](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.34 Subject: Child & Adult Food Program (CACFP) Grant Application FY 2018-2019
From: Human Services Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Apply For And Accept The U.S. Department Of Agriculture Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education In An Estimated Amount Of \$243,632 To Provide Funding For Nutritious Meals For The Head Start/Early Head Start Program From July 1, 2018 Through June 30, 2019; And 2) Authorizing A General Purpose Fund Contribution In The Amount Equivalent To Central Service Overhead Costs Estimated At \$41,675

[18-0680](#)

Attachments: [View Report](#)
[87309 CMS](#)

This City Resolution was Adopted.

S7.35 Subject: Oakland Head Start/Early Childhood Education Program FY 2018-2019
From: Human Services Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Sub-Contract With Oakland Unified School District To Receive State Funding In An Estimated Amount Of \$200,000 To Provide California General Child Care Services To Eligible Participants, Ages Birth To Three Years Old, Effective July 1, 2018 Through June 30, 2019; And Accept And Appropriate Said Funding; And 2) Authorize The General Purpose Fund Contribution In The Amount Of \$29,795 To Cover Central Service Overhead Costs As Included In The FY 2018-19 Midcycle Proposed Budget

[18-0681](#)

Attachments: [View Report](#)
[87310 CMS](#)

This City Resolution was Adopted.

S7.36 Subject: California State Preschool Program (CSPP) FY 2018-2019
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept The California State Preschool Program Expansion Grant From The California Department Of Education In An Amount Of \$1,072,782 To Fund Prekindergarten And Family Literacy Services In Accord With Said Grant From July 1, 2018 To June 30, 2019; And To Authorize A Contribution From The General Purpose Fund In The Amount Equivalent To Central Services Overhead Costs Estimated At \$126,213
[18-0685](#)

Attachments: [View Report](#)
[87311 CMS](#)

This City Resolution was Adopted.

S7.37 Subject: Alameda County Immediate Impact Grant
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate Up To \$633,320 From Alameda County In Immediate Impact Grant Funds For Services At Community Cabins Sites, Emergency Health And Hygiene Interventions, And Motel Vouchers For Unsheltered Families, For The Period Of April 17,2018 Through April 30, 2021; And 2) Amend The Grant Agreements With Service Providers To Extend The Grant Term For Fiscal Year (FY) 2019-2020 And FY 2020-2021 And Increase The Grant Amounts For Services At The Community Cabin Sites And To Provide Motel Vouchers; And 3) Accept And Appropriate Additional Grant Funds For Services At Community Cabins Sites, Emergency Health And Hygiene Interventions, And Motel Vouchers For Unsheltered Families That May Become Available From Alameda County Without Returning To Council Within The Duration Of The Grant Term Of April 17,2018 Through April 30,2021; And 4)Allocate Up To \$254,382 In Previously Appropriated General Purpose Funds For Use At Community Cabin Sites
[18-0701](#)

Attachments: [View Report](#)
[87312 CMS](#)

This City Resolution was Adopted.

S7.38 Subject: OPD Hiring Changes Informational Report And Resolution
From: Councilmember Kaplan
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Informational Report Regarding Whether The Police Recruiting And Hiring Changes Proposed In Prior Recommendations Have Been Implemented; And [18-0454](#)

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

This Informational Report was Received and Filed.

2) A Resolution Directing The Implementation Of Changes To Remedy The Under-Representation Of Women, Oaklanders, And African Americans In The Oakland Police Department
[18-0455](#)

Attachments: [View Report](#)
[87313 CMS](#)

This City Resolution was Adopted.

S7.39 Subject: Alameda Sherriff CRIMS Database MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The Alameda County Sheriff's Office (ACSO) And Eighteen Other Alameda County Justice System Agencies To Establish Clear Guidelines For Use Of The Consolidated Records Information Management System (CRIMS) Which Facilitates Sharing Of Information Contained In Each Agency's Records Management System
[18-0558](#)

Attachments: [View Report](#)
[View Supplemental Report 7-20-2018](#)
[87314 CMS](#)

This City Resolution was Adopted.

