

DRAFT



City of Oakland Meeting Minutes

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

*** Special Concurrent Meeting of the Oakland
Redevelopment Successor Agency/City Council
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612**

Tuesday, April 22, 2014

5:30 PM

City Council Chambers, 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 5:37 P.M.

2 ROLL CALL / CITY COUNCIL

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
The Roll Call was modified to note Councilmember Brooks present at 5:40 P.M.

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

There were 3 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

4.1 Subject: West Nile Virus Awareness Week

From: Council President Patricia Kernighan

Recommendation: Receive A Brief Presentation By The Alameda County Mosquito Abatement District Regarding West Nile Virus Awareness Week In Alameda County
[13-0337](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

DRAFT

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

Meeting Minutes

April 22, 2014

4.2 Subject: Oakland Veg Week
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Declaring The Week Of April 21-27, 2014 As
"Oakland Veg Week" In The City Of Oakland
[13-0472](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84918 CMS.pdf](#)

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 1, 2014

A motion was made by Vice Mayor Reid, seconded by Councilmember Gallo, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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):

Councilmember Gallo requested to speak on Items 7.6 and 7.20.

President Pro Tempore Kaplan requested to speak on Item 7.20.

7. CONSENT CALENDAR (CC) ITEMS:

There were 5 speakers on the Consent Calendar.

DRAFT

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

Meeting Minutes

April 22, 2014

7.1-CC 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
[13-0473](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84919 CMS.pdf](#)

7.2-CC Subject: 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
[13-0474](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84920 CMS.pdf](#)

7.3-CC Subject: Bike Pedestrian Anti-Harassment Ordinance
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Adding Chapter 12.61 To Article 12 ("Streets,
Sidewalks, And Public Places") Of The Oakland Municipal Code To Prohibit Endangerment Of
Vulnerable Roadway And Sidewalk Users (Pedestrians And Bicyclists)
[13-0372](#)

This Matter was Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[13223 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.4-CC Subject: Amending Density Bonus Ordinance
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance, As Recommended By The City Planning
Commission, Amending The Oakland Planning Code To Update Chapter 17.107 Density
Bonus And Incentive Procedure
[13-0403](#)

This Matter was Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[13224 CMS.pdf](#)

7.5-CC Subject: Oakland Redevelopment Successor Agency Annual Reports
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Presenting The Oakland Redevelopment
Successor Agency (Agency) Fiscal Year 2012-2013 Annual Reports On Blight, Loans,
Property, And Time Limits In Accordance With The Reporting Requirements Of The
California Community Redevelopment Law
[13-0409](#)

This Matter was *Received and Filed on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)

7.6-CC Subject: PFRS Investment Portfolio Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Oakland Police And Fire
Retirement System (PFRS) Investment Portfolio As Of December 31, 2013
[13-0411](#)

This Matter was *Received and Filed on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.7-CC Subject: Parking Garages Technical Budget Adjustment
From: Revenue Division
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Increase Operating Revenues In The Multipurpose Reserve Fund (Fund 1750) One Million Nine Hundred Eighty-Six Dollars (\$1,986,000); (2) Authorize An Appropriation Of One Million Nine Hundred Eighty-Six Dollars (\$1,986,000) From The Multipurpose Reserve Fund (Fund 1750), For Contract Expenses For The Management Of The City Center Garage And The University Of California Office Of The President Garage; And (3) Establish Spending Authority In An Amount Not To Exceed Two Hundred Forty Thousand Dollars (\$240,000) (\$80,000 Per Year For 3 Years), To Fulfill Contractual Fiscal Responsibilities For The Scheidt & Bachmann USA Inc., Agreement From October 1, 2013 Through September 30, 2016, For The Maintenance And Service Of The Parking Access And Revenue Control System
[13-0453](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[84921 CMS.pdf](#)

