



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, November 3, 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 5:47 p.m.

2 ROLL CALL / CITY COUNCIL

Excused 1 - Desley Brooks

Present 7 - 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 15 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 Clyde Grimes, Steve Sexton and Tulip Sudduth.

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

Councilmember Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Rosalee Greenberg.

- 4.1 Subject: Presentation From Assemblymember Rob Bonta
From: Council President Gibson McElhaney
Recommendation: Receive An Informational Report Presented By Assemblymember Rob Bonta (District 15 - San Leandro, Alameda, And Half Of Oakland) On His Legislative Successes In The 2015 Legislative Season And Proposed Policies For 2016
[15-0238](#)

There was one speaker on this item.

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

Excused: 1 - Brooks

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

- 4.2 Subject: Resolution Recognizing BRIDGE Housing
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Bridge Housing- Saint Joseph's Campus In Oakland For Being California's Recipient Of The 2015 Global Award For Excellence From The Urban Land Institute (ULI)
[15-0234](#)

Attachments: [View Report](#)
[85856 CMS](#)

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

Excused: 1 - Brooks

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

- 4.3 Subject: Celebrating The Life Of Dominguita Velasco
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Celebrating The Life Of Dominguita Velasco, Who Passed On Sunday, October 11, 2015 At The Age Of 114 Years Old. Ms. Velasco Was A Mother, A Grandmother, A Great-Grandmother Who Provided Leadership And Community Development To The City Of Oakland
[15-0235](#)

Attachments: [View Report](#)
[85857 CMS](#)

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

Excused: 1 - Brooks

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

Absent: 1 - Reid

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 20, 2015
[15-0239](#)

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

Excused: 1 - Brooks

Aye: 7 - 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:**

Approval of the Consent Agenda

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

Excused: 1 - Brooks

Aye: 7 - 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
[15-0267](#)

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[85858 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

[15-0268](#)

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[85859 CMS](#)

This City Resolution was Adopted.

- 7.3 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](#)

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[13336 CMS](#)

There was one speaker on this item.

This Ordinance was Approved for Final Passage.

- 7.4 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](#)

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[13337 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.5** 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](#)

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[13338 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: Settlement Agreement - Claim Of Michelle Sosa
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Michelle Sosa, In The Amount Of Sixteen Thousand Three Hundred Thirty-One Dollars And 70/100 Cents (\$16,331.70) (Oakland Public Works-Sewer Main)
[15-0262](#)

Attachments: [View Report](#)
[85860 CMS](#)

This City Resolution was Adopted.

- 7.7** Subject: Settlement Agreement - Palacios And Carmona 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 Palacios And Carmona V. City Of Oakland, Alameda County Superior Court Case No. RG14741812, City Attorney's File No. 29307, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Public Works Department - Motor Vehicle Accident)
[15-0263](#)

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[85861 CMS](#)

This City Resolution was Adopted.

- 7.8 Subject: Settlement Agreement - Claim Of Pacific Gas & Electric Company
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Pacific Gas & Electric Company, In The Amount Of Eight Thousand Three Hundred Ten Dollars And 72/100 Cents (\$8,310.72) As The Result Of Damages Sustained From A Construction Event On October 18, 2014 (Oakland Public Works-Property Damage)
[15-0264](#)

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This City Resolution was Adopted.

- 7.9 Subject: Settlement Agreement - Chase Dickens 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 Chase Dickens V. City Of Oakland, Alameda County Superior Court Case No. RG14744830, City Attorney's File No. 30211, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Office Of Public Works- Dangerous Condition)
[15-0265](#)

Attachments: [View Report](#)
[85863 CMS](#)

This City Resolution was Adopted.

- 7.10 Subject: Settlement Agreement - Janett Linn 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 Janet Linn V. City Of Oakland, Alameda County Superior Court Case No. RG14719094 City Attorney's File No. 29726, In The Amount Of Sixty-Five Thousand Dollars And No Cents (\$65,000.00) (Oakland Public Works-Dangerous Condition)
[15-0266](#)

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[85864 CMS](#)

This City Resolution was Adopted.

