



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

Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board

Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, September 20, 2016

5:30 PM

City Council Chamber, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council/ Successor Redevelopment Agency/Geological Hazard Abatement District Board was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:39 P.M.

2 ROLL CALL / CITY COUNCIL

Excused 2 - Noel Gallo, and Laurence E. Reid

Present 5 - Annie Campbell Washington, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Lynette Gibson McElhaney

Absent 1 - Desley Brooks

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

There were 23 speakers during Open Forum

Roll Call was modified to show Councilmember Brooks present at 5:41 P.M.

Excused 2 - Noel Gallo, and Laurence E. Reid

Present 6 - Desley Brooks, Annie Campbell Washington, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Lynette Gibson McElhaney

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

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Ruby Bernstein.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Mary Warren, Terrence Crutcher, Tony Smith, and Anslea Houston.

Councilmember Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Jeremiah Esera and Thomas Schmitz.

Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Steven Anthony Lee and Alex Goodwin, Jr.

- 4.1** Subject: Declaring September 2016 United Nations Month
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Declaring September 2016 United Nations Month In The City Of Oakland And Authorizing The City Of Oakland To Serve As An Honorary Sponsor Of The United Nations 50th Anniversary Flag Raising Ceremony On September 17, 2016
[16-0086](#)

Sponsors: Gibson McElhaney

Attachments: [View Report](#)
[86339 CMS](#)

This City Resolution be Adopted.

Excused: 2 - Gallo, and Reid

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

4.2 Subject: Recognizing Downtown Senior Center
From: Council President Lynette Gibson McElhaney
Recommendation: Resolution Recognizing The Downtown Oakland Senior Center For
More Than 35 Years Of Service
[16-0087](#)

Sponsors: Gibson McElhaney

Attachments: [View Report](#)
[86340 CMS](#)

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

Excused: 2 - Gallo, and Reid

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

Councilmember Guillen made a motion seconded by Councilmember Campbell Washington to approve the urgency finding on item S-4.3 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action. Hearing no objections, the motion passed: 6 Ayes, 2 - Excused.

S 4.3 Subject: Honoring Usana Hopkins
From: President Pro Tem Reid And Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Honoring Usana Hopkins, Early Childhood And
Family Services Manager, Upon Her Retirement After 24 Years Of Dedicated Public
Service To The City Of Oakland
[16-0108](#)

Sponsors: Mr. Reid

Attachments: [View Report](#)
[86341 CMS](#)

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

Excused: 2 - Gallo, and Reid

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF July 19, 2016 And
July 26, 2016
[16-0161](#)

Attachments: [View Report 7-19-16](#)

[View Report 7-26-16](#)

Action on this item was deferred to the October 4, 2016 City Council Meeting.

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, Reconsideration, Pull Items Held In Committee):**

The City Clerk announced the following modifications to the agenda:

*At the request of the Mayor's Office, item 7.6 will be withdrawn to return to a
future council meeting.*

*At the request of Councilmember Kalb, items 7.11, 7.12, 7.13, 7.14, and 7.15 will
be withdrawn and return to a future council meeting.*

*Hearing no further amendments, the council moved to consider the remaining
items on the agenda.*

Roll call was modified to show Councilmember Gallo as present at 7:01 P.M.

7 CONSENT CALENDAR (CC) ITEMS:

*Councilmember Kaplan made a motion seconded by Councilmember Guillen to
approve the urgency finding on items 7.17 and 7.18 for the following reasons:
That there is a need to take immediate action which came to the attention of the
local body after the agenda was posted, and that the need to take immediate
action is required to avoid a substantial adverse impact that would occur if the
action were deferred to a subsequent special or regular meeting and relates to a
purely ceremonial or commendatory action respectively.*

*Councilmember Guillen made a motion seconded by Councilmember Kaplan to
approve the urgency finding on item 7.16 for the following reasons: That there is
a need to take immediate action which came to the attention of the local body
after the agenda was posted, and that the need to take immediate action relates
to the need to facilitate the travel of Councilmember Guillen.*