S7.40 Subject: Tobacco Law Enforcement Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Allow The Oakland Police Department (OPD) To Enter Into An MOU (Memorandum Of Understanding) With The California Department Of Justice (CA DOJ) And To Accept And Appropriate One Hundred Thousand Dollars (\$100,000) For A Two-Year Grant Funded Under The California Healthcare, Research And Prevention Tobacco Tax Act Of 2016, Approved By The Voters As Proposition 56
[18-0675](#)

Attachments: [View Report](#)
[87315 CMS](#)

This City Resolution was Adopted.

S7.41 Subject: Parole Data System Use Agreements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into An Agency Participation Agreement And Hold Harmless Agreement With The California Department Of Corrections And Rehabilitation (CDCR) For Use Of The Parole Leads 2.0 Computer Application
[18-0562](#)

Attachments: [View Report](#)
[87316 CMS](#)

This City Resolution was Adopted.

S7.42 Subject: Cannabis Ordinance Technical Amendments
From: Office Of The City Administrator
Recommendation:

[OLD TITLE]

Adopt An Ordinance Amending Chapters 5.80 And 5.81 Of The Oakland Municipal Code To: 1) Delete Section-5.81.110(B), Which Prohibits Enforcement Of Violations Of Chapter 5.81 Once A Permit Application Is Pending; 2) Align Chapter 5.81 Permit Types With State Law By Adding Packaging And Infusion Permit Categories; 3) Limit The Number Off Dispensary Permits To Two Per Individual Or Entity; 4) Clarify The Distance Requirements Between Cannabis Facilities And Schools; 5) Limit The Number Of Special Event Permits For Cannabis Activities; 6) Allow Ancillary Cannabis Activities, Including But Not Limited To Packaging, Distribution, And Infusion, At The Site Of A Permitted Dispensary; And 7} Add A Public Hearing Requirement For All Cannabis Uses Within 300 Feet Of A Residential Zone

[NEW TITLE]

Adopt An Ordinance Amending Permitting Requirements For Medical And Adult-Use Cannabis Dispensaries, Cultivation, Manufacturing And Other Facilities (Chapters 5.80 And 5.81 Of The Oakland Municipal Code) To: 1) Delete Section 5.81.110(B), Which Prohibits Enforcement Of Violations Of Chapter 5.81 Once A Permit Application Is Pending; 2) Align Chapter 5.81 Permit Types With State Law By Adding Packaging And Infusion Permit Categories; 3) Limit The Number Of Dispensary Permits To Two Per Individual Or Entity; 4) Clarify The Distance Requirements Between Cannabis Facilities And Schools; 5) Limit The Number Of Special Event Permits For Cannabis Activities; 6) Allow Ancillary Cannabis Activities, Including But Not Limited To Packaging, Distribution, And Infusion, At The Site Of A Permitted Dispensary; And 7) Add A Public Notice Requirement For All Cannabis Uses Within 300 Feet Of A Residential Zone; On The October 2, 2018 City Council Agenda As A Consent Item For Final Passage

[18-0679](#)

Attachments: [View Report](#)

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

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

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 9/17/2018

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

*A Motion to receive the report of the city attorney that there are no final decisions
were made during closed session and passed with a vote of 8 ayes.*

