



City of Oakland

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

Meeting Agenda - SUPPLEMENTAL

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, March 17, 2015

5:30 PM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Desley Brooks, District 6; Annie Campbell Washington, District 4; Noel Gallo, District 5; Abel J. Guillén, District 2; Dan Kalb, District 1; Vice Mayor Rebecca Kaplan, At Large; President Pro Tempore Larry Reid, District 7; Council President Lynette Gibson McElhaney, District 3

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

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF MARCH 2, 2015
AND MARCH 3, 2015

[14-0605](#)

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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:

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

[14-0606](#)

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

[14-0607](#)

Attachments: [View Report.pdf](#)

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

[14-0491](#)

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Legislative History

2/17/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council
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3/3/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council
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- 7.4** Subject: Housing, Residential Rent And Relocation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
Jessica "Jessie" Warner, Tyfahra D. Singleton And Reappointment Of Noah Frigault
To The Housing, Residential Rent And Relocation Board [TITLE CHANGE]
[14-0314](#)

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Legislative History

12/9/14	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the Meeting of the Oakland City Council
1/6/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn with No New Date
2/17/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council
3/3/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council

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

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[View Supplemental Report.pdf](#)

Legislative History

2/17/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council
3/3/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council

- 7.6** Subject: Settlement Agreement - Steven Angell 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 Steven Angell, Et Al. V. City Of Oakland, Et Al., United States District Court Case No. C13-0190 NC, City Attorney's File No. 29093 In The Amount Of Nine Hundred Thirty Thousand Dollars And No Cents (\$930,000.00) (OPD)

[14-0626](#)

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Legislative History

3/5/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 7.7** Subject: Affirming Oakland's Opposition To "Sex-Selective Abortion Bans"
From: Councilmembers Campbell Washington And Guillen
Recommendation: Adopt A Resolution Affirming Oakland's Opposition To "Sex-Selective Abortion Bans" That Perpetuate Racial Stereotypes

[14-0614](#)

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Legislative History

3/5/15	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 7.8** Subject: Resolution To Support The Constitutional Right To Vote
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution To Support Congressional House Joint Resolution 25 Proposing An Amendment To The Constitution Of The United States To Include Provisions Declaring The Rights Of Citizens To Vote, To Promote Democracy And Prevent Political, Racial And Discriminatory Limitations On Voting Access [TITLE CHANGE]

[14-0571](#)

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Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
3/5/15	*Rules & Legislation Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

7.9 Subject: Support For AB 96: Prohibiting The Sale Of Ivory
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 96 Prohibiting The
Sale Of Ivory And Rhinoceros Horn In California
[14-0573](#)

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Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
3/5/15	*Rules & Legislation Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

There were 2 speakers on this item

7.10 Subject: Support For Moratorium On Fracking In California
From: Councilmembers Kaplan, Kalb, McElhaney And Guillen
Recommendation: Adopt A Resolution In Support Of A Request To The Governor To
Adopt A Moratorium On Fracking In California
[14-0535](#)

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Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
3/5/15	*Rules & Legislation Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

*The Resolution was amended to add the following: "FURTHER RESOLVED:
That the City of Oakland urges support of the Alameda County Board of
Supervisors efforts to amend the Alameda County General Plan, East County
Area Plan and County Zoning Ordinances to ban and restrict oil and gas
extraction, including fracking, countywide."*

There was 1 speaker on this item

S7.11 Subject: Civil Service Exemption For Employee And Labor Relations Analyst, Senior
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S.
("Salary Ordinance") To Create The Classification Of Employee And Labor Relations
Analyst, Senior

[14-0419](#)

Attachments: [View Report.pdf](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 31, 2015.