*Councilmember Kaplan made a motion seconded by Councilmember Guillen to
approve the urgency finding on item 7.34 for the following reasons: That there is
a need to take immediate action which came to the attention of the local body
after the agenda was posted, and that the need to take immediate action is
required to avoid a substantial adverse impact that would occur if the action were
deferred to a subsequent special or regular meeting.*

Excused 1 - Laurence E. Reid

Present 7 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Lynette Gibson McElhaney

Approval of the Consent Agenda

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

Excused: 1 - Reid

Aye: 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, 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
[16-0096](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86342 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
[16-0097](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)
[86343 CMS](#)

This City Resolution was Adopted.

7.3 Subject: Appointments To The League Of California Cities' 2016 General Assembly

From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As Voting Delegate And Appointing Councilmember Abel Guillén As Alternate Voting Delegate To Represent The City Of Oakland At The League Of California Cities' 2016 General Assembly Scheduled To Be Held In Long Beach Beginning October 5
[16-0088](#)

Attachments: [View Report](#)
[86344 CMS](#)

This City Resolution was Adopted.

7.4 Subject: Landmarks Preservation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Klara Komorous-Towey As A Member Of The Landmarks Preservation Advisory Board
[16-0099](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)
[86345 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 Frank Sperling And The Reappoint Of Jian Hong To The Commission On Persons With Disabilities
[16-0100](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)
[View Supplemental Report](#)
[86346 CMS](#)

This City Resolution was Adopted.

- 7.6 Subject: Parks And Recreation Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Amit
Garg And Evelyn Torres To The Parks And Recreation Advisory Commission
[16-0102](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)

This City Resolution be Withdrawn with No New Date.

- 7.7 Subject: Privacy Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Robert T.
Oliver And Deirdre K. Mulligan As Members Of The Privacy Advisory Commission
[16-0103](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)

[86347 CMS](#)

This City Resolution was Adopted.

- 7.8 Subject: Ordinance Amending Chapter 8.22, Article I (Rent Adjustment)
From: Councilmembers Kalb, Gibson McElhaney and Guillen
Recommendation: Adopt An Ordinance Amending Chapter 8.22, Article I (Rent Adjustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Substantially Rehabilitated Properties; (2) Require That Owners File Petitions For Rent Increases In Excess Of The Annual Consumer Price Index Increase (3) Change The Amortization Period For Capital Improvements To That Of The Useful Life Of The Improvement; (4) Clarify That Certain Types Of Work Are Not Capital Improvements; (5) Amend Timelines For Filing Petitions; (6) Require Owners To Pay Interest On Security Deposits; And (7) Amending Chapter 8.22, Article Iv To Permit Tenants To Choose To Pay Their Portion Of The Program Fee Either In A Lump Sum Or In Six Monthly Installments
[15-1226](#)

Sponsors: Kalb, Gibson McElhaney and Guillén

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Report](#)
[View Supplemental Report](#)
[13391 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.9 Subject: OUSD Use Of City Hall Agreement
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Waiving Facility Rental Fees For Oakland Unified School District Use Of City Hall Facilities For Purposes Of Conducting Twice-Monthly Board Meetings For A One Year Period
[15-1308](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)
[13392 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.10** Subject: The Public Safety And Services Violence Prevention Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayors Appointment Of
Natasha Middleton To The Public Safety And Services Violence Prevention Oversight
Commission
[16-0116](#)

Sponsors: Office Of The Mayor

Attachments: [View Report](#)
[86348 CMS](#)

This City Resolution was Adopted.