**COMMENCING AT 4:00 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:**

THE FOLLOWING ITEMS WERE TAKEN OUT OF ORDER

9.3 Subject: 2018/19 HUD Annual Action Plan For Entitlement Formula Grants
From: Department Of Housing & Community Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Prepare And Submit To The U.S. Department Of Housing And Urban Development The City's Consolidated Annual Action Plan For Fiscal Year 2018/19; 2) Accept And Appropriating \$14,090,589 Awarded To The City Under The U.S. Department Of Housing & Urban Development's Community Development Block Grant, Home Investments Partnership, Emergency Solutions Grant, And Housing Opportunities For Persons With Aids Program; 3) Negotiate And Execute 2018/19 Community Development Block Grant Agreement And/Or Continue The Second Year Of Existing Two-Year Community Development Block Grant Agreements For 2017/18 And 2018/19; 4) Accept Community Development District Board Recommendations For The Reallocation Of CDBG Funds Declined By Youth Employment Partnership, Oakland Beautification Council, And Oak Cultural Center For Districts Two And Three And The Allocation Of 2018/19 Community Development Block Grant Funds Earmarked For Capital Development Left To The Discretion Of The Office Of The Councilmember For District Two; 5) Appropriate \$850,000 In Revolving Loan Fund Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Activities; 6) Authorize The Reprograming, Reallocation And Extension Of Use Of Reconciled Community Development Block Grant Funds And Program Income From Prior Funding Allocations For Activities To Be Carried Out In Fiscal Year 2018/19; And 7) Authorize \$11,058 In General Purpose Funds To Pay Central Service Overhead Charges Associated With The Housing Opportunities For Persons With Aids Grant And \$8,146 In General Purpose Funds To Pay Central Service Overhead Charges Associated With The Emergency Solutions.

[18-0686](#)

Attachments: [View Report](#)
[87317 CMS.pdf](#)

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:50 p.m.

3 individuals spoke on this item.

Councilmember Brooks made a motion seconded by Councilmember Kaplan to approve as amended the following corrections read into record as to Attachment A and Exhibit B to respective items numbers 30 and 71 to strike the words "vendor to be determine" and replace with "OCCUR " as the selected vendor and also to reflect the dollar allcation as \$22,152.

Councilmember Brooks made a motion, seconded by Councilmember 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 President Gibson McElhane

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

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

NO VOTE: 0

At 7:01 pm the public hearing for the Downtown Oakland Community Benefit District 2018 was opened. There were 18 speakers on this item. This item was paused until tabulation of the ballots were complete.

At 7:36 pm the public hearing for the Lake Merritt-Uptown Community Benefit District 2018 was opened. There were 13 speakers on this item. This item was paused until tabulation of the ballots were complete.

- 9.4** Subject: Shared Mobility Update and Dockless Bike and Scooter Share Policy
From: Councilmembers Kaplan, Gallo, McElhaney And The Department Of Transportation
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number XXXX (Fiscal Year 2018- 2019 Master Fee Schedule) Establishing Fees For The New Dockless Bike And Scooter Share Permits
[18-0733](#)

Attachments: [View Report](#)

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

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

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:52 p.m.

1 individual spoke on this item.

The Council continued this item to September 17, 2018

A motion was made by Lynette McElhaney, seconded by Larry Reid, that this matter be Continued to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 9/17/2018. The motion carried by the following vote:

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

NO VOTE: 0

9.5 Subject: Delinquent Business Taxes
From: Finance Department
Recommendation: Adopt One Of The Following Pieces Of Legislation;

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[18-0767](#)

Attachments: [View Report](#)
[87318 CMS](#)

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 8:02 p.m.

3 individuals spoke on this item.

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

This City Resolution be Adopted.

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Business Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code; Or
[18-0768](#)

Attachments: [View Report](#)

This City Resolution be Not Adopted.

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[18-0769](#)

Attachments: [View Report](#)

This City Resolution be Not Adopted.

S9.6 Subject: Proposed Ballot Measure To Tax Vacant Properties
From: Councilmember Kaplan, Kalb And President Pro Tem Guillen
Recommendation: Adopt An Resolution On The City Council's Own Motion Submitting To The Voters At The General Municipal Election On November 6, 2018, A Proposed Ordinance To Adopt A Special Parcel Tax On Vacant Properties To Fund Solutions For Homelessness, Illegal Dumping Remediation, And Specified Programs; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 General Municipal Election
[17-0453](#)

Attachments: [View Report](#)
[View Report](#)
[View Kaplan Report 3/29/18](#)
[View Kaplan Report 4/13/18](#)
[View Supplemental Report 5-11-218](#)
[View Kaplan Supplemental Report 5-18-2018](#)
[View Revised Report 7-20-2018](#)
[87319 CMS](#)

Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 8:12 p.m.