7.11 Subject: Cannabis Regulatory Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Reappointing Dale Gieringer, Sierra Martinez, James Anthony, Matt Hummel, Jake Sassamen, A. Kathryn Parker And Amanda Reiman To The Community Oversight Committee For Oversight Of Implementation Of The Measure Z, The Oakland Cannabis Regulation Ordinance No. 12694 C.M.S., Approved By The Voters In November 2004 [TITLE CHANGE]
[15-0270](#)

Attachments: [View Report](#)
[85865 CMS](#)

The Council approved the Resolution as amended to revise all appointment dates to begin August 1, 2015 and end July 31, 2017.

This City Resolution was Adopted as Amended.

7.12 Subject: Housing, Residential Rent And Relocation Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ubaldo Fernandez To The Housing, Residential Rent And Relocation Board
[15-0271](#)

Attachments: [View Report](#)
[85866 CMS](#)

*The Council approved the Resolution as amended to add the following:
"RESOLVED, that pursuant to City Charter section 601, The City Council hereby confirms the Mayor's appointment of Ubaldo Fernandez to the Housing, Residential Rent and Relocation Board to serve the remainder of the term that began February 12, 2015 and ending February 11, 2018 as an Alternate Tenant Representative, filing the seat previously held by Tyfahra Singleton.*

There was one speaker on this item.

This City Resolution was Adopted as Amended.

7.13 Subject: Purchase Of Remington Shotguns And Accessories
From: Finance Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To LC Action Police Supply, The Lowest Responsible, Responsive Bidder, A Corporation, To Provide Remington Shotguns And Accessories, In An Amount Not To Exceed One Hundred Twenty-Seven Thousand One Hundred Ninety-Five Dollars And Twenty Cents (\$127,195.20) Per Request For Quotation (RFQ) No. 5608, Specification No. 15-680-52 And The General Conditions Therefor On File In The Purchasing Section According To Its Bid Filed With The City On June 29, 2015
[15-0184](#)

Attachments: [View Report](#)
[85867 CMS](#)

There were 6 speakers on this item.

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

Excused: 1 - Brooks

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

No: 1 - Kaplan

7.14 Subject: Opposing The Trans-Pacific Partnership
From: Councilmembers Guillén, Campbell Washington, Kalb And Gibson McElhaney
Recommendation: Adopt A Resolution Opposing The Trans-Pacific Partnership (TPP) Trade And Urging United States Senators And Congressmembers To Oppose The Ratification Of The TPP Trade Treaty Agreement
[15-0233](#)

Attachments: [View Report](#)
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[85868 CMS](#)

There was one speaker on this item.

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 Reid, seconded by Kaplan, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of 2 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

Excused: 1 - Brooks

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

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

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

9.1 Subject: Amending The FY 2015-16 Master Fee Schedule
From: Finance Department
Recommendation: Adopt An Ordinance Amending Ordinance 13320 C.M.S. (The FY 2015-16 Master Fee Schedule, "MFS"), To Establish, Modify And Delete Fees And Penalties, And Issue Fee Refunds Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland

[15-0191](#)

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[13339 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:42 p.m.

Two individuals spoke on this item.

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

The Council approved the Ordinance as amended to reduce the Planning Commission fee to \$890, reduce Notice fee to \$524, and add the following addition: "Except that in no case shall the inspection fee exceed the amount of the construction value."

A motion was made by Kalb, seconded by Kaplan, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 11/17/2015. The motion carried by the following vote:

Excused: 1 - Brooks

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** 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](#)

There were 2 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:**

Excused: 1 - Brooks

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

- 12** Subject: AC Transit Service Expansion Plan
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Presentation From AC Transit Regarding Their Service Expansion Plan And The Proposed Changes To Routes And Schedules In Oakland
[15-0269](#)

Attachments: [View Report](#)

The Council requested follow up on the F Line bus and Foothill/Telegraph potential connection.

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

Excused: 1 - Brooks

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

13 Subject: Appropriate Justice Assistance Grant (JAG) Funds
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate The Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In The Amount Of Five Hundred Fifty-Six Thousand, Seven Hundred Eighty-Nine Dollars (\$556,789) For October 1, 2014 Through September 30, 2018
[15-0185](#)

Attachments: [View Report](#)
[85870 CMS](#)

There were 3 speakers on this item.

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

Excused: 1 - Brooks

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

No: 1 - Kaplan

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 Clyde Grimes, Steve Sexton, Tulip Sudduth, Ray Ranieri and Rosalee Greenberg at 8:45 p.m.

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