



City of Oakland

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

Meeting Minutes

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

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

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

Tuesday, October 20, 2015

5:30 PM

City Council Chamber, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:48 p.m.

2 ROLL CALL / CITY COUNCIL

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

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

There were 25 Open Forum speakers.

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

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Victoria Ritas. Council President Gibson McElhaney requested association with this adjournment.

Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Nellie Shaw. President Pro Tempore Reid requested association with this adjournment.

Councilmember Gallo took a point of personal privilege and requested that the meeting be adjourned in memory of Dominguita Velasco. Council President Gibson McElhaney requested association with this adjournment.

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Rachel McBride.

- 4.3** Subject: Endorsing Efforts To Combat Sex Trafficking
From: Councilmembers Gibson McElhaney, Campbell Washington, Guillén And Mayor Schaaf
Recommendation: Adopt A Resolution Endorsing Efforts To Combat Demand Of The Purchase Of Sex With Minors As A Critical Component Of Ending Sexual Exploitation Of Children And Transitional Aged Youth In Oakland And Beyond, Including The "Cease Initiative," A Nationwide Campaign To Reduce The Demand For Sex With Minors In Partnership With Law Enforcement And Municipalities, And "No Traffick Ahead," A Regional Effort To Prevent And Interrupt Sex Trafficking During The 2016 Super Bowl
[15-0122](#)

Attachments: [View Report](#)
[85826 CMS](#)

There was one speaker on this item.

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

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

- 4.2** Subject: Honoring Gay Plair Cobb
From: President Pro Tem Reid, Vice Mayor Kaplan And Councilmember Gallo
Recommendation: Adopt A Resolution Recognizing And Honoring Gay Plair Cobb For 30 Years Of Dedicated Service Assisting Job Seekers Through The Private Industry Council (PIC)
[15-0118](#)

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[85827 CMS](#)

There were 11 speakers on this item.

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

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

- 4.5** Subject: Honoring And Recognizing KTOP
From: President Pro Tempore Reid And Council President Gibson McElhaney
Recommendation: Adopt A Resolution Recognizing And Honoring KTOP For Years
Of Dedicated Service, And For Being The Recipients Of Numerous Awards For
Outstanding Broadcasts And Professionalism For The City Of Oakland
[15-0192](#)

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[85828 CMS](#)

There were 4 speakers on this item.

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

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

- 4.1** Subject: State Of The City Address
From: Office Of The Mayor
Recommendation: Receive An Informational Report From Mayor Schaaf Providing
Digest Of Upcoming State Of The City Address
[15-0203](#)

Attachments: [View Report](#)

There were 7 speakers on this item.

- 4.6** Subject: Domestic Violence Awareness Month
From: Councilmember Dan Kalb And Council President Gibson McElhaney
Recommendation: Adopt A Resolution Proclaiming October 2015 Domestic Violence
Awareness Month In The City Of Oakland
[15-0204](#)

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[85829 CMS](#)

There was one speaker on this item.

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

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

Absent: 1 - Gallo

- 4.4 Subject: Writers Week
From: Councilmembers Campbell Washington, Gibson McElhaney And Guillén
Recommendation: Adopt A Resolution Declaring The Week Of October 18 - 24, 2015
As Writers Week In Recognition Of The California Writers Club
[15-0187](#)

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[85830 CMS](#)

There was one speaker on this item.

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

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

Absent: 1 - Kaplan

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF SEPTEMBER 29, SEPTEMBER 30 AND OCTOBER 6, 2015
[15-0178](#)

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

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

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

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

There were 52 speakers on the Consent Calendar portion of the agenda.

Approval of the Consent Agenda

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

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

- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[15-0057](#)

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[85831 CMS](#)

This City Resolution was Adopted.

- 7.2 Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[15-0058](#)

Attachments: [View report.pdf](#)

[85832 CMS](#)

This City Resolution was Adopted.

