



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, February 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 5:54 p.m.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Vice Mayor Kaplan present at 5:56 p.m.

The Roll Call was modified to note President Pro Tempore Reid absent at 7:15 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 6 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 Leroy Griffin.

- 4.1 Subject: Recognizing Service For Peace
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Service For Peace For Their Exemplary Volunteerism And Commitment To Serving Oakland Residents In Beautifying Parks, Schools, And Neighborhoods On Martin Luther King, Jr. Annual Day Of Service
[14-0447](#)

Attachments: [View Report](#)
[85376 CMS](#)

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

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

- 4.2** Subject: Recognizing Victory Outreach Oakland
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Victory Outreach Oakland For Their Outstanding Leadership In The District 5 Safety Walks And Their Commitment To Ending Sexual Exploitation In Oakland
[14-0448](#)

Attachments: [View Report](#)
[85377 CMS](#)

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

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

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JANUARY 20, 2015 AND JANUARY 24, 2015
[14-0461](#)

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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:

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

Absent: 1 - Gallo

- 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:**

There were 2 speakers on the Consent Agenda.

Approval of the Consent Agenda

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

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

- 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
[14-0445](#)

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[85378 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
[14-0446](#)

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[85379 CMS](#)

This City Resolution was Adopted.

- 7.3 Subject: Police And Fire Retirement Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Approving The Mayor's Designation Of The Controller Of The City Of Oakland To Serve In The Mayor's Place And Stead As A Member Of The Police And Fire Retirement Board
[14-0392](#)

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[85380 CMS](#)

This City Resolution was Adopted.

- 7.4 Subject: Amending Grant Funds To Friends Of Peralta Hacienda Historical Park
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Amending Resolution No. 85129 C.M.S.
Which Authorized A Grant Of \$3,100 From Councilmember Noel Gallo's Graffiti
Abatement Mural And Green Wall Funds To Peralta Hacienda For The Athena Mural
Project Completed By The California College Of The Arts And Arise High School, To
Change The Grantee Name To Friends Of Peralta Hacienda Historical Park
[14-0396](#)

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[85381 CMS](#)

This City Resolution was Adopted.

- 7.5 Subject: Settlement Agreement - Rickey Clay 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 Rickey Clay Aka Bakari Olatunji v. City Of
Oakland, Et Al., Northern District Of California Case No. C13-04633 NC, City
Attorney's File No. 29615, In The Amount Of Forty Thousand Dollars (\$40,000.00)
(Oakland Police Department - Wrongful Arrest)
[14-0426](#)

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[85382 CMS](#)

This City Resolution was Adopted.

- 7.6 Subject: Settlement Agreement - Luc Maheu 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 Luc Maheu v. City Of Oakland, Et Al.,
Alameda County Superior Court Case No. HG13689585, City Attorney's File No.
29493, For A Sum Not To Exceed Two Hundred Fifty Thousand Dollars And No Cents
(\$250,000.00) (Public Works - Dangerous Condition)
[14-0427](#)

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[85383 CMS](#)

This City Resolution was Adopted.

- 7.7 Subject: Settlement Agreement - Angelika Panameno 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 Angelika Panameno v. City Of Oakland, Alameda County Superior Court Case No. RG14712735, City Attorney's File No. 29809, In The Amount Of Twenty Thousand Dollars (\$20,000.00) (Public Works Department - Dangerous Condition)
[14-0428](#)

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This City Resolution was Adopted.

- 7.8 Subject: Settlement Agreement - George Efstathiou 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 George Efstathiou v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG12631518, City Attorney's File No. 28660, For A Sum Not To Exceed Seven Thousand Five Hundred Dollars And No Cents (\$7,500.00) (Human Services Department (HSD) - Dangerous Condition)
[14-0429](#)

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[85385 CMS](#)

This City Resolution was Adopted.

- 7.9 Subject: Establishing New Times For The Council Committees
From: Council President Lynette Gibson McElhaney
Recommendation: Action On A Motion Pursuant To Rule 4 Of The Council's Rules Of Procedure (Resolution No. 79006 C.M.S. As Amended By Resolution No. 82580 C.M.S.) To Change The Meeting Time Of The Community & Economic Development Committee [TITLE CHANGE]
[14-0381](#)

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This Action on a Motion was Approve as Submitted to Change the Time of the Community & Economic Development Committee Meeting Time to 1:30 p.m.

