



City of Oakland

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

Meeting Minutes - DRAFT Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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

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

Tuesday, July 21, 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 5:55 P.M.

2 ROLL CALL / CITY COUNCIL

Excused 1 - Desley Brooks

Present 7 - 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 28 Open Forum speakers.

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

Vice Mayor Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Sandra Bland. Council President Gibson McElhaney requested association with this adjournment.

- 4.1 Subject: Recognizing Fred Booker And Mary Thiessen
From: Councilmembers Campbell Washington And Kalb
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing Mary Thiessen For Her Service On And Dedication To The Wildfire Prevention Assessment District Advisory Committee As Secretary; And [14-1181](#)

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

Excused: 1 - Brooks

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

2) A Resolution Recognizing Fred Booker For His Service On And Dedication To The Wildfire Prevention Assessment District Advisory Committee As Chair
[14-1197](#)

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

Excused: 1 - Brooks

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

4.2 Subject: Recognizing District 5 Youth Leadership Summer Internship Program
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Participants Of The Council Office- District 5 Youth Leadership Summer Internship Program (YLSIP) For Their Leadership, Commitment And Civic Engagement Which Contributes To Their Academic Goals, Future Career Endeavors , And To The Overall Well-Being Of Oakland Residents
[14-1190](#)

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

Excused: 1 - Brooks

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

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JUNE 30, 2015 AND JULY 7, 2015
[14-1161](#)

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

Excused: 1 - Brooks

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

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 21 speakers on the Consent Calendar.

This was Approve as Submitted.

Approval of the Consent Agenda

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

Excused: 1 - Brooks

Aye: 7 - Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, 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
[14-1162](#)

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
[14-1163](#)

This City Resolution was Adopted.

- 7.3** Subject: Honoring Deborah Ale Flint
From: Councilmembers Reid And McElhaney
Recommendation: Adopt A Resolution Honoring Ms. Deborah Ale Flint For Her Dedicated Service As The Director Of Aviation For The Oakland International Airport And Her Continued Success As Executive Director Of Los Angeles World Airports
[14-1083](#)

This City Resolution was Adopted.

- 7.4** Subject: Salary Ordinance Amendment For Public Ethics Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Classification, Salary And Represetnation Unit Of Executive Director, Public Ethics Commission And Create The Classifications Of Deputy Director, Public Ethics Commission; Ethics Investigator; Ethics Analyst I; And Ethics Analyst II
[14-1050](#)

This Ordinance was Approved for Final Passage.

- 7.5** Subject: Amendments To Business Improvement Management District Ordinance
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Amending Chapter 4.48 Of The Oakland Municipal Code (1) To Allow The City To Enter Into Contracts Exceeding One Year With Nonprofit Corporations To Administer Business Improvement Management Districts (BIMD), (2) To Clarify That More Than 30 Percent Of Affected Properties Must Petition For The Formation Of A New BIMD, (3) To Change The Official Responsible For Administering BIMDs From The City Clerk To The City Administrator, And (4) To Allow A Summary Of The Management District Plan To Be Attached To Petitions To Form BIMDs
[14-1047](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: Amendments To Truck Routes And Prohibitions In East Oakland
From: Oakland Public Works Department
Recommendation: Adopt An Ordinance Amending Sections 10.52.060, 10.52.070, 10.52.080, And 10.52.120 Of The Oakland Municipal Code (O.M.C.) To Modify The Existing Truck-Prohibited Streets, Through Truck Routes, And Local Truck Routes In East Oakland
[14-1012](#)

This Ordinance was Approved for Final Passage.

- 7.7** Subject: Tract No. 8217 Subdivision Map, 3235 Louise Street
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Conditionally Approving A Final Map For Tract No. 8217 Located At 3235 Louise Street For A Six Lot Subdivision For Sebco Properties LLC ; And
[14-1165](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To Enter Into A Subdivision Improvement Agreement With Sebco Properties LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 8217 Located At 3235 Louise Street
[14-1166](#)

This City Resolution was Adopted.

- 7.8 Subject: Anti-Graffiti Grant To EBALDC / Old Oakland Neighbors
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$600 From Council President Lynette Gibson McElhaney's Graffiti Abatement Mural And Green Wall Funds To East Bay Asian Local Development Corporation, As Fiscal Sponsor For Old Oakland Neighbors, For A Mosaic Trash Can Project At 7th And Washington Streets
[14-1135](#)

This City Resolution was Adopted.

- 7.9 Subject: Mosquito Abatement District Appointment
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Jan Washburn As The City Of Oakland's Trustee To The Alameda County Mosquito Abatement District Board
[14-1168](#)

This City Resolution was Adopted.