- 7.11** Subject: Green Wall Funds To Golden Gate Community Association
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To
Golden Gate Community Association For A Mural On The Property At 950 57th Street
(The Warehouse Wall Of Glow Glass Art Studio) In Oakland
[16-0113](#)

Attachments: [View Report](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the Concurrent
Meeting of the Oakland Redevelopment Successor Agency and the City Council
to be heard 10/4/2016**

- 7.12** Subject: Green Wall Funds To North Oakland Community Charter School
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$8,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To
North Oakland Community Charter School (NOCCS) For A Mural On The Property At
1000 42nd Street (Wall Facing Linden Park) In Oakland
[16-0107](#)

Sponsors: Dan Kalb

Attachments: [View Report](#)
[86392 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the Concurrent
Meeting of the Oakland Redevelopment Successor Agency and the City Council
to be heard 10/4/2016**

- 7.13** Subject: Green Wall Funds Mural On The Outside Of The Arlington Medical
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$6,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Outside Of The
Arlington Medical Center Bldg. At 5709 Market Street In Oakland In Cooperation With
Ms. Caroline Watson.

[16-0112](#)

Sponsors: Kalb

Attachments: [View Report](#)

[86393 CMS](#)

This City Resolution be Withdrawn and Rescheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/4/2016

- 7.14** Subject: Green Wall Funds For A Mural At 6200 Shattuck In Oakland
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,500
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Property At 6200 Shattuck In Oakland In
Collaboration With Claremont Middle School

[16-0114](#)

Sponsors: Kalb

Attachments: [View Report](#)

This City Resolution be Withdrawn and Rescheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/4/2016

- 7.15** Subject: Green Wall Funds To The Temescal Bid Mural By Artist Lori Anne Fischer
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,450
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Lori Anne Fischer With The Support Of The Temescal-Telegraph Business
Improvement District For A Mural On The Property At 4685 Telegraph Avenue In The
Temescal Neighborhood.
[16-0115](#)

Sponsors: Kalb

Attachments: [View Report](#)
[86395 CMS](#)

This City Resolution be Withdrawn and Rescheduled to go before the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 10/4/2016

- S 7.16** Subject: Councilmember Guillen Travel Authorization
From: Councilmember Abel J Guillen
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillen To
Travel To Long Beach, California To Attend The 2016 League Of California Cities
Annual Conference & Expo From October 5-7, 2016
[16-0148](#)

Sponsors: Guillén

Attachments: [View Report](#)
[86349 CMS](#)

This City Resolution was Adopted.

- S 7.17** Subject: Resolution Opposing Closure of Alta Bates Hospital
From: Council President Gibson McElhaney, Pro Tempore Reid,
Councilmember Kaplan And City Attorney Barbara Parker
Recommendation: Adopt A Resolution (1) Opposing The Closure Of Alta Bates
Hospital, (2) Directing The City Administrator To Work With The City's Lobbyist And
All Relevant Government Agencies To Ensure A Continuity Of High Quality Medical
Services For Oaklanders, And (3) Directing The City Administrator To Consult With
The City Attorney And Prepare A Confidential Opinion For City Council With Legal
Options To Prevent The Closure
[16-0119](#)

Sponsors: Gibson McElhaney, Office Of The City Attorney, Kaplan and Mr. Reid

Attachments: [View Report](#)
[86350 CMS](#)

This City Resolution was Adopted.

- S 7.18** Subject: Standing Rock Sioux Tribe's Opposition To Construction
From: Councilmembers Kaplan, Guillen And Kalb
Recommendation: Adopt A Resolution Proclaiming The City Of Oakland's Support For
The Standing Rock Sioux Tribe's Opposition To The Construction Of The Dakota
Access Pipeline
[16-0159](#)

Sponsors: Kaplan, Kalb and Guillén

Attachments: [View Report](#)
[86351 CMS](#)

This City Resolution was Adopted.

S 7.19 Subject: Grant For Centra Legal De La Raza To Support Unaccompanied Minors
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Amend Resolution No. 85905 C.M.S. To Increase The Grant Award To Centro Legal De La Raza By Up To \$100,000 For A Total Grant Amount Not To Exceed \$977,231, Through June 30, 2017, To Help Fund Legal Services To Central American Unaccompanied Children In Oakland That Have Fled To The United States To Escape Violent And Other Oppressive Conditions In Their Countries

[16-25](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

[86352 CMS](#)

This City Resolution was Adopted.