Legislative History

1/22/15	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
2/10/15	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
	<i>Consent</i>	
3/10/15	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

2) A Resolution Recommending To The Civil Service Board The Exemption Of The
Following Classification From The Operation Of Civil Service: Employee And Labor
Relations Analyst, Senior

[14-0481](#)

S7.12 Subject: Amending The Salary Schedule Of Ordinance No. 12187 C.M.S.
From: Employee Relations
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance
12187 C.M.S. (The Salary Ordinance) To Increase Salaries For Classifications
Represented By The Oakland Police Officers' Association (OPOA) And Oakland Police
Management Association (OPMA) In The Amounts Set Forth In The Adopted July 1,
2006 Through June 30, 2015 Memoranda Of Understanding (MOUs)

[14-0580](#)

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*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 31, 2015.

Legislative History

3/10/15	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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S7.13 Subject: TFCA Funding For Bike Share, City Racks, And The Broadway "B" Shuttle
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Nine-Hundred Thousand Six-Hundred Sixteen Dollars (\$900,616.00) In Transportation Funds For Clean Air (TFCA) County Program Manager Funds To Implement The Oakland Bike Share Program, Eighty-Eight Thousand Dollars (\$88,000.00) To Implement The Cityracks Bicycle Parking Program, Phase II, And Forty-One Thousand Five-Hundred Dollars (\$41,500.00) For The Oakland Broadway "B" Shuttle Peak Hour Operations

[14-0543](#)

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Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
3/10/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.14 Subject: Latham Square Streetscape Improvements
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Award A Construction Contract To McGuire And Hester, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Latham Square Streetscape Improvements (Project No. C464560) And With Contractor's Bid In The Amount Of Four Million One Hundred Ninety Thousand One Hundred Fifty-Six Dollars (\$4,190,156.00); And

[14-0561](#)

Attachments: [View Report.pdf](#)

Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
3/10/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

2) A Resolution To Authorize The City Administrator Or Designee To Negotiate And Execute A Reimbursement Agreement With East Bay Municipal Utilities District ("EBMUD") In The Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00) And To Accept And Appropriate These Funds For The Construction And City Staff Costs Associated With The Construction Of EBMUD Water Main Relocation For The Latham Square Project (No. C464560)

[14-0602](#)

Legislative History

3/10/15 *Public Works Committee Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.15 Subject: Report From OPD Regarding Recent Demonstrations
From: Councilmember Dan Kalb
Recommendation: Receive An Informational Report From The Oakland Police Department (OPD) On Planning For And Responding To Recent Demonstrations And Subsequent Violence And Vandalism And Resulting Prosecution
[14-0444](#)

Attachments: [View Report.pdf](#)

Legislative History

1/22/15 *Rules & Legislation Committee Scheduled to the *Public Safety Committee
3/10/15 *Public Safety Committee Received and Forwarded to the Meeting of the Oakland City Council

There were five speakers on this item.

S7.16 Subject: Assignment Of Oakland Marriott Hotel City Center Ground Lease
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The Interim City Administrator To Execute A Consent To An Assignment Of The Oakland Marriott Hotel City Center Ground Lease To AGRE DCP Oakland City Center Owner LLC, Or A Related Entity
[14-0562](#)

Attachments: [View Report.pdf](#)

Legislative History

2/19/15 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
3/10/15 *Community & Economic Development Committee Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

The committee requested a future report on economic measures job outreach, marketing and usage on marriott hotel and convention center

S7.17 Subject: Settlement Agreement Metropolitan Golf Links FY 2013-14 Rental Obligation
From: Oakland Parks & Recreation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Execute A Settlement Agreement With The Port Of Oakland And Oakland Golf LLC With Respect To Metropolitan Golf Links Golf Course Fiscal Year 2013-2014 Rental Obligations; 2) Execute A Fourth Supplemental Lease Agreement With The Port For The Lease Of The Metropolitan Golf Links Golf Course; And 3) Execute A Second Amendment To The Sublease And Operating Agreement With Oakland Golf LLC For The Operation Of The Metropolitan Golf Links Golf Course
[14-0568](#)

Attachments: [View Report.pdf](#)

Legislative History

2/19/15	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
3/10/15	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

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

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

[14-0417](#)

Attachments: [View Report.pdf](#)
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*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS
ORDINANCE.*

FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 31, 2015.