- 7.10 Subject: Settlement Agreement - Nicolson 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 William Scott Nicolson V. City Of Oakland Alameda County Superior Court Case No. RG14711286 City Attorney's File No. 29640, In The Amount Of Eighty-Seven Thousand Five Hundred Dollars And No Cents (\$87,500.00) (Oakland Public Works - Dangerous Condition)
[14-1182](#)

This City Resolution was Adopted.

- 7.11 Subject: Settlement Agreement - Claim Of Benner Enrique Lopez Ventura
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Benner Enrique Lopez Ventura (Claim No.C30383) In The Amount Of Seven Thousand Five Hundred Dollars And No Cents (\$7,500.00) As The Result Of Injuries Sustained In A Vehicle Vs. Pedestrian Accident On June 30, 2014 (Oakland Police Department Parking Enforcement- City Vehicle V. Pedestrian Collision)
[14-1183](#)

This City Resolution was Adopted.

- 7.12 Subject: Settlement Agreement - Claim Of Amy Marks
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Amy Marks, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) Which Resulted In Property Damage Due To A Failed Sewer Main On December 5, 2012 (Public Works - Failed Sewer Main)
[14-1184](#)

This City Resolution was Adopted.

- 7.13 Subject: Settlement Agreement - Claims Of Darryl Carter II & III, Rasheeda Garrett
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claims Of Darryl Carter II, Rasheeda Garrett, Rasheeda Garrett As Mother And Natural Guardian Of Darryl Carter III, A Minor, (Claim No. C30136), In The Amount Of Thirty-Two Thousand Five Hundred Dollars And No Cents (\$32,500.00) As The Result Of Injuries Sustained In An Incident On January 4, 2014 (Parks And Recreation - Missing Child)
[14-1185](#)

This City Resolution was Adopted.

- 7.14 Subject: Settlement Agreement - James Williams 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 James Williams V. City Of Oakland, Alameda County Superior Court Case No. RG14734547, City Attorney's File No. X04044, In The Amount Of Thirty-Two Thousand, Four Hundred And Twenty-Five Dollars And Ninety-Six Cents (\$32,425.96) (Oakland Fire Department/City Administrator's Office-Leave/Benefits)
[14-1186](#)

This City Resolution was Adopted.

- 7.15 Subject: Supporting Seed Saving & Sharing
From: Vice Mayor Rebecca Kaplan
Recommendation: Adopt A Resolution Supporting Seed Saving Within The City Of Oakland And Requesting City Staff To Support Changes In State Seed Law To Allow Seed Sharing Without Cost Or Germination Testing
[14-1127](#)

This City Resolution was Adopted.

- 7.16 Subject: Grant To Friends Of Golden Gate Library For Jazz On Sundays
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From
Councilmember Kalb's A491410 D1 Murals/Grants/Events Funds To Friends Of
Golden Gate Library For The Jazz On Sundays Festival 2015
[14-1191](#)

*The title was amended as follows: "Resolution Authorizing A Grant Of \$2,000
From Councilmember Kalb's A491410 D1 Grants/Events/Programs Funds To
Friends Of Golden Gate Library For The Jazz On Sundays Festival 2015"*

This City Resolution was Adopted.

- 7.17 Subject: Amending The Department Of Race & Equity Ordinance To Conform To
Council Intent
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending Ordinance No. 13319 C.M.S.,
Which Amended Oakland Municipal Code Chapter 2.29, City Agencies, Departments
And Offices, To Add The Department Of Race And Equity, Section 2.29.160 To The
Municipal Code, To Revise Oakland Municipal Code Section 2.29.160.2, Definitions,
And Delete Oakland Municipal Code Section 2.29.160.4
[14-1187](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the Meeting of the Oakland City Council to be heard 9/8/2015**

- 7.18 Subject: Anti-Graffiti Grant For Mosaic Mural Project
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2100 From
Councilmember Noel Gallo's Graffiti Abatement Mural And Green Wall Funds To The
Unity Council, As Fiscal Sponsor For Girl Scout Troop #31262 And The Radical
Monarchs, For 3 Mosaic Trash Cans Project In The Fruitvale Neighborhood
[14-1189](#)

This City Resolution was Adopted.

- 7.19 Subject: Citizen's Police Review Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
Charlette Green, Ramon Nasol, Mya Whitaker And Erica Harris To The Citizen's
Police Review Board
[14-1196](#)

This City Resolution was Adopted.