7.8-CC Subject: Resolution Approving Installation Of Stop Signs
From: Public Works Agency
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 On The Following Streets: 1.) Lowell Street, Southbound Approach, At 53rd Street; 2.) Lowell Street, Both Approaches, At 62nd Street; 3.) East 31st Street, Both Approaches, At Stuart Street; 4.) 9th Street, Eastbound Approach, At Alice Street; 5.) 10th Street, Westbound Approach, At Alice Street
[13-0431](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84922 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.9-CC Subject: Memorandum Of Agreement For 3706 San Pablo Avenue
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To
Enter Into A Memorandum Of Agreement With The City Of Emeryville For The Development
Of A Property At 3706 San Pablo Avenue Located Within Both Jurisdictions
[13-0436](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84923 CMS.pdf](#)

7.10-CC Subject: Reaffirm Tax Credit Guarantees For Fox Theater Project
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Ratifying
The Oakland Redevelopment Successor Agency Assumption, Reaffirmation And Ratification
Of Guarantees And Indemnities Required For Tax Credit Financing For The Fox Theater
Project Including: A Guarantee By Agency In Favor Of The Tax Credit Investment Entities
Relating To The Historic Tax Credits And New Markets Tax Credits In Event The Tax Credits
Are Not Awarded Or Are Recaptured By The Internal Revenue Service As A Result Of
Non-Compliance With IRS Tax Credit Requirements By For Or Its Affiliated Entities
[13-0438](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[2014-002 ORSA.pdf](#)

7.11-CC Subject: Renewal Of Oakland/Berkeley Recycling Market Development Zone
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Approving Renewal Of The Oakland/Berkeley
Recycling Market Development Zone
[13-0446](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84924 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.12-CC Subject: State Housing Funding Request
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To \$2 Million In Funds From The California Department Of Housing And Community Development Under The Local Housing Trust Fund Matching Grant Program, Housing And Emergency Shelter Trust Fund Act Of 2006 (Proposition 1C) Affordable Housing Innovation Fund, And Allocating Up To \$2 Million For The Affordable Rental And Ownership Housing Development Program
[13-0450](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[84925 CMS.pdf](#)

7.13-CC Subject: Treasure Island Easement Relocation
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute An Easement Relocation Agreement With The U.S. Government And Treasure Island Development Authority ("TIDA") For Relocation Of Electrical Lines, Equipment, Facilities And Any Associated Or Related Equipment Or Facilities
[13-0454](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84926 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.14-CC Subject: Behavioral Health Care Services (BHCS) For Homeless Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding Providing City Of Oakland Grant Funds In An Estimated Amount Not To Exceed \$200,000 Per Year To Alameda County Behavioral Health Care Services (BHCS) Agency For The Period Of July 1, 2014 Through June 30, 2015, With A Two Year Renewal Option, If Funds Are Available, For Provision Of Homeless Services At Several Permanent Supportive Housing Sites
[13-0384](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84927 CMS.pdf](#)

7.15-CC Subject: 2014 Summer Food Services Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Apply For And Accept The Summer Food Service Program (SFSP) Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of \$387,900 Included In The FY 2013-2014 Adopted Budget; And 2) To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed \$285,750 To Provide Food Services For The 2014 Summer Food Service Program For Children
[13-0432](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84928 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.16-CC Subject: Oakland Paratransit For The Elderly & Disabled Program
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And
Execute A Reimbursement Agreement In The Amount Of \$180,000 With Wheelcare Express,
Inc. To Provide Paratransit Services Through June 30, 2014
[13-0433](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84929 CMS.pdf](#)

