



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 - FINAL Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Tuesday, May 16, 2017

5:00 PM

City Council Chamber, 3rd Floor

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

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

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):**

Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Jordan Pannell

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Jackalyne Pfannensteil

- 4.2** Subject: Honoring The East Bay Dragons
From: Council President Reid
Recommendation: Adopt A Resolution Honoring And Recognizing The East Bay Dragons Motorcycle Club On Their 58th Anniversary
[16-1035](#)

Sponsors: Mr. Reid

Attachments: [View Report](#)
[86729 CMS.pdf](#)

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

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

- 4.3** Subject: Recognizing May 2017 As Lupus Awareness Month
From: Council President Reid
Recommendation: Adopt A Resolution Recognizing May 2017 As Lupus Awareness Month
[16-1061](#)

Sponsors: Mr. Reid

Attachments: [View Report](#)
[86730 CMS.pdf](#)

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

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

- 4.1** Subject: Honoring The Heroes And Survivors Of The 2551 San Pablo Fire
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Honoring The Heroes And Survivors Of The 2551 San Pablo Fire And Presenting Commendations To Joseph Kearse, Bobby Earl Bishop Jr., Michael Jones, And Maro Smith Whose Heroic Acts On March 27, 2017 Saved Over 100 Lives
[16-1033](#)

Sponsors: McElhaney

Attachments: [View Report](#)
[86728 CMS](#)

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

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

4.4 The Item regarding "Christine Harris And Malachi Ambrose For Winning The Urban Debate National Championship In Chicago On April 24, 2017" was removed from this agenda via Rule 28 on May 11, 2017

- 4.5** Subject: Proposed Budget For Fiscal Year (FY) 2017-19
From: Finance Department
Recommendation: Receive The Presentation Of The Proposed Budget For Fiscal Year (FY) 2017-19
[16-1063](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Presentation](#)
[View Supplemental Questions #1](#)
[View Supplemental Questions #2](#)

A motion was made by Dan Kalb, seconded by Larry Reid, that this matter be Accepted. The motion carried by the following vote:

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

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 2, 2017
[16-1051](#)

Attachments: [View Report](#)

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

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

- 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):

- S14** Subject: Establishing Independent Analysis Of Mayor's Proposed Budget
From: President Pro Tempore Guillen And President Reid
Recommendation: Adopt A Resolution Approving A Contract With Harvey M. Rose Associates, LLC, Up To \$80,000, To Conduct An Independent Analysis Of The Mayor's Proposed FY 2017-19 Budget, And Additional Analyses, As Needed And If Directed, Pending Availability Of Funds, For The Entire City Council, To Report Directly To The President Of The Council And The Chair Of The Finance And Management Committee, And To Work Collegially With The City Administrator, Or Her Designee, To Obtain Relevant Information, Including, But Not Limited To, Past Budget Documents, Memoranda, Reports And Other Information As Necessary To Execute The Analysis In A Timely Manner
[16-1119](#)

Sponsors: Guillén and Mr. Reid

Attachments: [View Report](#)
[86743 CMS](#)

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

Approval of the Consent Agenda

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

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

- 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
[16-1054](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86731 CMS](#)

- 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
[16-1055](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86732 CMS](#)

This City Resolution was Adopted.

- 7.3 Subject: Salary Ordinance Amendment And Exemption Resolution
From: Human Resources Management
Recommendations: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Title Of Budget Director To Budget Administrator, Reduce The Salary Rate For Budget Administrator, And Create The Classification Of Budget Administrator, Assistant
[16-0902](#)

Sponsors: Human Resources Management Department

Attachments: [View Report](#)
[13436 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.4 Subject: National Public Works Week
From: Councilmember Kalb
Recommendation: Adopt A Resolution Celebrating The Week Of May 21-27, 2017 As National Public Works Week In The City Of Oakland
[16-1090](#)

Sponsors: Kalb

Attachments: [View Report](#)
[View Supplemental Report](#)
[86733 CMS](#)

This City Resolution was Adopted.