25 individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Guillén, to approve recommendations as amended to page 12, Section 4.56.070, part B, strike and replace 2018-19 with 2016-17 in all 5 place. To the 1st Further Resolved 3rd line down strike the words the and Clerk. To the 5th Further Resolved 3rd and 4th line down strike and replace the words the Office of the City Clerk with accordance with the Elections Code

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

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

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

No: 2 - McElhaney, and Reid

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Real Estate Transfer Tax Tiered Rates Measure
From: Councilmembers Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The General Municipal Election On November 6, 2018, A Proposed Ordinance (1) Amending Oakland Municipal Code Section 4.20.020 Of The Real Property Transfer Tax To Establish Tiered Rates Based On Value Of Consideration; (2) Amending Section 4.20.080 To Reduce The Real Property Transfer Tax By .5% For "Low And Moderate Income First-Time Homebuyers"; (3) Adding Section 4.20.220 To Reduce The Real Property Transfer Tax By Up To One Third For Seismic Retrofit And Solar Energy System Installation Expenses Incurred By "Low And Moderate Income Homebuyers"; And, (4) Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication In Accordance, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018 General Municipal Election
[TITLE CHANGE]
[18-0670](#)

- Attachments:** [View Report](#)
[View Supplemental Report 6-22-2018](#)
[View Supplemental Report 7-6-2018](#)
[Supplemental Report 7-6-2018](#)
[View Supplemental Kalb Report 7-6-2018](#)
[View McElhaney Report 7-20-2018](#)
[View Revised Report 7-20-2018](#)
[87320 CMS](#)

Councilmember Kalb made a motion, seconded by Councilmember Guillén, to approve recommendations as amended to the 3rd line of the 3rd further resolved, strike the words "the" and "Clerk". To the 4th line of the 5th further resolved strike the words "the Office of the City Clerk" and replace with "in accordance with the Elections Code."

There were 22 speakers on this item

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

Abstained: 1 - McElhaney

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

NO VOTE: 0

- 12** Subject: 2016 Telegraph Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt A Successor Agency Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To (A) The Assignment By W/L Broadway Telegraph Owner VII, LLC To 2016 Telegraph Owner LLC, Or A Related Entity, Of The Assignor's Interest In The Disposition And Development Agreement For Development Of Property Located At 2000-2016 Telegraph Avenue And 490 Thomas L. Berkeley Way, And (B) The Transfer Of All Of The Ownership Interest In 2016 Telegraph Owner LLC, Or A Related Entity, To NASH - Holland 2016 Telegraph Investors, LLC, Or A Related Entity; And Authorizing A Fourth Amendment To The Disposition And Development Agreement To (1) Waive Performance And Payment Bond Requirements; (2) Waive The Successor Agency's Repurchase Right; (3) Extend The Date For Completion Of Construction From 30 To 36 Months; (4) Require Payment Of \$100,000 To The Successor Agency As Consideration For The Amendment; (5) Require That Holland Partner Group Investments, LLC, Or A Related Entity, Guaranty Completion; (6) Require That 2016 Telegraph Owner LLC, Or A Related Entity, Provide A Letter Of Credit In The Amount Of \$1,000,000 To The Successor Agency Payable In Up To Six Installments Only If The Project Is Not Completed Per Established Development Deadlines; And (7) Reduce A Contingent Payment Obligation From The Successor Agency To Telegraph Owner LLC, Or An Affiliate, From \$1,550,000 To \$1,525,000; Relying On The 2004 Uptown Mixed-Use Project Environmental Impact Report And The "2016 Telegraph Avenue Project CEQA Analysis" Addendum Thereto, Finding That The Project Is Exempt From Additional Environmental Review Pursuant To CEQA Sections 15162-15164,15168,15180,15183 And 15183.3, And Adopting Related CEQA Findings [18-0564](#)

Attachments: [View Report](#)

There were 6 speakers on this item

This Item was referred to Rules for rescheduling to a future meeting.