- S7.10** Subject: Salary Ordinance Amendment To Increase Minimum Wage
From: Human Resource Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salary Rates For All Classifications For Which The Lowest Step Would Be Below The City Of Oakland Minimum Wage Of Twelve Dollars And Twenty-Five Cents (\$12.25) Per Hour, Effective March 2, 2015; And Raising The Salary Ranges For Related Classifications In The Classification Series To Prevent Salary Compaction; And Authorizing, Without Return To Council, A Similar Amendment To The Salary Schedule Annually Based On The Consumer Price Index As Required In The City Of Oakland Municipal Code Section 5.92

[14-0367](#)

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[13291 CMS.pdf](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage to the Meeting of the City Council to be heard 2/17/2015

- S7.11** Subject: Ordinance For 5050 Coliseum Way And 750 50th Avenue
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Lease For 5050 Coliseum Way And 750 50th Avenue With DODG Corporation (The Property Owner) For A Term Of Ten (10) Years, With Five, Three Year Options To Extend The Lease, In The Monthly Amount Of Thirty-Six Thousand Six Hundred Forty-Seven Dollars And Fifty-Four Cents (\$36,647.54), For The Initial Annual Amount Of Four Hundred Thirty-Nine Thousand Seven Hundred Seventy Dollars And Forty-Eight Cents (\$439,770.48), Plus Consumer Price Index Increases Each Annual Anniversary Date

[14-0373](#)

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[13292 CMS.pdf](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage to the Meeting of the City Council to be heard 2/17/2015

S7.12 Subject: Extend And Increase Contract With International Contact, Inc.
From: Human Resources Management Department
Recommendation: Adopt A Resolution Amending The Contract For On-Call
Translation And Interpretation Service With International Contact, Inc. To Extend The
Contract Period By One Year And Increase The Contract Amount By \$75,000
(Seventy-Five Thousand Dollars) To A New Cap Of \$150,000 (One Hundred Fifty
Thousand Dollars) For The Two Year Contract Term
[14-0380](#)

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[85386 CMS](#)

This City Resolution was Adopted.

S7.13 Subject: OFCY Strategic Planning Services
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To
Negotiate And Execute A Professional Services Agreement With Bright Research
Group For The Development Of The Oakland Fund For Children And Youth (OFCY)
Strategic Investment Plan 2016-2019 And Additionally For Planning For Violence
Prevention And Intervention Services For An Amount Not To Exceed \$90,000 For The
Period From December 1, 2014 Through November 30, 2015
[14-0374](#)

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[85387 CMS](#)

This City Resolution was Adopted.

S7.14 Subject: OUSD Student Internship Stipends 2015
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
A Grant Agreement With The Oakland Unified School District For The College And
Career Readiness Academies Student Internship Stipends In An Amount Not To
Exceed \$112,500 For The Term From September 1,2013 To August 30, 2015
[14-0375](#)

Attachments: [View Report.pdf](#)
[85388 CMS](#)

This City Resolution was Adopted.

S7.15 Subject: California Gang Reduction, Intervention And Prevention (CalGRIP) 2015
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate A California Gang Reduction, Intervention And Prevention (CalGRIP) Grant From The California Board Of State And Community Corrections (CBSCC) For \$1.5 Million Dollars To Be Received In Three Annual Allocations For The Time Period Of January 1, 2015 Through December 31, 2017; 2) Amend The Existing Oakland Unite Grant Agreement With The Mentoring Center To Increase The Grant In An Amount Not To Exceed \$180,000, Add Services For Ceasefire Clients, And Extend The Grant Term Through December 31,2017; 3) Amend The Existing Oakland Police Department Grant Agreement With California Partnership For Safe Communities To Increase The Grant In An Amount Not To Exceed \$200,000, Add Services For Ceasefire Best Practices, And Extend The Grant Term Through December 31,2017; 4) Enter Into A New Grant Agreement With Empower Initiative To Provide Support For Ceasefire Community Outreach And Client Mentoring Efforts In An Amount Not To Exceed \$75,000 For The Time Period Of January 1,2015 Through December 31,2017; 5) Appropriate Funds To Augment Existing Violence Prevention Services In Oakland Police Department And Human Services Department In An Amount Not To Exceed \$970,000 Over The Three Year Project Period; And Waiving The Request For Proposals/Qualifications Requirements And Authorizing An Amendment Of The Agreement With Resource Development Associates For Evaluation Services To Increase Compensation In An Amount Not To Exceed \$75,000, Add Additional Program Evaluation Services, And Extend The Agreement Through December 31, 2017

[14-0376](#)

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[85389 CMS](#)

This City Resolution was Adopted.