7.5 Subject: Settle The Case Of Ronald Ross
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ronald Ross V. City Of Oakland, Et Al., United States District Court Case No. 14-800-MEJ, City Attorney's File No. X04015, In The Amount Of Three Hundred Thousand Dollars And Zero Cents (\$300,000.00) (Oakland Police Department/Wrongful Conviction)
[16-1092](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86734 CMS](#)

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

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

No: 1 - Brooks

7.6 Subject: AMBAC Bond Insurance Cases
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Approving Settlement Of The City's Lawsuit Against Defendant Ambac Assurance Corporation In The Ambac Bond Insurance Cases For Ambac Assurance Corporation's, Payment Of \$754,888.44
[16-1091](#)

Attachments: [View Report](#)
[86771 CMS](#)

A motion was made by Abel J. Guillén, seconded by Rebecca Kaplan, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

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

7.7 Subject: Appointment Of Jonathan Fearn To The City Planning Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jonathan Fearn To The City Planning Commission
[16-1014](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)
[86735 CMS](#)

This City Resolution was Adopted.

S7.8 Subject: Resolution In Support Of SB 602 - Neonicotinoid Labeling
From: Councilmember Kalb And President Pro Tempore Guillén
Recommendation: Adopt A Resolution In Support Of Senate Bill 602 (Allen & Wiener)
That Would Require Labeling Of Commercially Available Seeds And Plants Treated
With Neonicotinoid Pesticide
[16-1093](#)

Sponsors: Kalb and Larry Reid

Attachments: [View Report](#)
[View Supplemental Report](#)
[86736 CMS](#)

This City Resolution was Adopted.

S7.9 Subject: Report From The Budget Advisory Commission
From: Finance Department
Recommendation: Receive An Informational Report From The Budget Advisory
Commission Regarding Recommendations For Implementation Of The Infrastructure
Bond And Establishing A Capital Planning Working Group
[16-1027](#)

Sponsors: Finance Department

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.10 Subject: Curb Ramps For Bus Rapid Transit Corridor Project
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To AJW
Construction, The Lowest Responsive And Responsible Bidder In Accordance With
Project Plans And Specifications For Curb Ramps Along International Boulevard For
Bus Rapid Transit Corridor (Project No. 1000981) And With Contractor's Bid In The
Amount Of Six Hundred Sixty-Nine Thousand Three-Hundred Seventy-Five Dollars
(\$669,375.00)
[16-0996](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[86737 CMS](#)

This City Resolution was Adopted.

S7.11 Subject: Citywide Curb Ramps And Sidewalk Repair 2017
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Rosas Construction, The Lowest Responsive, Responsible Bidder, For Citywide Curb Ramps And Sidewalk Repair (Project No. 1001614) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Five Hundred Twenty- One Thousand Dollars (\$521,000.00)
[16-0997](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[View Supplemental Report](#)
[86738 CMS](#)

This City Resolution was Adopted.

S7.12 Subject: Green Infrastructure Plan Framework
From: Oakland Public Works
Recommendation: Adopt A Resolution Adopting The City Of Oakland's Framework For The Development Of A Green Infrastructure Plan
[16-1000](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[86739 CMS](#)

This City Resolution was Adopted.

S7.13 Subject: Oakland Fire Department's OFD Cares Program
From: Council President Reid
Recommendation: Receive The Oakland Fire Department's (OFD's) Informational Report On The OFD Community Advancement Through Reading, Education, And Safety (CARES) Program And Current Recruitment Efforts
[16-1029](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S11 Subject: Establishing The Department Of Violence Prevention
From: Councilmember McElhaney And Council President Reid
Recommendation: Adopt A Ordinance Amending Chapter 2.29 Of The Oakland
Municipal Code Entitled "City Agencies, Departments And Offices" To Create The
Department Of Violence Prevention Focusing On Ending The Epidemic Of Violent
Crime In Oakland And Healing Trauma In Impacted Communities
[16-0904](#)

Sponsors: McElhaney and Mr. Reid

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

***There were 29 speakers on this item
The City Administrator was asked to provide a complete financial analysis.
Councilmember McElhaney will provide questions to the City Administrators
office so the item can be presented at the May 30, 2017 Special Budget meeting
May 30, 2017.***

This City Resolution be No Action Taken.