S 7.20 Subject: Major Encroachment Permit at 1629 Telegraph Avenue, 4242 To 4266 Broadway, 719 Clay Street, 414 29th Avenue, 2630 Broadway
From: Oakland Public Works
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Granting A Conditional And Revocable Major Encroachment Permit To Thomas Ramsey, LLC To Allow Portion Of The Existing Building Basement Below The Sidewalk At 1629 Telegraph Avenue To Encroach Into The Public Right-Of-Way Along The Building Frontage On Telegraph Avenue, Major Encroachment Permit ENMJ16054

[16-28](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

[86353 CMS](#)

This City Resolution was Adopted.

2) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permits To MPVCA Oakland, LLC To Allow Portion Of The Building Above Sidewalk At 4242 To 4266 Broadway To Encroach Into The Public Right-Of-Way Along Broadway, Major Encroachment Permit ENMJ16055.

[16-0063](#)

Attachments: [86354 CMS](#)

This City Resolution was Adopted.

3) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permits To 718 Clay Street, LLC To Allow Portion Of The Building Above The Sidewalk And Temporary Support Below The Sidewall At 718 Clay Street To Encroach Into The Public Right-Of-Way Along 7th Street And Clay Street, Major Encroachment Permit ENMJ16053

[16-0062](#)

Attachments: [86355 CMS](#)

This City Resolution was Adopted.

4) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permits To Carlos Plazola To Allow Portion Of The Building Above The Sidewalk At 414 29th Avenue To Encroach Into The Public Right-Of-Way Along The Building Frontage On 29th Avenue, Major Encroachment Permit ENMJ14059.

[16-0064](#)

Attachments: [86356 CMS](#)

This City Resolution was Adopted.

5) Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permits To CRP/THC Oakland Broadway Uptown Venture, LLC To Allow Portion Of The Building Above The Sidewalk At 2630 Broadway To Encroach Into The Public Right-Of-Way Along The Building Frontage On Broadway, 26th Street, And 27th Street, Major Encroachment Permit ENMJ16056.

[16-31](#)

Sponsors: Oakland Police Department

Attachments: [86357 CMS](#)

This City Resolution was Adopted.

S 7.21 Subject: Dimond Library Renovation Project
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Four Hundred Thousand Dollars (\$400,000.00) In The Open Market For The Dimond Library Renovation Project (No. P457710) In Accordance With Project Plans And Specifications
[16-33](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[86358 CMS](#)

This City Resolution was Adopted.

2) A Resolution Waiving The Competitive Request For Proposal/Qualification ("RFP/Q") Requirement And Authorizing An Amendment To Increase The As-Needed Architectural Design Services Agreement With YHLA Architects By An Amount Not-To-Exceed Twenty Five Thousand Dollars (\$25,000.00), Bringing The Total Contract Amount From Three Hundred Fifty Thousand Dollars (\$350,000.00) To Three Hundred Seventy-Five Thousand Dollars (\$375,000.00); And Extending The Time Of Performance Of The Contract Work From December 31,2016 To December 31, 2018.
[16-0090](#)

Attachments: [86359 CMS](#)

This City Resolution was Adopted.

S 7.22 Subject: Resolution Approving the Installation Of Stop Signs
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs Pursuant To California Vehicle Code Sections 21351 And 21355 And Oakland Municipal Code Sections 10.12.010 And 10.12.110 At The Following Intersections: A. Hermosa Avenue, Single Leg Of T Intersection, At Florence Avenue B. Marguerite Drive And Hermosa Avenue, All Approaches C. Marguerite Drive And Mandalay Road, All Approaches D. Norman Lane, Single Leg Of T Intersection, At Mandalay Road E. Wilding Lane, Single Leg Of T Intersection, At Mandalay Road F. Harbord Drive, Northbound Approach, At Dulwich Road G. Valley Street, Single Leg Of T Intersection, At 24th Street H. Lion Way, Westbound Approach, At 69th Avenue I. Embarcadero West, Eastbound Approach, At Webster Street.
[16-36](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[86360 CMS](#)

This City Resolution was Adopted.