- 7.3 Subject: Permitting Process For Residential Solar Systems
From: Councilmember Campbell Washington
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt Chapter 15.33 Residential Rooftop Solar Requirements, Which Provides A Standardized And Streamlined Permitting Process For Small Residential Rooftop Solar Systems
[14-1225](#)

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[13332 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.4 Subject: MOU With Confidential Management Employee Association
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Miscellaneous Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Confidential Management Employees Association; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2015; Increase Of 2% Effective November 1, 2016; And Increase Of 2% Effective May 1, 2017
[15-0152](#)

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[13333 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.5 Subject: Amendment Of The Mayor's Commission On Persons With Disabilities
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Amending And Restating Ordinance No. 9968 C.M.S. And Ordinance No. 11864 C.M.S. To Change The Name Of The Commission On Disabled Persons To The Commission On Persons With Disabilities, And To Modify The Commission's Membership Terms, Quorum Requirement, And Meeting Frequency
[15-0105](#)

Attachments: [View Report.pdf](#)
[13334 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.6 Subject: Unattended Donation/Collection Box Regulations
From: Planning And Building Department
Recommendation: Adopt An Ordinance 1) Establishing Oakland Municipal Code (OMC) Chapter 5.19 "Unattended Donation/Collection Boxes (UDCBs)" Regulating UDCBs; 2) Amending The Master Fee Schedule (Ordinance No. 13171 C.M.S., As Amended) To Establish Fees Related To Applications, Inspection And Appeals For UDCBs; And 3) Amending OMC Sections 1.12.020A And 1.12.060 And Other OMC Provisions To Establish Administrative Citations And Make Other Conforming Changes Relating To UDCBs
[15-0135](#)

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[13335 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.7 Subject: Extending Contracts To Townsend Public Affiars
From: Office Of The Mayor
Recommendation: Adopt A Resolution Extending Contracts With Townsend Public Affiars To Continue Services As The City Of Oakland's State Lobbyist From September 30, 2015 To September 30, 2017 And Increasing The Contract Amount By \$252,000 For A Total Of \$556,500 And To Continue Services As The City Of Oakland's Federal Lobbyist From September 30, 2015 To September 30, 2017 And Increasing The Contract Amount By \$144,000 For A Total Of \$312,000, And Waiving Advertising And The RFP Process For Each Contract
[15-0138](#)

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[85869 CMS](#)

This City Resolution was Withdrawn and Rescheduled.to the Meeting of the Oakland City Council to be heard 11/3/2015

- 7.8 Subject: National League of Cities' 2015 Annual Business Meeting Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Abel Guillén As
The City Of Oakland's Voting Delegate And Council President Lynette Gibson
McElhaney As The City Of Oakland's Alternate Voting Delegate To The National
League Of Cities' 2015 Annual Business Meeting, Taking Place In Nashville On
November 7, 2015

[15-0197](#)

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[85833 CMS](#)

This City Resolution was Adopted.

- 7.9 Subject: Travel Authorization To National League Of Cities Conference
From: Councilmember Abel Guillén
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillén To
Travel To Nashville, Tennessee To Attend The 2015 National League Of Cities
Annual Conference And Expo From November 4-7, 2015

[15-0194](#)

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[85834 CMS](#)

This City Resolution was Adopted.

- 7.10 Subject: Settlement Agreement - In Re Municipal Derivatives Antitrust Litigation
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Partial Settlement Of In Re
Municipal Derivatives Antitrust Litigation, United States District Court Southern District
Of New York, MDL No. 1950, Authorizing Acceptance Of Payment From JP Morgan
Of \$200,000, In Exchange For Dismissal Of The Lawsuit By The City

[15-0199](#)

Attachments: [View Report](#)

[85855 CMS](#)

This City Resolution was Adopted.

7.11 Subject: Settlement Agreement - Ulla Steingruber 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 Ulla Steingruber V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG14-746584, City Attorney's File No. 30155 In The Amount Of Nine Thousand, Five Hundred Dollars (\$9,500.00) (Oakland Police Department- Motor Vehicle Accident)
[15-0200](#)

Attachments: [View Report](#)
[85835 CMS](#)

This City Resolution was Adopted.

7.12 Subject: Settlement Agreement - Joshua Daniels 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 Joshua Daniels V. City Of Oakland, Et Al., United States District Court, Northern District Of California Case No. 3:14-CV-03088, City Attorney's File No. 29913, In The Amount Of Two Hundred Five Thousand Dollars And No Cents (\$205,000.00) (Oakland Public Works-Personal Injury)
[15-0201](#)

Attachments: [View Report](#)
[85836 CMS](#)

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

Abstained: 2 - Guillén, and Gibson McElhaney

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

No: 1 - Brooks

7.13 Subject: Settlement Agreement - Nina Wiley 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 Nina Wiley V. City Of Oakland, Alameda County Superior Court Case No. RG13669229 City Attorney's File No. 29283, In The Amount Of Two Hundred Sixty-Five Thousand Dollars And No Cents (\$265,000.00) (Oakland Public Works-Dangerous Condition)
[15-0202](#)

Attachments: [View Report](#)
[85837 CMS](#)

This City Resolution was Adopted.