Legislative History

1/22/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/10/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council <i>The Committee also directed staff to prepare to answer questions about how to require contractors to remove no parking signs if a project is delayed.</i>
2/17/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	* Withdrawn and Rescheduled to the Meeting of the Oakland City Council
3/3/15	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Continued to the Meeting of the Oakland City Council

- 9.2 Subject: Car Share Policy, Ordinance, Master Fee Changes & External Funding
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The
Following Pieces Of Legislation:

1) A Resolution Approving A Car Sharing Policy; 2) Accept And Appropriate Three Hundred Twenty Thousand Five Hundred And Twenty-Six Dollars (\$320,526.00) In Cycle 2 Congestion Mitigation And Air Quality (CMAQ) Program Funds From The Metropolitan Transportation Commission; 3) Commit Matching Funds Of 20.00% Of The Grant Amount, Or Sixty-Four Thousand One Hundred Five Dollars (\$64,105.00); And

[14-0500](#)

Attachments:

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Legislative History

2/5/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/24/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

There were 25 speakers on this item.

2) A Resolution Authorizing The Filing Of An Application For Funding Assigned To MTC And Committing Any Necessary Matching Funds And Stating The Assurance To Complete The Project; And

[14-0501](#)

Legislative History

2/5/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
2/24/15	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

3) An Ordinance That Amends Title 10.44 And Title 10.71 Of The Oakland Municipal Code To Establish New Parking Permits To Eligible Car Sharing Organizations; And Amend Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, Or "MFS") To Establish Fees For The New Permits

[14-0502](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON MARCH 31, 2015.

Legislative History

2/5/15	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
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2/24/15 *Public Works Committee Approve the Recommendation of Staff, and
Forward to the Meeting of the Oakland City
Council

9.3 Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For
Delinquent Real Property Transfer Taxes 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 Real Property Transfer Taxes
And Confirming The Recordation Of Liens With Administrative And Assessment
Charges As Necessary Pursuant To Chapter 4.20 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

[14-0596](#)

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Legislative History

3/5/15 *Rules & Legislation Scheduled to the Meeting of the Oakland
Committee City Council

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On
Delinquent Real Property Transfer Taxes And The Recordation Of Liens With
Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of
The Oakland Municipal Code; Or

[14-0597](#)

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 Real Property Transfer Taxes And Authorizing The Recordation Of Liens
With Administrative And Assessment Charges As Necessary Pursuant To Chapter
4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And
Assessment Charges Be Turned Over To The County Tax Collector For Collection

[14-0598](#)

9.4 Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department
Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For
July/August/September 2014 Monthly Accounts And October -December 2014
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

[14-0599](#)

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Legislative History

3/5/15

*Rules & Legislation
Committee

Scheduled to the Meeting of the Oakland
City Council

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

[14-0600](#)

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

[14-0601](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

S-11 Subject: I-880 Integrated Corridor Management North Alameda Segment Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Negotiate And Enter Into A Memorandum Of Understanding (MOU) With The Metropolitan Transportation Commission, For The Interstate 880 Integrated Corridor Management (I-880 ICM) North Alameda Segment Project (Project) To Provide Transportation Improvements In Oakland. The Project Consists Of Interconnected Traffic Signals, Electronic Guide Signs, Monitoring Cameras And Other Equipment To Manage Traffic During Emergencies And Incidents On Interstate 880 That Impact City Of Oakland Streets That Are Near The Freeway
[14-0560](#)

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Legislative History

2/19/15	*Rules & Legislation Committee	Rescheduled to the *Public Works Committee
3/10/15	*Public Works Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

The Committee approved recommendations as amended to require the item return to Council for final approval.

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)

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