



# 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>

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Tuesday, October 17, 2017

5:30 PM

City Council Chamber, 3rd Floor

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#### 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 5:44 P.M.*

#### 2 ROLL CALL / CITY COUNCIL

**Excused** 1 - Abel J. Guillén

**Present** 7 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Lynette McElhane, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

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

*12 speakers spoke during Open Forum.*

#### 4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

*Councilmember McElhane took a point of personal privilege and requested that the meeting be adjourned in memory of Marian Ella Barfield*

*Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Angel Andres Ramirez*

- 4.1 Subject: Honoring Rebecca Kozak On Her Retirement  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution Recognizing And Honoring Executive Assistant To The Director Rebecca Kozak For 25 Years Of Dedicated Service To The Residents Of Oakland And The Oakland Fire Department  
[17-0033](#)

**Attachments:** [View Report](#)  
[86923 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

- 4.2** Subject: Honoring Kip Walsh  
From: Vice Mayor Campbell Washington And President Pro Tem Guillén  
Recommendation: Adopt A Resolution Commending And Honoring Kip Walsh For 17  
Years Of Exemplary Service To The City Of Oakland  
[17-0186](#)

**Attachments:** [View Report](#)  
[86924 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

- 4.3** Subject: Honoring Rocio Fierro - Ceremonial Resolution  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Honoring Rocio V. Fierro For More Than 26 Years  
Of Exemplary Service To The City Of Oakland  
[17-0218](#)

**Attachments:** [View Report](#)  
[86925 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 3, 2017  
[17-0195](#)

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

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

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

*Vice Mayor Campbell Washington moved and Councilmember Gallo Second per  
Councilmember Kalb request that item S7.15 be moved to the Non-Consent  
Calendar at the next City Council Meeting ( November 11, 2017)*

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

*Speakers spoke during The Consent Calendar.*

***Approval of the Consent Agenda***

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

- 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  
[17-0196](#)

**Attachments:** [View Report](#)  
[86926 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  
[17-0197](#)

**Attachments:** [View Report](#)  
[86927 CMS](#)

**This City Resolution was Adopted.**

7.3 Subject: Youth Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of  
Esmeralda Cortez, Darrell Edwards, Jr., Ivan Garcia, Giovanni Hernandez, Maxwell Stern,  
Buna Poeng, Davone Riddick, Sepideh Kiumarsi, Ericson Amaya Bonilla, Daren Barron,  
Grecia Jaqueline Palma As Members Of The Youth Advisory Commission  
[17-0164](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86928 CMS](#)

**This City Resolution was Adopted.**

7.4 Subject: Community Policing Advisory Board  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of William  
Mayes As A Member Of The Community Policing Advisory Board  
[17-0165](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86929 CMS](#)

**This City Resolution was Adopted.**

7.5 Subject: Commission on Persons with Disabilities  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sarah Garner, Frank Sperling, Bettye L. Wright To The Commission On Persons With Disabilities  
[17-0167](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86930 CMS](#)

**This City Resolution was Adopted.**

7.6 Subject: Library Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Nathaniel W. Dumas, Rebekah Randle And Reginald Constant As Members Of The Library Advisory Commission  
[17-0168](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86931 CMS](#)

**This City Resolution was Adopted.**

7.7 Subject: Opposition HR 38  
From: Councilmembers Brooks, Gallo, And Kaplan  
Recommendation: Adopt A Resolution In Opposition Of House Resolution 38, Known As The Concealed Carry Reciprocity Act Of 2017 And S446 Known As The Constitutional Concealed Carry Reciprocity Act Of 2017, Which Would Force Every State To Recognize Concealed Carry Permits By Every Other State, Regardless Of The Permitting Standards, Or Lack Thereof, Of That State.  
[17-0146](#)

**Attachments:** [View Report](#)  
[86932 CMS](#)

**This City Resolution was Adopted.**

- 7.8** Subject: Ban On Drilling, Fracking In Waters Off The California Coast  
From: Councilmember Kalb  
Recommendation: Adopt A Resolution In Support Of (1) A Ban On New Drilling, Fracking, And Other Well Stimulation In Federal And State Waters Off The California Coast, (2) A Ban On New Federal Oil And Gas Leases In The Pacific, Atlantic, Arctic Oceans And The Eastern Gulf Of Mexico-Areas Currently Protected From New Leases; And 3) A Rapid Phase-Out Of All Oil And Gas Extraction Off The California Coast On A Rapid Schedule Sufficient To Respond To The Climate Crisis