S 7.23 Subject: Update and Recommendation Regarding The City's Solar Power Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into A Power Purchase Agreement (PPA) With Vanir Management, Inc. (Vanir) To Buy Solar Electricity Delivered From Equipment That Is Owned And Maintained By Vanir On Six City Facilities At A Cost Not To Exceed One Hundred Twenty Thousand Dollars (\$120,000) In The First Year And Three Million Two Hundred Twenty-Five Thousand Dollars (\$3,225,000) During The 20-Year Term Of The Agreement, Paid From The City Facilities Fund (Fund 4400) With Two (2) 5-Year Options To Extend The PPA Upon The Same Terms And Conditions, Only If Financially Beneficial To The City; 2) Accept And Appropriate A Project Management Reimbursement Fee From Vanir To Reimburse The City For Project Management Expenses In The Estimated Amount Of Seventy Thousand Dollars (\$70,000) To City Facilities Energy Conservation Projects Fund (Fund 4450); And 3) Pay Vanir, If Costs For Pacific Gas & Electric Company Interconnection, Or For Necessary Building Upgrades, Or Other Unforeseen Conditions Arise, In An Amount Not To Exceed One Hundred Fifty Three Thousand Dollars (\$153,000) In The First Year And Not To Exceed Three Million Seven Hundred Eighty Thousand Dollars (\$3,780,000) During The 20-Year PPA Term, Paid From The City Facilities Fund (Fund 4400); And 4) Take The Actions Herein Without Returning To The City Council For Further Approvals.
[16-38](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[View Supplemental Report](#)
[86361 CMS](#)

The Council adopted the item as amended to include the committee recommendations and also to require staff to return to the Council at the point the project exceeds the \$3.363 million figure to obtain authorization for any additional funding.

This City Resolution be Adopted as Amended.

S 7.24 Subject: Request To The Planning Commission To Consider CN-1 Zoning Regulation Changes
From: Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Requesting The City Planning Commission To Consider Zoning Regulation Changes To The CN-1 Neighborhood Commercial CN-1 Zone To Allow The City To Deem A Use Permit To Be Abandoned If The Use Has Been Discontinued Or If The Business License Lapses For More Than One Year.
[15-1317](#)

Attachments: [View Report](#)
[86362 CMS](#)

This City Resolution was Adopted.

S 7.25 Subject: A Conditional And Revocable Permit to Dimond Improvement Association
From: Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To Dimond Improvement Association To Allow The Art In The Street Event On Champion Street Between Macarthur Boulevard And Lincoln Avenue On The Second Sunday Of Each Month From April 1st Until September 30th Between The Hours Of 12:00 P.M. And 6:00 P.M.
[15-1318](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)
[86363 CMS](#)

This City Resolution was Adopted.

S 7.26 Subject: City Center 14th DDA Amendment
From: Economic And Workforce Development
Recommendation: Adopt A City Ordinance (A) Authorizing A 14th Amendment To The City Center Disposition And Development Agreement Between The City Of Oakland And Oakland T12 LLC For Development Of Property Located At 601 12th Street To Extend Performance Dates And To Establish And Accept Extension And Administrative Fees, And (B) Separately And Independently Relying On (1) The "T12 Project California Environmental Quality Act ("CEQA") Analysis (Addendum #6)" Dated March 2016 To (1) The Previously Certified 2000 City Center Environmental Impact Report, (2) The Previously Certified 1998 Land Use Transportation Element Environmental Impact Report And (3) The Previously Certified 2011 Redevelopment Plan Amendments Environmental Impact Report Per CEQA Guidelines Sections 15164, 15183, 15183.3, And 15168 And 15180
[16-39](#)

Attachments: [View Report](#)
[13394 CMS](#)

This City Resolution was Adopted.