7.17-CC Subject: Fiscal Year 2013-2014 Cultural Services Grants Amendments
From: Department Of Economic Workforce Development
Recommendation: Adopt A Resolution Amending Resolution No. 84707 C.M.S., Which
Authorized Fiscal Year 2013-14 Cultural Services Grants, To Approve Grants To Fiscal Agents
For Two Grantees And Reallocate Funds From Two Grantees To The Three Next Ranked
Applicants
[13-0434](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84930 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.18-CC Subject: ARFF PROS Training
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or His Designee To Enter Into An Agreement With Aircraft Rescue Fire Fighter (ARFF) Pros To Provide 40 Hours Of State Certified Aircraft Rescue Firefighter Training (Fire Control 5) Annually From May 2014 Through May 2016, With Two-One Year Options To Extend In An Amount Not To Exceed \$13,000 Each Year For A Total Contract Amount Of Fifty-Two Thousand Dollars (\$52,000) Over A Four Year Period Without Return To Council; And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And The Local And Small Business Enterprise Program (L/SLB) Provisions For The Proposed Agreement With ARFF
[13-0427](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84931 CMS.pdf](#)

7.19-CC Subject: All Star Fire Equipment Purchase Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into A Purchase Agreement With All Star Fire Equipment For The Purchase Of Firefighter Protective Clothing (Turnouts) For The Period May 31, 2014 Through June 1, 2017 In An Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000), With An Optional Two Year Extension For A Total Amount Not To Exceed One Million Dollars (\$1,000,000) Over The Possible Five Year Term, And 2) Waiving The Competitive Bidding Requirements
[13-0430](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84932 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

7.20-CC Subject: Professional Services Contract For Public Safety Radios
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Negotiate And Enter Into A Professional Services Contract With Harris Public Safety Communications In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000) For A One Year Agreement, With An Option To Renew For An Additional Year, For A Total Not-To-Exceed Amount Of One Million (\$1,000,000) For Maintenance And Professional Services Over A Two-Year Period, And 2) Enter Into A Purchasing Contract With Harris Public Safety Communications For Supply Of Radio Parts, And Materials For The City's 800 MHz Radio Equipment In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000) For A One Year Agreement, With An Option To Renew For An Additional Year, For A Total Not-To-Exceed Amount Of One Million (\$1,000,000) Over A Two-Year Period, And 3) Waive The City's Advertising, Competitive Bid And Request For Proposal (RFP) Process For Equipment, Products And Professional Services For The Above Described Contracts
[13-0429](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[84933 CMS.pdf](#)

Passed The Consent Agenda

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Gallo, to *Approve as Submitted the oral report from the Office of the City Attorney of 5 final decisions made during Closed Session. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

DRAFT

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

Meeting Minutes

April 22, 2014

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

9.1 Subject: Brooklyn Basin Non-Affiliate Transfer
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Consenting To The Transfer And Assignment Of The Development Agreement For The Oak
To Ninth (Brooklyn Basin) Project From Oakland Harbor Partners, LLC, To Zarsion-OHP I,
LLC, Pursuant To The Development Agreement And Planning Code Section 17.138.080
[13-0435](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened
at 6:42 P.M.*

*Councilmember Gibson McElhaney made a motion, seconded by
Councilmember Gallo, to close the Public Hearing, and hearing no objections,
the motion passed by 8 Ayes: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan,
Reid, Schaaf, and President Kernighan.*

[View Report.pdf](#)
[84934 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

9.2 Subject: Interim Moratorium On Unattended Donation Boxes
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment, Installation, Placement, Construction And/Or Expansion Of Unattended Donation Boxes, To Take Effect Immediately Upon Adoption
[13-0488](#)

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 6:43 P.M.

Two individuals spoke on this item.

Vice Mayor Reid made a motion, seconded by Councilmember Gibson McElhaney to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and President Kernighan.