Subject: Three Year Spending Plan For The Oakland Police Department
From: Office Of The City Administrator
Recommendation: Adopt A Resolution To Approve The 3-Year Spending Plan For
The Oakland Police Department For Fiscal Years (FY) 2015-2016, 2016-2017, And
2017-2018, As Required By The Public Safety And Services Violence Prevention Act
Of 2014 (Measure Z)
[14-1087](#)

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

Excused: 1 - Brooks

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

S 7.21 Subject: Broadway Shuttle MTC Lifeline Transportation Grant
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For, Accept And Appropriate Four Hundred Five Thousand Three Hundred Sixty-Eight
Dollars (\$405,368) In Metropolitan Transportation Commission Lifeline Transportation
Program Grant Funds, And Committing \$405,368 In Required Matching Funds
Obtained From Non-City Sources To Fund Broadway Shuttle Service For Two Years,
From July 1, 2015 To June 30, 2017
[14-1122](#)

This City Resolution was Adopted.

S 7.22 Subject: Cost-Sharing Agreement With City Of Emeryville
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Negotiate And Enter Into An Agreement With The City Of Emeryville For
Cost -Sharing Of A Sewer Project On Powell Street In Emeryville For The Amount
Not-To-Exceed Four Hundred Thousand Dollars (\$400,000.00)
[14-1123](#)

This City Resolution was Adopted.

S 7.23 Subject: Amendment To EBMUD Agreement For Lake Merritt Improvement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Amend The Agreement With The East Bay Municipal Utility District For Construction Of A 30-Inch Water Main And An 8-Inch Recycled Water Main Relocation As Part Of The Lake Merritt Channel Improvement At 10th Street And To Increase The Reimbursable Agreement Amount By Up To Two Hundred Fifty Thousand Dollars (\$250,000.00), From One Million One Hundred Seventy Thousand Dollars (\$1,170,000.00) To A Total Not-To-Exceed Amount Of One Million Four Hundred Twenty Thousand Dollars (\$1,420,000.00), And 2) Appropriate Additional Funds Up To Two Hundred Fifty Thousand Dollars (\$250,000.00) To The Lake Merritt Channel Improvement At 10th Street - Miscellaneous Grants (Project No. C395630) [14-1124](#)

This City Resolution was Adopted.

S 7.24 Subject: Sausal Creek Restoration Project Dimond Park
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Adopt The San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP) And Authorize The City Administrator Or Designee To Apply For, Accept, And Appropriate Five Hundred Thousand Dollars (\$500,000.00) In IRWMP Program-Designated Proposition 84 Grant Funds From The Department Of Water Resources For The Sausal Creek Restoration Project And Authorize The City Administrator Or Designee To Enter Into An Agreement With The Association Of Bay Area Governments (ABAG) To Serve As The Fiscal Agent And Coordinating Agency For Grant Administration Activities With The Department Of Water Resources; And [14-1125](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To Award A Construction Contract To D-Line Constructors, The Lowest Responsible, Responsive Bidder In Accordance With Project Plans And Specifications For The Sausal Creek Restoration Project In Dimond Park (Project No. C395912) And With Contractor's Bid In The Amount Of Two Million Nine Hundred Thirteen Thousand Dollars (\$2,913,000.00) [14-1126](#)

This City Resolution was Adopted.

- S 7.25** Subject: 3875 Telegraph Avenue Major Encroachment Permit
From: Planning And Building Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Alta Bates Summit Medical Center Surgery Property Company LLC To Allow A Portion Of A Trash Enclosure Structure To Encroach Into The Public Right-Of-Way Along The Building's Frontage At 39th Street
[14-1130](#)

This City Resolution was Adopted.

- S 7.26** Subject: Contract Authorization: Ornamental Lighting Conversion Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Execute A One-Year Contract For Service With Tanko Lighting For The Period Of July 1, 2015 Through June 30,2016, In An Amount Not To Exceed One Million Six Hundred Eighteen Thousand Six Hundred Sixty-Seven Dollars And Sixty-Three Cents (\$1,618,667.63) For The Replacement Of Existing Ornamental Lights With Light Emitting Diode (LED) Street Lighting; 2) Waive The Advertising And Competitive Bidding Requirements Associated With The Proposed Contract For Service; 3) Authorize An Agreement With The Bay Area Rapid Transit (BART) District For The Period Of July 1, 2015 Through June 30, 2016, In An Amount Not To Exceed One Hundred And Ninety-Six Thousand Dollars (\$196,000.00) In Capital Reimbursement Funds To Be Remitted From BART To The City Of Oakland For The Placement Of Additional Ornamental Lighting As Part Of BART's 19th Street/Oakland Station Modernization Plan And Accept And Appropriate Said Funds To Oakland Public Works
[14-1131](#)

This City Resolution was Adopted.