S 7.27 Subject: Foreign Trade Zone #56 Alternative Site Framework
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Submit A Foreign Trade Zone Alternative Site Framework Application And To Sign And Enter Into An Agreement With The Foreign Trade Zone Board, U.S. Department Of Commerce
[16-53](#)

Attachments: [View Report](#)
[86364 CMS](#)

This City Resolution was Adopted.

S 7.28 Subject: Fox Theater Loan Assignment And Guarantee
From: Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Agency Administrator To Consent To The Assignment Of The \$1.4 Million Loan Agreement Between The Agency And Fox Theater Master Tenant, LLC To Assign The \$1.4 Million Loan To Fox Oakland Theater, Inc. And Subordinate The Loan To A New \$4,600,000 Loan; And [16-55](#)

Attachments: [View Report](#)
[View Supplement](#)
[2016-008 CMS](#)

2) Resolution Regarding The Fox Theater Project Amending Resolution Nos. 2006-0073 And 2009-0057 To Modify The Existing Loan Repayment Guarantee From The Redevelopment Agency Of The City Of Oakland To Fox Oakland Theater, Inc. For Conventional Loan Not To Exceed \$4,600,000. [16-0089](#)

Attachments: [View Report](#)
[2016-009 CMS](#)

S 7.29 Subject: Mortgage Assistance Program Revenue Appropriation And Program Funding
From: Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending Resolution No 77655 C.M.S., Which Appropriated Loan Repayments Under The Mortgage Assistance Program For Continuation Of The Program, To Instead Appropriate Current And Future Loan Repayments To The Low And Moderate Income Housing Asset Fund For The Development Of Affordable Housing, And Appropriating \$1,600,000 In Affordable Housing Trust Funds To The Mortgage Assistance Program; And [16-57](#)

Attachments: [View Report](#)
[86365 CMS](#)

This City Resolution was Adopted.

2) A Resolution Amending Resolution No 86126 C.M.S., Which Authorized \$600,000 In Funding For The Affordable Housing Multi Family Emergency Repair Program, To Change The Source Of Program Funding From The Affordable Housing Trust Fund To The Low And Moderate Income Housing Asset Fund; And
[16-58](#)

Attachments: [View Report](#)
[86366 CMS](#)

This City Resolution was Adopted.

3) A Resolution Amending Resolution No 86125 C.M.S., Which Authorized \$1,000,000 In Funding For The Affordable Housing Acquisition, Rehabilitation And Preservation Program, To Change The Source Of Program Funding From The Affordable Housing Trust Fund To The Low And Moderate Income Housing Asset Fund
[16-59](#)

Attachments: [View Report](#)
[86367 CMS](#)

This City Resolution was Adopted.

S 7.30 Subject: Recognized Obligation Payment Schedule 16-17 Amendment
From: Office of the City Administrator
Recommendation: Adopt A Resolution Approving The Submission Of An Amendment To The 2016-17 Recognized Obligation Payment Schedule For Payments Under The Fox Theater Loan Guaranty And The Uptown Apartments Tax Increment Rebate For January 1, 2017, Through June 30, 2017, To The Oakland Oversight Board And The State
[16-61](#)

Attachments: [View Report](#)
[View Supplement](#)
[2016-007 CMS](#)

This City Resolution was Adopted.

- S 7.31** Subject: Resolution Establishing A Small Business Task Force Within The City Of Oakland
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Establishing A Small Business Task Force And Providing The Terms And Responsibilities Of The Task Force Members
[16-0085](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)
[86368 CMS](#)

This City Resolution was Adopted.

- S 7.32** Subject: Library Grants From Friends Of The Oakland Public Library
From: Oakland Public Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Cash Grants And Accept Noncash Grants From The Friends Of The Oakland Public Library In The Cumulative Amount Not-To-Exceed \$1,000,000 Through June 30, 2021.
[16-50](#)

Sponsors: *Life Enrichment Committee

Attachments: [View Report](#)
[86369 CMS](#)

This City Resolution was Adopted.