[17-0162](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86933 CMS](#)

**This City Resolution was Adopted.**

- S7.9** Subject: The Research Foundation Of The City University Of New York Grant  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds On Behalf Of The City Of Oakland In The Amount Of One Hundred Forty Thousand Dollars (\$140,000) From The Research Foundation Of The City University Of New York To Fund The Development Of A Framework Of Equity Indicators To Promote Equitable Outcomes For City Of Oakland Residents [TITLE CHANGE]

[17-0160](#)

**Attachments:** [View Report](#)  
[86934 CMS](#)

**This City Resolution was Adopted.**

- S7.10** Subject: Major Encroachment Permits at 344 13th Street  
From: Department Of Transportation  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Harrison Menlo Preservation, L.P. To Allow Existing Basement And Structural Sidewalk At 344 13th Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ17058

[17-0157](#)

**Attachments:** [View Report](#)  
[86935 CMS](#)

**This City Resolution was Adopted.**

**S7.11** Subject: MOU And Infrastructure Funding Agreements  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing Memoranda Of Understanding And Infrastructure Funding Agreements With The America's Job Center Of California Local One-Stop Partners As Required Under The Workforce Innovation And Opportunity Act And Approved By The Oakland Workforce Development Board Without Returning To Council  
[17-0112](#)

Attachments: [View Report](#)  
[86936 CMS](#)

**This City Resolution was Adopted.**

**S7.12** Subject: Brooklyn Basin Affordable Housing Agreements  
From: Housing And Community Development Department  
Recommendation: Adopt an Ordinance (1) Authorizing A Master Housing Agreement With The Oakland Housing Authority And Midpen Housing Corporation, Or Affiliated Entities, For Development Of Affordable Housing At Brooklyn Basin, (2) Authorizing Lease Disposition And Development Agreements With Midpen Housing Corporation And The Oakland Housing Authority, Or Affiliated Entities, For The Long-Term Ground Lease Of Parcel F At Brooklyn Basin For The First Phases Of Development, And (3) Making Ceqa Findings For This Action  
[17-0150](#)

Attachments: [View Report](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 11/7/2017**

2) A Resolution (1) Authorizing An Unsecured Predevelopment Loan In The Amount Of \$2,067,000 To Midpen Housing Corporation, Or Affiliated Entities, To Support The Development Of Affordable Housing On Parcels A And Ft Brooklyn Basin, (2) Authorizing A Secured Affordable Housing Development Loan In An Amount Not To Exceed \$15,243,000, To Midpen Housing Corporation, Or Affiliated Entities, To Support The Development Of Affordable Housing On Parcel F At Brooklyn Basin, And (3) Making CEQA Findings For This Action  
[17-0151](#)

Attachments: [86937 CMS](#)

**This City Resolution was Adopted.**

**S7.13** Subject: Extend Term Of An ENA For Development At 2100 Telegraph Avenue  
From: Economic & Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing An Amendment To The Exclusive Negotiation Agreement ("Ena") With W/L Telegraph Owner, LLC, Or An Affiliate For Development Of A Mixed-Use Project On Cityowned Property Located At 2100 Telegraph Avenue (Assessor's Parcel Number: 008-0648-016-03) To: (1) Extend The Term By Twelve Months From October 21, 2017 To October 21, 2018, With An Additional Six-Month Administrative Extension Option, And (2) Extend Performance Deadlines, Relying On A CEQA Exemption Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines  
[17-0152](#)

**Attachments:** [View Report](#)  
[86938 CMS](#)

**This City Resolution was Adopted.**

**S7.14** Subject: Fox Theater Loan Assignment  
From: Economic And Workforce Development Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Assumption From The Oakland Redevelopment Successor Agency ("ORSA") Of Approximately \$47.5 Million In Loans Made By ORSA To Fox Oakland Theater, Inc., For The Renovation Of The Fox Theater, And Authorizing A Compensation Agreement With ORSA To Pay 30% Of Loan Repayments; And  
[17-0153](#)

**Attachments:** [View Report](#)  
[86939 CMS](#)

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

**Excused:** 1 - Guillén

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

**No:** 1 - Kaplan

**NO VOTE:** 0



2) A Resolution Authorizing The Assignment To The City Of Oakland Of Approximately \$47.5 Million In Loans Made To Fox Oakland Theater, Inc., For Renovation Of The Fox Theater, Contingent On The City Agreeing To Pay 30% Of The Loan Repayments To The Oakland Redevelopment Successor Agency  
[17-0154](#)