- S 7.27** Subject: Adopt A Bike Sharing Policy
From: Oakland Public Works Department
Recommendation: 1) Adopt A Resolution To Approve A Bicycle Sharing Policy; And 2) Authorize The City Administrator To Negotiate And Enter Into An Intergovernmental Agreement With The Metropolitan Transportation Commission (MTC) Consistent With The Bicycle Sharing Policy
[14-1132](#)

Council also directed staff to return on November 10 or December 1, 2015 with an informational report when staff identifies the sites for bike sharing locations.

This City Resolution was Adopted.

S 7.28 Subject: Property-Based BIDs Annual Report And Assessment Payment Approval
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Approving The Fiscal Year 2014-2015 Annual Reports Of The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, The Lake Merritt/Uptown Community Benefit District Of 2008, The Fruitvale Property Business Improvement District Of 2011, The Lakeshore/Lake Park Business Improvement Management District Of 2012, And The Jack London Improvement District Advisory Boards; Confirming The Continuing Annual Assessment For Each Applicable District And For The Temescal/Telegraph Business Improvement District 2015 For Fiscal Year 2015-2016; And Authorizing Payment Of The City's Cumulative Fiscal Year 2015-2016 Fair Share Assessment In An Approximate Amount Of \$217,632.11 For City-Owned Properties In The Koreatown/Northgate District, The Downtown Oakland District, The Lake Merritt/Uptown District, The Fruitvale District, The Jack London District, And The Temescal/Telegraph District 2015; And
[14-1128](#)

This City Resolution was Adopted.

2) A Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2015-2016 Fair Share Assessment In An Approximate Amount Of \$2,973.29 For One Oakland Redevelopment Successor Agency-Owned Property In The Downtown Oakland Community Benefit District Of 2008
[14-1129](#)

This ORSA Resolution was Adopted.

S 7.29 Subject: 2015 On-Call Economic Consultant Services Selection
From: Economic Workforce AnDevelopmentnt
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award, Negotiate, And Execute Professional Services Agreements For Three Year Terms, With Three One Year Options To Extend, For On-Call Economic Consultant Services With The Following Seven Firms: 1) Aecom, 2) Century Urban, LLC 3) David Paul Rosen & Associates, 4) Economic & Planning Systems, 5) Hausrath Economics Group, 6) Keyser Marston Associates, And 7) Willdan Financial Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For Each Firm.
[14-1159](#)

This City Resolution was Adopted.

- S 7.30** Subject: BuildingEye Contract
From: Planning And Building Department
Recommendation: Adopt A Resolution Waiving Advertising, Competitive Bidding And The Request For Proposals/Qualification ("RFP/RFQ") Requirements Of The Oakland Municipal Code ("OMC");And Authorizing The City Administrator To Negotiate And Execute A Three (3) Year Contract With Buildingeye To Provide Software, Hardware And Technical Services To Implement And Maintain Enhancements To The City's Land Use And Building Permit System In An Amount Not To Exceed One Hundred Fifty Nine Thousand Four Hundred And Fifty Dollars (\$159,450), Without Return To Council
[14-1138](#)

This City Resolution was Adopted.

- S 7.31** Subject: OPR First 5 Playgrounds Grant Funds FY 2015-2017
From: Oakland Parks & Recreation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From First 5 Alameda County Neighborhood Partnership Program In An Estimated Amount Of \$129,576 For The Pre-K Playgroups At Willie Keyes And Ira Jenkins Recreation Centers From July 1, 2015 Through June 30, 2017
[14-1118](#)

This City Resolution was Adopted.

- S 7.32** Subject: Measure Z Violence Prevention Strategies/Spending Plan
From: Human Services Department
Recommendation: Adopt A Resolution Approving The Measure Z Violence Prevention Program Strategies, Funding Amounts, And The Request For Proposal Process For The Funding Cycle For January 2016 Through Fiscal Year 2017-2018
[14-1051](#)

This City Resolution was Adopted.

S 7.33 Subject: Closed Captioning Contract
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving The Request For Proposals/Qualifications ("RFP/Q") Requirement And Authorizing The City Administrator To Execute A Professional Services Contract With Tele Performance USA, Inc. For Real-Time, Off-Site Closed captioning Of Regular And Special Meetings Of The Oakland City Council, Council Committees And City Of Oakland Public Meeting Bodies In A Total Amount Not To Exceed Fifty Thousand Dollars (\$50,000) Per Year For The Two-Year Period From September 1, 2015 Through August 31, 2018 For A Contract Amount Of \$100,000; With Two (2) One-Year Options To Extend The Contract For An Additional Amount Of Fifty Thousand Dollars (\$50,000) Per Year, For A Grant Contract Total Amount Of \$200,000
[14-1120](#)

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 Kaplan, seconded by Guillén, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of 3 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

Excused: 1 - Brooks

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

Absent: 1 - Gibson McElhaney

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: Gateway Industrial District (Army Base) Community Facilities District
From: Office Of The City Administrator
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Determining The Result Of The Special Mail Ballot Election Held In Community Facilities District No. 2015-1 (Gateway Industrial District) On July 21, 2015; And
[14-1104](#)

There were 2 speakers on this item.