S 7.33 Subject: Library Literacy Grants 2016-19
From: Oakland Public Library
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Apply For, Accept And Appropriate California Library Literacy Services (CLLS) Grant Funds From The California State Library In The Estimated Annual Amount Of \$75,600 For Fiscal Year (FY) 2017-18 And FY 2018-19 Which Will Be Included In The FY17-19 Biennial Budget Development; And (2) Authorizing The City Administrator To Accept And Appropriate Additional CLLS Grant Funds For The Same Purposes, Within The Same Grant Term, Without Returning To Council During FY16-17, FY17-18 And FY18-19; And (3) Authorizing A Contribution Annually From The General Purpose Fund In An Estimated Amount Of \$3,075 To Subsidize Central Services Overhead Costs.

[16-51](#)

Sponsors: *Life Enrichment Committee

Attachments: [View Report](#)

[86370 CMS](#)

This City Resolution was Adopted.

S 7.34 Subject: Janet Roe, Et Al. V. City Of Oakland
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Amending Resolution No. 86329 C.M.S. Which Authorizes And Directs The City Attorney To Compromise And Settle The Case Of Jane Roe, By And Through Her Guardian Ad Litem Janet Roe, Et Al. V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG14732238, City Attorney's File No. 29938, In The Amount Of Two Hundred And Thirty Thousand Dollars And Zero Cents (\$230,000.00) (Office Of Parks And Recreation - Child Assaulted), To Change The Payees

[16-0168](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

[86371 CMS](#)

This City Resolution was Adopted.

S7.35 Subject: Renaming Airport Access Road to Bessie Coleman Drive
From: Oakland Public Works
Recommendation: Adopt A Resolution Honoring Bessie Coleman And Renaming The
Airport Access Road To Bessie Coleman Drive In Her Honor.
[16-35](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[86372 CMS](#)

This City Resolution was Adopted.

**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:**

**At This Time, The ORSA/ City Council Meeting Will Adjourn And Reconvene Into
The Meeting Of The Geological Hazard Abatement District**

*At 8:11 P.M. the meeting of the Oakland Redevelopment Successor Agency and
City Council adjourned and reconvened as the Geological Hazard Abatement
District Board with Councilmember Brooks serving as Chair.*

*Upon the reading of Item 9.1 by the Secretary of the GHAD Board, the Public
Hearing was opened at 8:17 p.m.*

No individuals spoke on this item.

Councilmembers Campbell Washington was noted absent from the meeting.

*Councilmember Gibson McElhaney made a motion, seconded by Councilmember
Gallo, to close the Public Hearing, and hearing no objections, the motion passed
by 5 Ayes: Gallo, Guillén, Kalb, President Gibson McElhaney, Brooks; 2 Absent:
Campbell Washington, Kaplan; 1 Excused: Reid*

9.1 Subject: Revised Assessment For The Geological Hazzard Abatement District
From: Geological Hazzard Abatement District
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive A Report
On The Proposed Revised Assessment, Accept The Canvass Of Votes, And If
Allowed By The Votes, Confirm The Revised Assessment, And Order The Levy And
Collection Of The Assessment.
[16-0111](#)

Attachments: [View Report](#)

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

Excused: 1 - Reid

Aye: 5 - Brooks, Gallo, Guillén, Kalb, and Gibson McElhaney

Absent: 2 - Campbell Washington, and Kaplan

At This Time, The Geological Hazard Abatement District Board Will Adjourn And Reconvene As The Meeting Of The ORSA/City Council.

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8.19 p.m.

4 individuals spoke on this item.

9.2 Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department
Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For 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

[16-0105](#)

Sponsors: Finance Department

Attachments: [View Report](#)

This City Resolution be Referred.to go before the *Rules & Legislation Committee

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

[16-0106](#)

Sponsors: Finance Department

This City Resolution be Referred.to go before the *Rules & Legislation Committee

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

[16-0109](#)

The council referred the legislation to the Rules committee and directed the staff to clearly itemize those properties with push - pull fees and for the City Attorney to prepare a legal opinion on the push pull fees and options to address the issue.