- 7.14** Subject: Opposing Reductions To Section 8 Fair Market Rate Vouchers
From: Council President Gibson McElhaney And Councilmember Brooks
Recommendation: Adopt A Resolution Opposing The Reductions Proposed By The U.S. Department Of Housing And Urban Development's "Fair Market Rate" Formula Which Would Decrease The Section 8 Voucher Value And Cause Harm And Displacement To Low-Income Oakland Tenants
[15-0206](#)

Attachments: [View Report](#)
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[85838 CMS](#)

This City Resolution was Adopted.

- 7.15** Subject: Anti-Graffiti Grant For Two Mural Projects On Carrington Way
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$5,000 From Councilmember Noel Gallo's Graffiti Abatement Mural And Green Wall Funds To The Spanish Speaking Unity Council, As Fiscal Sponsor, For Two Mural Projects On Carrington Way In In The Fruitvale Neighborhood
[15-0205](#)

Attachments: [View Report](#)

This City Resolution was Withdrawn with No New Date.

- 7.16** **This item was removed at the October 15, 2015 Rules and Legislation Committee meeting.**

- 7.17** Subject: Status Report Re Public Hearing On Coal's Health & Safety Impacts
From: Office Of The City Administrator
Recommendation: Receive An Informational Report As A Follow Up To The September 21, 2015 Hearing On Coal's Public Health And Safety Impacts
[15-0211](#)

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

This Informational Report was Received and Filed.

S7.18 Subject: Amendment To The Salary Ordinance
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classifications Of Environmental Services Analyst, Assistant, And Capital Improvement Project Coordinator, Assistant; Adjust The Title Of Internal Auditor III To Police Performance Auditor; And Delete All The Correctional Officer And Jail Classifications
[15-0132](#)

Attachments: [View Report.pdf](#)
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[View Supplemental Report](#)
[13336 CMS](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Meeting of the Oakland City Council to be heard 11/3/2015

S7.19 Subject: FY 2014-15 Annual Report On Grants Up To \$50,000
From: Office Of The City Administrator
Recommendation: Receive An Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts And Donations Of \$50,000 Or Less For The Period July 1, 2014 Through June 30, 2015
[15-0134](#)

Attachments: [View Report.pdf](#)

This Informational Report was Received and Filed.

S7.20 Subject: Establishing A Restructured Budget Advisory Commission
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Repealing Resolution No. 74826 C.M.S. And Establishing A Budget Advisory Commission To Replace The Budget Advisory Committee And Transferring To Budget Advisory Commission The Duties And Functions Of The Budget Advisory Committee
[15-0172](#)

Attachments: [View Report.pdf](#)
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[13337 CMS](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Meeting of the Oakland City Council to be heard 11/3/2015

S7.21 Subject: Appropriation Of Regional Measure 2 Safe Routes To Transit Grant Funds
From: Planning And Building Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Accept And Appropriate Three Hundred Forty-Two Thousand One Hundred Ten Dollars (\$342,110) In Regional Measure 2 (RM-2) Safe Routes To Transit (SR2T) Grant Funds For Access Improvements To The Lake Merritt Bart Station
[15-0131](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report](#)
[85839 CMS](#)

This City Resolution was Adopted.

S7.22 Subject: Services Agreement With eLock Technologies, LLC
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements And Execute A Professional Services Agreement With eLock Technologies, LLC, In An Amount Not-To-Exceed Thirty Thousand Dollars (\$30,000.00) For Five Years For: (1) Service Plans For City-Owned Bicycle eLockers; And (2) As-Needed Repairs To City-Owned Bicycle eLockers Due To Vandalism And Other Causes Not Covered By The Service Plans
[15-0133](#)

Attachments: [View Report.pdf](#)
[85840 CMS](#)

This City Resolution was Adopted.

S7.23 Subject: Installation Of Bike Lanes On Grand Avenue
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The Removal Of Travel Lanes And The Installation Of Class II Bicycle Lanes On Grand Avenue From Elwood Avenue To Jean Street
[15-0137](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report](#)
[85841 CMS](#)

This City Resolution was Adopted.