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

***At 10:40 P.M. Pro Tempore Guillen made a motion, seconded by Councilmember
Kalb, to reconsider the action taken on item S7.14, and hearing no objections, the
motion passed by with the following vote: 8 Ayes: Brooks, Campbell
Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan, and Council
President Reid***

S7.14 Subject: Resolution Of Intention To Form The Koreatown/Northgate Community
From: Economic Workforce Development
Recommendation: Adopt A Resolution (1) Of Intention To Form The
Koreatown/Northgate Community Benefit District 2017 ("Koreatown/Northgate CBD
2017"); (2) Granting Preliminary Approval Of The Koreatown/Northgate CBD 2017
Management Plan; (3) Directing Filing Of The Proposed Koreatown/Northgate CBD
2017 Assessment District Boundary Description; (4) Directing Distribution Of A Ballot
To All Affected Property Owners Whereby They Can Vote "In Favor Of" Or "Against"
The Proposed Koreatown/ Northgate CBD 2017 And Assessment To Determine
Whether A Majority Protest Exists; And (5) Scheduling A Public Hearing For July 18,
2017; And
[16-1006](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)
[View Supplemental Report](#)
[86740 CMS](#)

Staff provided a new assesment for item 12 in the first "Resolved" changing from the original amount of \$628,208.75 to \$565,387.87, as well as an additional recalculation of the assessment on APN 009-0698-032-00 for 2935 Telegraph Avenue from the original amount of \$39,237.92 to \$29,973.53

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

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

2) Resolution Authorizing The City Administrator (1) To Sign The Ballot In Favor Of The Formation Of The Koreatown/Northgate Community Benefit District 2017 ("KCBD 2017") And (2) To Fay A Cumulative Fiscal Year 2017-2018 Fair Share Assessment In An Approximate Amount Of \$4,897.26 For Two (2) City-Owned Properties On Which Assessments Are To Be Levied (2100 Telegraph Avenue- APN 008-0648-016-03 And 404 26th - Street APN 009-0684-005-01) If The KCBD 2017 Is Established; And
[16-1007](#)

Sponsors: Economic & Workforce Development Department

Attachments: [86741 CMS](#)

Staff provided a recalculation for the assessment on two city-owned properties, 2100 Telegraph Ave - APN 008-0648-016-03 and 404 26th Street - APN 009-0684-005-01, from the original amount of \$4,897.26 to \$4,477.94.

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

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

3) Adopt A Resolution Authorizing The Agency Administrator (1) To Sign The Ballot In Favor Of The Formation Of The Koreatown/Northgate Community Benefit District 2017 ("KCBD 2017"); And (2) To Pay A Cumulative Fiscal Year 2017-2018 Fair Share Assessment In An Approximate Amount Of \$772.74 For One Oakland Redevelopment Successor Agency-Owned Property (2016 Telegraph Avenue APN 008-0649-010-00) If The KCBD 2017 Is Established
[16-1008](#)

Attachments: [2017-003 CMS](#)

Staff provided a recalculation on one Oakland Redevelopment Successor Agency owned property at 2016 Telegraph Ave - APN 008-0649-010-00 from the original amount of \$722.74 to \$707.98.

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

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

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

S12 Subject: Borrowing Of Funds And Issuance And Sale Of 2017-2018 Notes
From: Finance Department
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds And
The Issuance And Sale Of 2017-2018 Notes Payable From Revenues Received
During The Fiscal Year 2017-2018 In An Amount Not To Exceed \$86,000,000 And
Approving Certain Related Matters
[16-1026](#)

Sponsors: Finance Department

Attachments: [View Reports](#)
[13449 CMS](#)

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 6/6/2017. The motion carried by the following vote:

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

S13 Subject: On-Call Transportation Professional Services Agreements
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Award Professional Services Agreements For On-Call Transportation
Planning To One (1) Tier I Firm For Two Hundred Fifty Thousand Dollars
(\$250,000.00) To The Questa Engineering Corporation; And For On-Call
Transportation Planning Services To Four (4) Tier II Firms In The Amount Of Five
Hundred Thousand Dollars (\$500,000.00) Each, To: DKS Associates; FEHR And
Peers Transportation Consultants; Community Design + Architecture; And Kittelson
Associates INC.
[16-0998](#)

Sponsors: Transportation Department

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Report](#)
[86742 CMS](#)

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

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

No: 2 - Brooks, and Gallo

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)**

Americans With Disabilities Act

**If you need special assistance to participate in Oakland City Council and
Committee meetings please contact the Office of the City Clerk. When possible,
please notify the City Clerk 5 days prior to the meeting so we can make
reasonable arrangements to ensure accessibility. Also, in compliance with
Oakland's policy for people with environmental illness or multiple chemical
sensitivities, please refrain from wearing strongly scented products to meetings.**

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE
GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF
THOSE ATTENDING MEETINGS.**

**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.**