**Attachments:** [View Report](#)  
[2017-008 CMS](#)

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

**Excused:** 1 - Guillén

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

**No:** 1 - Kaplan

**NO VOTE:** 0

**S7.15** Subject: Economic Development Strategy  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Adopting An Economic Development Strategy for 2018-2020  
[17-0156](#)

**Attachments:** [View Report](#)  
[Color Copy Strategy](#)  
[Color Copy Appendices](#)

**A motion was made by Councilmember Kalb, seconded by Councilmember Kaplan to pull this item.**

**S7.16** Subject: Opposition To Federal Legislation To Weaken Or Eliminate California Firearms Laws  
From: City Attorney Barbara Parker, Council President Larry Reid, Councilmembers Guillen and Kaplan  
Recommendation: Adopt A Resolution In Opposition To Federal Legislation To Weaken Or Eliminate California Firearms Laws, Including Congressional Bill HR 367, Which Would Remove Federal Restrictions On Gun "Silencers" And Prohibit California From Enforcing Its Ban On Silencers And From Otherwise Regulating The Sales And Possession Of Silencers  
[17-0206](#)

**Attachments:** [View Report](#)  
[86940 CMS](#)

**This City Resolution was Adopted.**

**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:**

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

**10 THIS NUMBER INTENTIONALLY NOT USED**

**12** Subject: Appointment To The Police Commission  
From: Office Of The Mayor  
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Confirming The Mayor's Appointment Of Regina Jackson To The Police  
Commission; And

[17-0127](#)

**Attachments:** [View Report](#)  
[View Report 10-5-17](#)  
[86941 CMS](#)

*The Agenda was modified to show that items 12 and 13 were heard before item 11*

*There were 6 speakers on this item*

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

2) A Resolution Confirming The Mayor's Appointment Of Edwin Prather To The Police  
Commission; And

[17-0132](#)

**Attachments:** [View Report 10-5-17](#)  
[86942 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

3) A Resolution Confirming The Mayor's Appointment Of Thomas Smith To The Police Commission; And  
[17-0133](#)

**Attachments:** [View Report 10-5-17](#)  
[86943 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

4) A Resolution Confirming The Mayor's Appointment Of Andrea Dooley As An Alternate Member Of The Police Commission  
[17-0134](#)

**Attachments:** [View Report 10-5-17](#)  
[86944 CMS](#)

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

**13** Subject: Police Commission Appointments  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Accepting The Selection Panel's Slate Of Four Police Commissioners (Mubarak Ahmad, Jose Dorado, Ginale Harris, Mike Nisperos) And One Alternate (Maureen Benson) To Serve On The City Of Oakland Police Commission  
[17-0147](#)

**Attachments:** [View Report 9-21-17](#)  
[View Updated Report 10-5-17](#)  
[86945 CMS](#)

*There were 6 speakers on this item*

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

**Excused:** 1 - Guillén

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

**NO VOTE:** 0

**11** Subject: Resolution To Award A Security Services Contract  
From: Oakland Public Works  
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Awarding A Security Services Contract To ABC Security Services Inc. For A Term Period Of Three (3) Years With An Option To Extend The Contract Upon Satisfactory Completion Of The Initial Term In Increments Of One (1) Year; For Up To A Total Of Two (2) Consecutive Additional Years; In An Amount Not-To-Exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000) For Each Year Of The Contract; Or  
[17-0189](#)

**Attachments:** [View Report](#)  
[View Supplemental 10/12/17](#)

*There were 12 speakers on this item*

**A motion was made that this matter be Not Adopted. The motion failed by the following vote:**

**Excused:** 1 - Guillén

**Abstained:** 1 - Reid

**Aye:** 3 - McElhaney, Kalb, and Kaplan

**No:** 3 - Brooks, Campbell Washington, and Gallo

NO VOTE: 0

2) A Resolution Awarding A Security Services Contract To Cypress Security Services For A Term Period Of Three (3) Years With An Option To Extend The Contract Upon Satisfactory Completion Of The Initial Term In Increments Of One (1) Year; For Up To A Total Of Two (2) Consecutive Additional Years; In An Amount Not-To-Exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000) For Each Year Of The Contract

[17-0190](#)

Attachments: [View Report 10-5-17](#)

This City Resolution be No Action Taken.

## CONTINUATION OF OPEN FORUM

### ADJOURNMENT OF COUNCIL SESSION

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

*There being no further business, and upon the motion duly made, the Council adjourned the meeting at 8:56 p.m.*

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