S7.16 Subject: Continue The Pilot Extended Hours Permits Program
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12 Cabaret Extended Hours Permit Process To Make The Pilot Program A Permanent Part Of The OMC [TITLE CHANGE]

[14-0309](#)

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[13293 CMS.pdf](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage to the Meeting of the City Council to be heard 2/17/2015

S7.17 Subject: Commemorating The 55th Anniversary Of Bethany Baptist Church
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Commemorating The 55th Anniversary Of The
Bethany Baptist Church And Honoring Its Commitment To The Community
[14-0471](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85390 CMS](#)

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 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 McElhaneay

**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:**

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 6:41p.m.

One individuals spoke on this item.

Vice Mayor Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and Council President Gibson McElhaneay.

- 9.1 Subject: Partial Abandonment Of Thomas Berkley Way
From: Public Works Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The
Following Pieces Of Legislation:

1) A Resolution Of Findings Supporting The Vacation To The City Of Oakland Of A
Portion Of The Public Right-Of-Way Of Thomas Berkley Way (Formerly Known As
20th Street) From Its Intersection At Harrison Street To Its Intersection With Lakeside
Drive; And

[14-0356](#)

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[85391 CMS](#)

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

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

Subject: Partial Abandonment Of Thomas Berkley Way
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Vacating To The City Of Oakland A Portion
Of The Public Right-Of-Way Of Thomas Berkley Way (Formerly Known As 20th
Street) From Its Intersection At Harrison Street To Its Intersection With Lakeside Drive
[14-0357](#)

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[13294 CMS.pdf](#)

**This Ordinance was Approved On Introduction and Scheduled for Final
Passage.to the Meeting of the Oakland City Council to be heard 2/17/2015**

- 9.2** Subject: Permanent Regulations On Unattended Donation Boxes
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance 1) Establishing Oakland Municipal Code (OMC) Chapter 5.19 "Unattended Donation/Collection Boxes;" And 2) Amending The Master Fee Schedule (Ordinance No. 13171 C.M.S., As Amended) And OMC Sections 1.12.020A And 1.12.060 To Establish Application, Inspection, Appeal And Other Fees, Administrative Citations, And Fines Related To Unattended Donation/Collection Boxes
[14-0393](#)

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The Council also directed staff to bring to Council at the next meeting an item to renew the moratorium on new donation boxes within the City.

There were 17 speakers on this item.

A motion was made by Brooks, seconded by Reid, that this matter be Withdrawn with No New Date. The motion carried by the following vote:

Aye: 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson
McElhanev

Absent: 1 - Reid

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** Subject: Citywide Curb Ramps And Sidewalk Repair Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Rosas Brothers Construction, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair (Project No. C428013) And With Contractor's Bid In The Amount Of Nine Hundred Thirty Eight Thousand Six Hundred Six Dollars And Eighty Cents (\$938,606.80)
[14-0305](#)

Attachments: [View Report.pdf](#)

[85421 CMS.pdf](#)

There was one speaker on this item.

A motion was made by Kalb, seconded by Guillén, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 2/17/2015. The motion carried by the following vote:

Aye: 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson
McElhanev

Absent: 1 - Reid

- 12** Subject: Racial Inequality Within The Economic And Criminal Justice Systems
From: Council President Gibson McElhaney
Recommendation: Continued Discussion With Possible Action On Items Raised At
The Special City Council Meeting On Saturday, January 24 To Address Racial
Inequality Within The Economic And Criminal Justice Systems, Trauma Endured By
Exposure To Violence, And The Loss Of Black Lives, In Response To The Local
Protests And Demonstrations That Have Called For Elected Leaders To Create Policy
And Programs That Address This Inequality And Injustice
[14-0383](#)

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There were 12 speakers on this item.

A motion was made by Kalb, seconded by Guillèn, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 2/17/2015. The motion carried by the following vote:

Aye: 7 - Brooks, Campbell Washington, Gallo, Guillèn, Kalb, Kaplan, and Gibson McElhaney

Absent: 1 - Reid

- S13** Subject: False Alarm Reduction Program Contract Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution 84501, To Authorize
The City Administrator To Amend The Contract With PMAM Corporation For
Administration Of The False Alarm Reduction Program For An Additional Two
Hundred Forty Two Thousand Seven Hundred Ninety Six Dollars (\$242,796), Bringing
The Total Contract Amount To Six Hundred Ninety Two Thousand Seven Hundred
Ninety Six Dollars (\$692,796) For Three Years Of Services
[14-0365](#)

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[85392 CMS](#)

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

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

No: 1 - Brooks

Absent: 1 - Reid

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 Leroy Griffin at 8:46 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.**