This ORSA Resolution be * Withdrawn and Rescheduled.to go before the *Rules & Legislation Committee

S13 Subject: Oakland Charter Amendment Career Jobs Now! Act
From: Councilmember Brooks
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The General Municipal Election On November 6, 2018, A Proposed Amendment To The Oakland City Charter To Establish The Career Jobs Now! Fund To Provide Funding For Job Training Services In The Amount Of Seven Percent Of Annual Unrestricted Revenues Received By The City From The New Construction Of Market Rate Housing And Commercial Developments Completed On Or After January 1, 2019; And Directing The City Clerk To Fix The Date For Submission Of Arguments, Provide For Notice And Publication, And Take Any And All Actions Necessary Under Law To Prepare For And Conduct The November 6, 2018, General Municipal Election
[18-0708](#)

Attachments: [View Report](#)

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

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

There were 18 speakers on this item.

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

Abstained: 1 - Kalb

Aye: 3 - Brooks, Gallo, and Kaplan

No: 4 - Campbell Washington, Guillén, McElhaney, and Reid

NO VOTE: 0

S14 Subject: Resolution To Award A Security Services Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Security Services Contract To ABC Security Services Inc. For A Term Period Of Three (3) Years With An Option To Extend The Contract Upon Satisfactory Completion Of The Initial Term In Increments Of One (1) Year; For Up To A Total Of Two (2) Consecutive Additional Years; In An Amount Not-To-Exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000) For Each Year Of The Contract

[16-1213](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[09-15-17 Supplemental](#)
[View Supplemental Report 7-13-2018](#)
[87321 CMS.pdf](#)

*There were 9 speakers on this item
Councilmember McElhaney made a motion, seconded by Councilmember Kalb to adopt the resolution on Item S14 and hearing no objections, the motion passed by with the following vote: 7 Ayes: Campbell Washington, Gibson McElhaney, Guillén, Kalb, Gallo, Kaplan and Council President Reid
1 Abstained - Brooks*

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

Abstained: 1 - Brooks

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

NO VOTE: 0

S15 Subject: Professional Services Agreement With Eberhardt Consulting
From: Oakland Police Department
Recommendation: Adopt A Resolution Waiving The Advertising/Bidding And Request For Proposals/Qualifications Requirements And Authorizing An Extension Of Up To Two Years (Through August 31, 2019) Of The Professional Services Agreement Between The City Of Oakland And Eberhardt Consulting For Technical Assistance Services In Delphine Allen V. City Of Oakland, For Two Hundred Fifty-One Thousand Dollars (\$251,000) And A Total Contract Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000)

[18-0652](#)

Attachments: [View Report](#)

[View Supplemental Report 6-15-18](#)

[View Supplemental Report 7-6-18](#)

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

[87322 CMS](#)

Councilmember Brooks made a motion, seconded by Councilmember Kaplan, to continue this item to the Special City Council meeting of September 17, 2018.

Councilmember Vice Mayor Campbell Washington made a substitute motion, seconded by Councilmember Guillèn, to adopt the resolution on Item S15 and hearing no objections, the motion passed by with the following vote: 5 Ayes: Campbell Washington, Gibson McElhaney, Guillèn, Kalb, and Council President Reid

3 Noes - Brooks, Gallo, Kaplan

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

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

No: 3 - Brooks, Gallo, and Kaplan

NO VOTE: 0

At 12:02 am a motion was made by Councilmember McElhaney, seconded by Councilmember Kalb to continue the meeting past midnight. Hearing no objections the motion passed by a vote of 8 ayes.

