



City of Oakland

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

Meeting Minutes - DRAFT Concurrent Meeting of the Oakland Redevelopment Successor Agency 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 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 5:35 p.m.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Councilmember Gallo present at 5:40 p.m.

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 12 Open Forum speakers.

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

Councilmember Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Dori Maynard. Councilmembers Kalb and Guillen has requested association with this adjournment.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Johnnie Benford.

Councilmember Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Davon Ellis, Russell Sergent, and Annette Snyder. Councilmember Guillen requested association with the adjournment for Devon Ellis.

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Marcus West, Jr.

- 4.1 Subject: Commending Oakland Public Works Department
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Commending Oakland Public Works For
Achieving Re-Accreditation By The American Public Works Association On December
9, 2014
14-0492

Attachments: [View Report.pdf](#)

**A motion was made by Kaplan, seconded by Reid, 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

- 4.2 Subject: Honoring Jahahara Amen-Ra Alkebulan-Ma'at
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Jahahara Amen-Ra Alkebulan-Ma'at
For His Remarkable Achievements As A Community Organizer, Public Health Activist,
And Green Energy Advocate And Developer In Oakland And Beyond
14-0566

Attachments: [View Report.pdf](#)

**A motion was made by Gibson McElhaney, seconded by Reid, 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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF FEBRUARY 17,
2015 AND FEBRUARY 19, 2015
14-0547

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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:**

Approval of the Consent Agenda

A motion was made by Kaplan, 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
14-0545

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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
14-0546

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This City Resolution was Adopted.

- 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

Attachments: [View Report.pdf](#)

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 3/17/2015

- 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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**This City Resolution was Continued.to the Meeting of the Oakland City Council to
be heard 3/17/2015**

- 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

**This City Resolution was Continued.to the Meeting of the Oakland City Council to
be heard 3/17/2015**

- 7.6 Subject: Amending Salary Schedule To Create Benefits Coordinator
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of
Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of
Benefits Coordinator
14-0418

Attachments: [View Report.pdf](#)

This Ordinance was Approved for Final Passage.

- 7.7 Subject: Oakland Animal Services Community Advisory Commission
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Establishing The Oakland Animal Services
Community Advisory Commission; Providing For The Appointment Of Members
Thereof, And Defining The Duties Of Said Commission
14-0395

Attachments: [View Report.pdf](#)

[View supplemental Report](#)

This Ordinance was Approved for Final Passage.

- 7.8** Subject: Settlement Agreement - Vernon Walker 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 Vernon Walker v. City Of Oakland, Alameda County Superior Court Case No. RG14734012, City Attorney's File No. 29402, In The Amount Of Ten Thousand Dollars (\$10,000.00) (Public Works Department - Dangerous Condition)

14-0542

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.9** Subject: Alameda County Transportation Commission (ACTC) Appointment
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Reappointing Vice Mayor Rebecca Kaplan To The Alameda County Transportation Commission ("ACTC") For One (1) Year Terms Commencing March 9, 2015 And Ending March 8, 2016

14-0567

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This City Resolution was Adopted.

- 7.10** Subject: Youth Ventures Joint Powers Authority Appointments
From: Councilmember Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Mayor Libby Schaaf And Chief Sean Whent To The Youth Ventures Joint Powers Authority, And Appointment Of Lt. Leronne Armstrong As An Alternate

14-0520

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This City Resolution was Adopted.

- 7.11 Subject: Support For Senate Act 140: Combat Human Trafficking Act
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of The Proposed Federal "Combat Human Trafficking Act Of 2015", S.140, Which Would Strengthen Law Enforcement Efforts To Investigate And Prosecute Individuals Who Commit Sex Trafficking Crimes And Require The Department Of Justice To Collect And Monitor Data On The Sexual Exploitation Of Children

14-0400

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This City Resolution was Adopted.

- 7.12 Subject: Support For SB 23: Repeal CalWORKS Maximum Family Grant Rule
From: Councilmembers Campbell Washington And Brooks
Recommendation: Adopt A Resolution To Support State Senate Bill (SB) 23 Which Would End Discrimination Against Children Born Into Poverty And Repeal The CalWORKS Maximum Family Grant Rule That Denies Financial Support To Babies Born While Their Families Are Receiving CalWORKS Basic Needs Grants

14-0476

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This City Resolution was Adopted.

- 7.13 Subject: City-IAFF Local 55 Side Letter Agreement
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Implement The Terms Of The Side Letter Agreement Between The City Of Oakland And International Association Of Firefighters Local 55, To Modify Article 3. Insurance Programs Section 3. 7 Health Reimbursement Arrangement Of The Current Labor Agreement And Make A One Thousand Dollar Payment Into A Health Reimbursement Arrangement Account By March 31, 2015 For All Eligible Firefighters

14-0556

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.14** Subject: Adopt Retirement Health Savings (RHS) Plan
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee Establish And Implement A Health Reimbursement Arrangement (HRA) With ICMA-RC Through Execution Of A Plan In Substantially The Form Of The Vantagecare Retirement Health Savings (RHS) Plan; And, Authorizing The City Administrator Or Designee To Approve Any Necessary Additions, Changes And Modifications To Such Plan And To Execute All Related Documents And Agreements Required To Implement The HRA [TITLE CHANGE]

14-0385

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- S7.15** Subject: Amendments To The FY 2014-2015 Midcycle Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending The City Of Oakland's FY 2014-15 Midcycle Budget, Which Was Adopted Pursuant To Resolution No. 85085 C.M.S. On July 1, 2014 And Amended By Resolution 85281 C.M.S. On November 18, 2014 To Appropriate FY 2014-15 General Purpose Fund Expenditures In An Amount Not To Exceed \$744,186 From Oakland Parks And Recreation Reserve For Youth Program; And Increase General Purpose Fund Reserve In An Amount Of \$55,914

14-0495

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- S7.16** Subject: Fiscal Year 2014-2015 Second Quarter Revenue and Expenditure Report
From: Finance Department
Recommendation: Receive An Informational Report On The FY 2014-15 Second Quarter Revenue And Expenditure Results For Four Selected Funds - General Purpose Fund (GPF, 1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds

14-0494

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This Informational Report was Received and Filed.