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

Excused: 1 - Brooks

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

Subject: Gateway Industrial District (Army Base) Community Facilities District
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Levying Special Taxes Within Community
Facilities District No. 2015-1 (Gateway Industrial District)
[14-1193](#)

**A motion was made by Kaplan, seconded by Gallo, that this matter be Approved
On Introduction and Scheduled for Final Passage to the Meeting of the Oakland
City Council, to be heard 7/30/2015. The motion carried by the following vote:**

Excused: 1 - Brooks

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

3) A Resolution Of Formation Of Community Facilities District No. 2015-1 (Gateway
Industrial District) And Authorization Of Levy Of Special Tax Therein; And
[14-1194](#)

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

Excused: 1 - Brooks

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

4) A Resolution Of The Council Of The City Of Oakland Calling Special Mailed-Ballot
Election For Qualified Electors Of Community Facilities District No. 2015-1 (Gateway
Industrial District)
[14-1195](#)

***Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at
7:54 p.m.***

2 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 7 Ayes:
Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, Council President
Gibson McElhaney, and 1 Excused - Brooks.***

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

Excused: 1 - Brooks

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

- 9.2** Subject: Oakland Tourism Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Declaring Results Of Majority Protest Proceedings And Establishing The
Oakland Tourism Business Improvement District 2015
[14-1134](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:07 p.m.

3 individuals spoke on this item.

President Pro Tempore Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, Council President Gibson McElhaney, and 1 Excused - Brooks.

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

Excused: 1 - Brooks

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** Subject: Rainbow Recreation Center Professional Services Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Award And Execute A Professional Services Contract With Byrens Kim
Design Works For The Design And Construction Of The Rainbow Recreation Center
Expansion And Renovation Project (No. C470910) For An Amount Not To Exceed
Five Hundred Twenty-Five Thousand Dollars (\$525,000.00)
[14-1044](#)

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

Excused: 1 - Brooks

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

Absent: 1 - Reid

- 12** Subject: Foothill-Seminary Public Transit Hub Streetscape
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Increasing The Change Order Limit With McGuire And Hester For The Construction Of Foothill/Seminary Public Transit Hub Streetscape (Project No. C429610) From Fifteen Percent (15%) To Twenty-Three Percent (23%) Of The Original Contract Amount
[14-1043](#)

There were 2 speakers on this item.

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

Excused: 1 - Brooks

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

- 13** Subject: Developer Selection & ENA For The Henry J. Kaiser Convention Center
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Orton Development, Inc. For The Rehabilitation, Adaptive Reuse, And Operation Of The Henry J. Kaiser Convention Center, Also Known As The Oakland Municipal Auditorium
[14-0954](#)

The Council adopted staff recommendations as amended as follows: 1) Require developer to return to the Community & Economic Development Committee at least twice during the ENA period to give updates on the progress; 2) at least one option that is brought back to this body should be the feasibility of retaining the arena space for public event purposes; and 3) inclusion of community benefits as part of the negotiations.

There were 29 speakers on this item.

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

Excused: 1 - Brooks

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

- 14** Subject: Amendment to OMC Chapter 2.29 - City Organization
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To: Create The Public Ethics Commission Department; Create The Department Of Transportation; Transfer The Ball Fields Maintenance Unit To Public Works; Transfer The Neighborhood Services Division To The Police Department; Eliminate References To Bureau Divisions In The Fire, Public Works And Planning And Building Departments; And Add The KTOP Operations Division To The Office Of The City Clerk
[14-1137](#)

There was one speaker on this item.

A motion was made by Reid, seconded by Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 7/30/2015. The motion carried by the following vote:

Excused: 1 - Brooks

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

Absent: 1 - Guillén

- S 15** Subject: EBMUD Report On Water Conservation
From: Oakland Public Works Department
Recommendation: Receive An informational Report By East Bay Municipal Utility District On Drought Conditions Mandates And Water Conservation
[14-1119](#)

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

Excused: 1 - Brooks

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

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 Sandra Bland at 9:47 p.m.

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