This City Resolution be Referred to go before the *Rules & Legislation Committee

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 8:39 p.m.

3 individuals spoke on this item.

9.3 Subject: Off-Street Parking And Loading Requirement Updates
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Planning Code To Comprehensively Update Citywide Off-Street Parking And Loading Regulations And Make Conforming Changes To Other Planning Code Sections, And Adopting Environmental Findings

[16-4](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[View Supplemental Report](#)

[13393 CMS](#)

The Council amended the Ordinance to require that staff return 2 years after passage of the ordinance to the Planning Commission and the Community and Economic Development Committee to provide an update on the activities. Additionally, staff shall develop an enforcement mechanism to ensure the parking agreement requirements are maintained as required in perpetuity.

A motion was made by Dan Kalb, seconded by Abel J. Guillén, 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 10/4/2016. The motion carried by the following vote:

Excused: 1 - Reid

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Grand Jury Revenue Management Bureau Investigation
From: Office Of The City Administrator
Recommendation: Staff Recommends That The City Council Accept This
Informational Report On City Of Oakland Response To The 2015-16 Alameda County
Grand Jury Final Report Titled "Management Issues Within The City Of Oakland
Revenue Division."

[16-0083](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

[View Supplemental Report](#)

This Informational Report be Received and Filed.

Excused: 1 - Reid

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

12 Subject: Ratification Of Actions Taken During The 2016 Annual Recess
From: Office Of The City Administrator
Recommendation: Staff Recommends That The City Council Adopt A Resolution
Ratifying Action Taken By The Mayor During The Oakland City Council 2016 Annual
Recess In Conformance With The Council's Rules Of Procedure.

[16-0110](#)

Attachments: [View Report](#)

[86373 CMS](#)

***The City Attorney was directed to prepare a legal opinion on the legal grounds
for the administration to proceed with an administrative hearing rather than the
matter coming before the City Council in accordance with municipal code
requirements.***

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

Excused: 1 - Reid

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

S 13 Subject: Master Lease 3.0 Purchase Agreement
From: Public Works
Recommendation: A Resolution Authorizing: 1) The Execution Of A Master Lease Purchase Agreement (Lease 3.0) With A Financial Institution To Be Identified And Selected Through The Competitive Bidding Process For A Cumulative Amount Not To Exceed Eleven Million Five Hundred Thousand Dollars (\$11,500,000.00) For A Term Not To Exceed Three To Ten Years And An Interest Rate Not To Exceed Three Percent (3%) For The Purchase Of A Minimum Of One Hundred And Thirty-One (131) Vehicles And Related Equipment For Use By Multiple City Agencies; 2) Authorize The City Administrator To Execute A Purchasing Agreement With One Or More Vendors To Be Selected Through The Request For Proposal/ Qualifications Process For The Purchase Of Vehicles And Equipment Without Return To Council;3) Authorize The City Administrator To Enter Into One Or More Cooperative Rate Purchase Agreements With Other Governmental Agencies To Facilitate The Acquisition Of The Aforementioned Vehicles And Equipment, And 4) Authorize A Waiver Of The Advertising And Competitive Bidding Requirements Associated With The Execution Of Said Cooperative Rate Agreements Provided That The City's Contracting Requirements Are Followed With Respect To These Purchases
[16-0073](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)
[View Supplemental Report](#)
[86374 CMS](#)

Staff were directed to report back to Council the final terms of the agreement.

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:

Excused: 1 - Reid

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

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

The report of the City Attorney of 6 final decisions made during closed session and correcting the record to reflect Councilmember Guillen as present and voting aye on the decisions.

This be Approve with the following amendments.

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 Ruby Bernstein, Mary Warren, Tony Smith, Anslea Houston, Terrence Crutcher, Jeremiah Esera, Thomas Schmitz, Pat Jones, Steven Anthony Lee, Alex Goodwin, Jr. and Keith Lamont Scott. at 9:57 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.