[View Report.pdf](#)

[13225 CMS.pdf](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

DRAFT

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

Meeting Minutes

April 22, 2014

11 Subject: StopWaste Presentation On Household Hazardous Waste Services
From: Councilmember Dan Kalb
Recommendation: Receive A Report And Recommendations On The Alameda County Waste Management Authority's (StopWaste) Household Hazardous Waste (HHW) Services In Oakland & Alameda County And Councilmember Kalb's Recommendation On Proposed County-Wide Household Hazardous Waste Annual Fee Ordinance
[13-0458](#)

A motion was made by Councilmember Kalb, seconded by Councilmember Gallo, that this matter be *Approve as Submitted to approve proposed County-Wide Annual Fee Ordinance for disposal of Household Hazardous Waste program. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)

12 Subject: Kaboom Playgrounds For Burkhalter & Concordia Parks
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving Advertising And Bidding Requirements For The Purchase Of Playground Equipment From Kaboom!, Inc. To Be Used For The Tot Lot Improvements At Burkhalter And Concordia Parks In Oakland, And Accepting In-Kind Services From Kaboom!, Inc. To Construct These Improvements Valued Up To Eighty-Five Thousand Dollars (\$85,000) And Two Hundred Fifty Thousand Dollars (\$250,000), Respectively
[13-0491](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Gibson McElhaney, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 1 - Vice Mayor Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[84935 CMS.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

13 Subject: Amendments To Rent Adjustment Program Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The Rent Adjustment Regulations To Provide For Extended Capital Improvement Amortization Periods For Rent Increases Greater Than Ten Percent, Passing Through Seventy Percent Of Capital Improvement Costs, Interest On Capital Improvement Overcharges, Administrative Penalties For Such Overcharges, And Removing The Requirement That Only One Year Of Capital Improvement Increases Can Be Passed Through At One Time [TITLE CHANGE]; And

[13-0341](#)

A motion was made by Councilmember Schaaf, seconded by Vice Mayor Reid, that this matter be Adopted as Amended. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

Council approved the Resolution with following amendment that the last Resolved paragraph of the Resolution reads as follows:

FURTHER RESOLVED: The Regulation amendments provided for in this Resolution shall not apply to capital improvements on which permits have been taken out, unless no permits are required for any of the work, and substantial work is performed and substantial monies paid or liabilities incurred (other than permit fees), before the implementation date of this Resolution, and the Owner reasonably diligently pursues completion of the work.

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[84936 CMS.pdf](#)

DRAFT

2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Chapter 8.22) To Limit Rent Increases To Ten Percent In Any One Year And Thirty Percent In Five Years And To Require Special Noticing For Capital Improvement Rent Increases [TITLE CHANGE]
13-0341-1

A motion was made by Councilmember Schaaf, seconded by Vice Mayor Reid, to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the May 6, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

Council approved the Ordinance with following amendments:

1. *Amend Section 4 of Ordinance to read as follows: "Section 4: Grandparented Capital Improvement Rent Increases. This Ordinance shall not apply to capital improvements on which permits have been taken out, unless no permits are required for any of the work, and substantial work is performed and substantial monies paid or liabilities incurred (other than permit fees), before the implementation date of this Ordinance, and the Owner reasonably diligently pursues completion of the work. For any rent increase based on capital improvements commenced prior to the implementation date, if such rent increase is noticed on or after the implementation date of this Ordinance, the new noticing requirements under this Ordinance are required;" and*

2. *Amend Section 8.22.070(A)(4) of Exhibit A of the Ordinance to read as follows: "4. If an Owner is entitled to a Rent increase or increases that cannot be taken because of the Rent increase limitations pursuant to 2 or 3, above, the Owner may defer the start date of the increase to a future period, provided that in the Rent increase notice that limits the Owner's ability to take the increases, the Owner must identify the justification and the amount or percentage of the deferred increase that may be applied in the future."*

Council also requested that Staff and the Rent Board develop recommendations around deferred maintenance and bring back recommendations before Council's Summer Recess.

There were 25 speakers on this item.

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

DRAFT

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

Meeting Minutes

April 22, 2014

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 10:10 P.M.

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 48 hours 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) 238-3226

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TTD](#)

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.

City Clerk and Clerk of the Council