S7.24 Subject: City Center DDA Assignment
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Assignment To The City Of Oakland Of The Oakland Redevelopment Successor Agency's Rights And Obligations Under The City Center Disposition And Development Agreement With Oakland T12 LLC For Development Of Property Located At 601 12th Street; And
[15-0101](#)

Attachments: [view report.pdf](#)
[2015-007 ORSA](#)

This ORSA Resolution was Adopted.

2) A Resolution Authorizing The Assumption By The City Of Oakland Of The Oakland Redevelopment Successor Agency's Rights And Obligations Under The City Center Disposition And Development Agreement With Oakland T12 LLC For Development Of Property Located At 601 12th Street
[15-0102](#)

Attachments: [85842 CMS](#)

This City Resolution was Adopted.

S7.25 Subject: Amendment To Low-Income Client Representation Contract
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing: (1) A Two-Year Contract For \$165,000 Per Year, With The Option For Three One-Year Extensions, With Centro Legal De La Raza To Provide Legal Services To Low Income Tenants; And (2) A Two Year Contract For Up To \$35,000 Per Year With A Provider To Be Selected By The City Administrator To Provide Informational Workshops For Small Landlords
[15-0169](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85843 CMS](#)

This City Resolution was Adopted as Amended.

S7.26 Subject: 2016-2019 OFCY Strategic Investment Plan
From: Human Services Department
Recommendation: Adopt A Resolution To Adopt The 2016-2019 Strategic Investment Plan Of The Oakland Fund For Children And Youth And Planning And Oversight Committee As Approved By The Planning And Oversight Committee.

[15-0175](#)

Attachments: [View Report.pdf](#)
[85844 CMS](#)

This City Resolution was Adopted.

S7.27 Subject: 2015-2016 Winter Shelter Program
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Enter Into An Agreement And Accept And Appropriate Up To \$152,000 From Alameda County For North County Winter Relief Efforts Including Winter Shelter Beds; (2) Enter Into An Agreement And Accept And Appropriate Up To \$15,000 From City Of Emeryville Funds For Winter Shelter Beds; (3) Enter Into A Grant Agreement With Society Of St. Vincent De Paul Of Alameda County For The Provision Of 50 Plus Emergency Winter Shelter Beds For The Period Of November 1, 2015 Through April 30, 2016 In An Amount Not To Exceed \$150,000; (4) Enter Into A Grant Agreement With Bay Area Community Services, Opera Tor Of The Henry Robinson Service Center, For The Provision Of 10 Emergency Winter Shelter Beds For The Period Of November 1, 2015 Through April 30, 2016 In An Amount Not To Exceed \$30,000; And (5) Accept And Appropriate Additional Funds From Alameda County And The City Of Emeryville To Fund Winter Relief Efforts And Amend The Grant Agreements For Additional Winter Relief Efforts For The Period Of November 1, 2015 Through April 30, 2016 Without Returning To Council

[15-0170](#)

Attachments: [View Report.pdf](#)
[85845 CMS](#)

This City Resolution was Adopted.

S7.28 Subject: 2015-2017 Continuum Of Care (COC) Program
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 85581 C.M.S., Which Authorized The City Administrator To Apply For Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In The Estimated Amount Of \$3,766,755 Each Year For Fiscal Years (FY) 2015- 2016, 2016-2017 And Enter Into Grant Agreements For The Provision Of Transitional And Permanent Housing, To: (1) Authorize A Contribution From The General Purpose Fund For The Central Services Overhead Charges In An Estimated Amount Of \$14,918 Each Year For FY 2015- 2016 And 2016-2017; (2) Increase The Grant Amount Of One Of The Service Providers By \$74,724; (3) Clarify The Grant Terms; And (4) Authorize The City Administrator To Accept And Appropriate Additional Funds From HUD To Fund HUD Continuum Of Care (COC) Supportive Housing Programs And Amend The Grant Agreements For Additional Transitional And Permanent Housing And Support Services For FY 2015-2016 And 2016-2017 Without Returning To Council

[15-0176](#)

Attachments: [View Report.pdf](#)

[85846 CMS](#)

This City Resolution was Adopted.