- 9.1** Subject: Downtown Oakland Community Benefit District 2018
From: Economic And Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Establishing The Downtown Oakland Community Benefit District 2018 ("DCBD 2018"), Approving The Management Plan, Directing Recording Of The Proposed Assessment District Boundary Description, Making A Determination With Regard To The Majority Protest Process For Approval Of The Proposed Assessments, Approving The Assessments For The District, And Appointing The Advisory Board For The DCBD 2018 [18-0721](#)

Attachments: [View Report](#)
[87323 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:36 p.m.

18 individuals spoke on this item.

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

The item resumed with the report of the tabulation of the ballots to reflect no majority protest with the results as 83.46% voting in favor of the formation of the BID and 16.54% voting against the formation of the BID.

In addition, the Council amended the resolution to memorialize the corrections to the assessment roll as follows:

- 1) all references to "DCBD 2018 Plan" to be reflected as "DCBD 2018 Plan as amended July 22, 2018"*
- 2) all references to "Appendix I" to be reflected as "Exhibit I", and*
- 3) as to Section 9 of the resolution to read: "The assessments for the entire DCBD 2018 shall be equal to \$1,957,800 and first year amounts chargeable to each parcel as amended to Exhibit I as amended July 22, 2018 and on file in the office of the City Clerk."*

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

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

Absent: 1 - McElhanev

NO VOTE: 0

- 9.2** Subject: Lake Merritt-Uptown Community Benefit District 2018
From: Economic And Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Establishing The Lake Merritt-Uptown Community Benefit District 2018 ("LCBD 2018"), Approving The Management Plan, Directing Recording Of The Proposed Assessment District Boundary Description, Making A Determination With Regard To The Majority Protest Process For Approval Of The Proposed Assessments, Approving The Assessments For The District, And Appointing The Advisory Board For The LCBD 2018 [18-0722](#)

Attachments: [View Report](#)
[87324 CMS](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:36 p.m.

13 individuals spoke on this item.

Councilmember McElhanev made a motion, seconded by Councilmember Campbell Washintong to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, President Reid and Gibson McElhanev

The item resumed with the report of the tabulation of the ballots to reflect no majority protest with the results as 94.77% voting in favor of the formation of the BID and 5.23% voting against the formation of the BID.

In addition, the Council amended the resolution to memorialize the corrections to the assessment roll as follows:

- 1) all references to "LCBD 2018 Plan" to be reflected as "LCBD 2018 Plan as amended July 22, 2018"*
- 2) all references to "Appendix I" to be reflected as "Exhibit I", and*
- 3) as to Section 9 of the resolution to read: "The assessments for the entire LCBD 2018 shall be equal to \$1,510,867 and first year amounts chargeable to each parcel as amended to Exhibit I as amended July 22, 2018 and on file in the office of the City Clerk."*

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

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

NO VOTE: 0

S16 Subject: Just Cause Amendment Ballot Measure
From: Councilmember Gallo And Councilmember Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 6, 2018 General Municipal Election Proposed Amendments To Oakland Municipal Code Section 8.22.300 Et Seq. (Just Cause For Eviction Ordinance) To: (1) Remove The Exemption For Owner Occupied Duplexes And Triplexes; (2) Allow The City Council, Without Returning To The Voters, To Add Limitations On A Landlord's Right To Evict; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With City Of Oakland's General Municipal Election On November 6, 2018
[New Title]
[18-0720](#)

Attachments: [View Report](#)

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

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

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

[87325 CMS](#)

There were 99 speakers on this item

The Council Amended the 3rd line of the 3rd further resolved, strike the words "the" and "Clerk". To the 4th line of the 5th further resolved strike the words "the Office of the City Clerk" and replace with "in accordance with the Elections Code."

Councilmember Kalb made a motion, seconded by Councilmember Gallo, to adopt the resolution on Item S16 and hearing no objections, the motion passed by with the following vote: 8 Ayes: Brooks, Campbell Washington, Gallo, Gibson McElhaney, Guillèn, Kalb, Kaplan, and Council President Reid

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

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

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 1:50 a.m.

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