- S7.17** Subject: DeFremery Skate Park Phase II \$1 Gift In-Place Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To: 1) Authorize The City Administrator To Accept In-Kind Services From Levi Strauss & Co. Through Friends Of Oakland Parks & Recreation To Construct The DeFremery Skate Park Phase II Project In West Oakland, Valued Up To Three Hundred Thousand Dollars (\$300,000.00); 2) Authorize The City Administrator To Execute A Construction Contract With Grindline Skateparks For One Dollar (\$1.00) To Perform The Services And Authorize The Work On City Property; And 3) Waive Advertising And Bidding Requirements For The Project
14-0505

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- S7.18** Subject: Sanitary Sewer Management Plan
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving The Sanitary Sewer Management Plan As Required By The State Water Resources Control Board's Statewide General Discharge Requirements For Sanitary Sewer Systems
14-0506

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- S7.19** Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Easement Of Clarendon Crescent Avenue And Sunny Hills Road (Project No. C329135) And With Contractor's Bid In The Amount Of Four Hundred Forty-Five Thousand Eighty-One Dollars (\$445,081.00)
14-0504

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This City Resolution was Adopted.

- S7.20** Subject: Oakland Parks Coalition's Community Report Card
From: Vice Mayor Kaplan
Recommendation: Receive An Informational Report From The Oakland Parks Coalition's Community Report Card On The State Of Oakland Parks
14-0349

Attachments: [View Report.pdf](#)

This Informational Report was Received and Filed.

- S7.21** Subject: 10451 MacArthur Boulevard ENA
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With AMG & Associates Or Related Affiliate For The Sale And Development Of The Property Located At 10451 MacArthur Boulevard; And Authorizing An Exclusive Negotiating Period Of One Year And One Optional Six Month Administrative Extension
14-0498

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- S7.22** Subject: 2015-2017 Permanent Access To Housing (PATH) Strategy
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Amend The 2014-2017 Permanent Access To Housing (PATH) Grant Agreement With Abode Services To Add \$47,948 For Housing Retention Services; 2) Amend The 2014-2017 PATH Grant Agreement With East Oakland Community Project (EOCP) To Add \$55,163 For Housing Retention Services; 3) Enter Into A Grant Agreement In An Amount Not To Exceed \$27,980 With Alameda County As Fiscal Agent For Everyone Home (EOH) For The Alameda Countywide EOH Plan; 4) Enter Into A Grant Agreement With The Society Of St. Vincent De Paul (SVDP) For The Provision Of Warming Center Services For The Period Of November 17, 2014 Through April 15, 2015; And Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead For Fiscal Years 2014-2015, 2015-2016 And 2016-2017 In An Estimated Total Amount Of \$421,564
14-0424

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This City Resolution was Adopted as Amended to include the following: "If approved in the budget process."

S7.23 Subject: Aviat Renewal
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To: 1) Enter Into An Agreement With Aviat U.S., Inc. In An Amount Of One Hundred Thousand Dollars (\$100,000.00) Per Year For A Period Of Five Years For A Total Contract Amount Of Five Hundred Thousand Dollars (\$500,000.00) For The Purchase Of Equipment, Products, Extended Warranty, Maintenance And Related Professional Services, And 2) Waive The City's Advertising, Competitive Bid And Request For Proposals/Qualifications (RFP/Q) Requirements For The Above Purchases [TITLE CHANGE]

14-0507

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

S7.24 Subject: Authorizing Travel To The 2015 National League Of Cities
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Designating Council Member Abel Guillen As A City Of Oakland Voting Delegate, And Authorizing Councilmember Abel Guillen To Travel To Washington D.C. To Attend The 2015 National League Of Cities Congressional City Conference And Exposition March 7 -11, 2015, And Authorizing Up To \$2,500 In Related Fees.

14-0604

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This City Resolution was Withdrawn with No New Date.

S7.25 Subject: Authorizing Travel To The 2015 National League Of Cities
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Council Member Desley Brooks To Travel To Washington D.C. To Attend The 2015 National League Of Cities Congress Of Cities And Exposition March 7 - 11, 2015

14-0578

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Councilmember Brooks made a motion seconded by Vice Mayor Kaplan to approve the urgency finding on Item 7.25. The motion passed with a vote of 8 Ayes.

This City Resolution was Adopted as Amended to approve funds from Councilmember Brooks' internal funds.

**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 Campbell Washington, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of no final decisions made during Closed Session. 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: Amending Oakland Municipal Code Chapter 12.12 - Excavation
From: Oakland Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Municipal Code (OMC) Chapter 12.12-Excavation To Enhance Preservation Of City's Street And Sidewalk Assets
14-0417

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A motion was made by Kalb, seconded by Kaplan, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 3/17/2015. The motion carried by the following vote:

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

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 Dori Maynard, Johnnie Benford, Davon Ellis, Russell Sergent, Annette Snyder and Marcus West, Jr., at 6:43 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.