S7.29 Subject: 2014-2017 Housing Opportunities for Persons With AIDS (HOPWA)
From: Human Services Department
Recommendation: Adopt A Resolution Amending Resolution No. 85582 C.M.S., Which Authorized The City Administrator To Accept And Appropriate Funds From The U.S. Department Of Housing And Urban Development (HUD) In An Estimated Amount Of \$2,176,581 Each Year For Fiscal Years (FY) 2015-2016 And 2016-2017, And Enter Into Grant Agreements With Alameda And Contra Cost A Counties For The Provision Of Housing Opportunities For Persons With Aids (HOPWA) Program For FY 2014-2015, 2015-2016, And 2016-2017, To Clarify The Grant Terms And To Seek A Contribution Of \$17,324 From The General Purpose Fund To Cover The Central Services Overhead Charges For FY 2015-2016 And 2016-2017

[15-0171](#)

Attachments: [View Report.pdf](#)

[85847 CMS](#)

This City Resolution was Adopted.

S7.30 Subject: Boomerang Rapid Rehousing Program (BRRC)
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With The Alameda County Department Of Housing And Community Development And Accept And Appropriate Funds In The Amount Of \$413,565 To Implement The Boomerang Rapid Rehousing Collaborative (BRRC) For The Period Of July 1, 2015 Through December 31, 2016; And 2) Enter Into Grant Agreements With Building Futures For Women And Children In An Amount Not To Exceed \$155,643 And With East Oakland Community Project In An Amount Not To Exceed \$207,797; And 3) Accept And Appropriate Additional Funds From Alameda County To Fund The BRRC And Amend The Grant Agreements Within The Grant Period Of July 1, 2015 To December 31, 2016 Without Returning To Council; And, 4) Authorize A Contribution From The General Purpose Fund For The Central Service Overhead Charges In And Estimated Amount Of \$2,393 For The Period Of July 1, 2015 To December 31, 2016

[15-0174](#)

Attachments: [View Report.pdf](#)

[85848 CMS](#)

This City Resolution was Adopted.

S7.31 Subject: Accept And Appropriate JABG Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To: 1) Enter Into A Grant Program Administration Agreement With The State Of California, Board Of State And Community Corrections, For The Juvenile Accountability Block Grant Program (JABG) Funds; 2) Accept, Appropriate, And Administer JABG Direct Allocation Funds For Fiscal Year (FY) 2015-16 To The Oakland Police Department In The Amount Of Twenty-Seven Thousand, Seven Hundred Seventy Dollars (\$27,770) For The School Safety Project For The Period July 1, 2015 Through June 30, 2016; And 3) The General Purpose Fund Provide A Contribution To Cover The Central Services Overhead (CSO) Costs Of Approximately Two Thousand Seven Hundred Thirteen Dollars (\$2,713)

[15-0115](#)

Attachments: [View Report.pdf](#)

[85849 CMS](#)

This City Resolution was Adopted.

S7.32 Subject: 2015-2017 Eden I&R Grant Agreement For 2-1-1 Telephone Services
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
A Grant Agreement With Eden Information & Referral Inc., For The Provision Of 2-1-1
Telephone Line Services For Information And Referral Services In The Amount Of
\$100,000 Each Year For Fiscal Year 2015-2016 And Fiscal Year 2016-2017
[15-0173](#)

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[85850 CMS](#)

This City Resolution was Adopted.

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

A motion was made by Kaplan, seconded by Gallo, that this matter be Approve as
Submitted the oral report from the Office of the City Attorney of 5 final decisions
made during Closed Session. Please refer to Attachment A for the details of the
final decision. The motion carried by the following vote:

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

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

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

9.1 Subject: Delinquent Mandatory Garbage Fees
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/February/March 2015 Monthly Accounts And April - June 2015 Quarterly Accounts And Upon Conclusion 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 Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 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

[15-0062](#)

Attachments: [View Report](#)

[85851 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 9:49 p.m.

2 individuals spoke on this item.

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

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

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

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[15-0063](#)

This City Resolution was 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 Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[15-0064](#)

This City Resolution was Not Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Amending The City's FY 2014-2016 Biennial Budget
From: Vice Mayor Kaplan And Councilmember Brooks
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2015-2017 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015
[15-0117](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[85852 CMS](#)

Vice Mayor Kaplan made a motion, seconded by Councilmember Brooks, to amend the Resolution as follows:

1) Once revenue sharing is met, any new, available money will go directly to funding the two priority areas of community based enforcement of Minimum Wage and paid sick-days law (\$240,000) and outreach and education of the Tenant Protection Ordinance and just-cause eviction law (\$100,000), which amounts to \$340,000;

2) Direct staff to report back to Council in mid-January 2016 regarding the progress of this action; and

3) Direct staff to begin the RFP process immediately.

There were 15 speakers on this item.

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

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

Absent: 1 - Reid

12 Subject: Approving MOU Between City & IFPTE
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers, Local 21, Representing Employees In Representation Units T A1, TF1, TM2, TW1, UH1, UM1, UM2, TM1, And U41, Covering The Period From Of July 1, 2015 Through June 30, 2017; And

[15-0186](#)

Attachments: [View Report](#)

[85853 CMS](#)

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

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

Subject: Amending Salary Schedule Pursuant To Local 21 MOU
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Cost Of Living Adjustments To The Salaries Of Certain Miscellaneous Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The International Federation Of Professional And Technical Engineers Local 21; The Cost Of Living Adjustments Shall Be As Follows: Increase Of 4% Effective July 1, 2015; And Increase Of 4% Effective January 14, 2017

[15-0195](#)

Attachments: [View Report](#)

[View Supplemental Report](#)

[13338 CMS](#)

A motion was made by Gallo, seconded by Campbell Washington, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 11/3/2015. The motion carried by the following vote:

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

S13 Subject: Urging MTC To Immediately Release Funding
From: Councilmember Brooks, Councilmember Kalb & Vice Mayor Kaplan
Recommendation: Adopt A Resolution Urging The Metropolitan Transportation Commission (MTC) To Immediately Release The Full Budget For Land Use Planning At The Association Of Bay Area Governments (ABAG), That Holding Up Of Funding Not Be Used To Force Other Decisions, The MTC And ABAG Engage In Collaborative Discussions To Consider Restructuring Their Relationship, Including A Possible Merger And Directing Oakland's Representative On MTC To Vote Accordingly
[15-0232](#)

Attachments: [View Report](#)
[85854 CMS](#)

Councilmember Kalb made a motion seconded by Councilmember Brooks to approve the urgency finding on this item 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. The motion passed with a vote of 8 Ayes.

Councilmember Brooks made a motion, seconded by Vice Mayor Kaplan, to amend the Resolution as follows:

RESOLVED: That Oakland City Council states to the MTC

A. ABAG has regional land use planning and research staff capable of carrying out all the responsibilities assigned to ABAG under SB 375;

B. ABAG staff has been directed to carry out the responsibilities assigned to ABAG under SB 375, including preparation and joint adoption of Plan Bay Area 2040;

C. ABAG's planning and research staff currently belongs with the Council of Governments, which is ABAG, and MTC should set aside the current effort to transfer only the land use planning staff and function from ABAG to MTC, and instead work cooperatively with ABAG on a more comprehensive merger or balanced plan, and that work should begin immediately;

D. MTC should restore funding to ABAG for FY 2015-16 in the full amount set forth in the Revised Funding Agreement Framework as approved by MTC at its June 25, 2014 meeting, but without qualifications;

E. Since ABAG is functionally able and willing to carry out its responsibilities under SB 375, MTC should continue funding ABAG for such work provided there are available State and Federal grant and/or pass-through funds, and should provide ABAG with sufficient assurances that such funding will not be unilaterally eliminated in the future absent a merger or other mutually agreed upon staffing arrangement arrived at through a deliberative, transparent and cooperative process;

F. ABAG and MTC should begin an open and transparent discussion including the 101 cities and nine counties and stakeholders on restructuring the relationship, including the possibility of merger or other mutually agreed upon working relationship, set a firm and workable timeline for action, and consider jointly hiring an independent consultant as soon as possible to facilitate such a process; and be it

FURTHER RESOLVED: That the Oakland City Council urges that MTC transportation planning staff and ABAG land use planning staff work more closely together in achieving shared objectives pursuant to SB 375 and other planning efforts; and be it

FURTHER RESOLVED: That maintaining or increasing Oakland's representation and influence within the regional agencies or any newly formed merged agency is critically important in making future decisions regarding any possible restructuring; and be it

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

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

CONTINUATION OF OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The Council)

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Victoria Ritas, Nellie Shaw, Dominguita Velasco and Rachel McBride at 10:55 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.