



# City of Oakland

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

## Meeting Agenda - SUPPLEMENTAL

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

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

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Wednesday, November 5, 2014

5:30 PM

City Council Chamber, 3rd Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Desley Brooks, District 6; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3; Dan Kalb, District 1; President Pro Tempore Rebecca Kaplan, At-Large; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Council President Patricia Kernighan, District 2

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

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

- 4.1 Subject: Precautions At Airport To Prevent Ebola Outbreak  
From: Vice Mayor Larry Reid  
Recommendation: Receive An Informational Report Or Plan From The Director Of The Port Of Oakland/Oakland Airport Regarding The Recent Ebola Outbreak As It Pertains To What Precautions Are Being Taken At The Oakland International Airport For Screening Passengers Who Arrive In Oakland  
[14-0096](#)
- 4.2 Subject: Honoring The Unity Council  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Honoring The Unity Council For 50 Years Of Service And Community Impact In The City Of Oakland  
[14-0109](#)
- 4.3 Subject: National Native American Heritage Month  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Recognizing The Month Of November 2014 As "National Native American Heritage Month" Celebrating The Heritage And Culture Of Native Americans And The Contributions Of Native Americans To The United States  
[14-0110](#)

**5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 21, 2014**

**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:**

- 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  
[14-0115](#)
- 7.2 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  
[14-0116](#)

- 7.3 Subject: Community Policing Advisory Board Appointments - Leonard & Bulls  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Cathy Leonard And Derrick C. Bulls As Members Of The Community Policing Advisory Board  
[14-0114](#)
- 7.4 Subject: Settlement Of Claim Of Mary J. Smith  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Invoices Presented By Belfor Property Restoration For The Claim Of Mary J. Smith, City Attorney's Claim No. C29408, In The Amount Of Twenty-Five Thousand Nine Hundred Ninety-Five Dollars And Sixteen Cents (\$25,995.16) (Public Works Department- Sewer-Overflow)  
[14-0138](#)
- 7.5 Subject: Settlement Of Claim Of Paul Traver  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Paul Traver, City Attorney's Claim No. C30094, In The Amount Of Twenty- Three Thousand Four Hundred Dollars And No Cents (\$23,400.00), Payable To Paul Traver (Oakland Police Department - Vehicle Collision)  
[14-0139](#)
- 7.6 Subject: Settlement Of Andre Traylor v. City Of Oakland, Stephen Choi  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Andre Traylor v. City Of Oakland, Stephen Choi, Alameda County Superior Court Case No. RG13-698346, In The Amount Of Eighteen Thousand Six Hundred Twenty-Five Dollars And No Cents (\$18,625.00) As A Result Of Motor Vehicle Accident On Or About November 6, 2012 (Oakland Police Department - Motor Vehicle Collision)  
[14-0140](#)
- 7.7 Subject: Settlement Of Claim Of Liberty Mutual As Subrogee For Valerie Dzubur  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Liberty Mutual Insurance Company In The Amount Of Six Thousand Seven Hundred Twenty-Four Dollars And One Cent (\$6,724.01), Payable To Liberty Mutual Insurance Company As Subrogee For Valerie Dzubur (Fire Services Agency - Auto Collision)  
[14-0141](#)

- 7.8 Subject: Settlement Of Claim Of Liberty Mutual Ins. Co. As Subrogee For Kelly Koehn  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Liberty Mutual Insurance Company, City Attorney's Claim No. C30125, In The Amount Of Six Thousand Two Hundred Sixty-Nine Dollars And Thirty-Three Cents (\$6,269.33) Payable To Liberty Mutual Insurance Company As Subrogee For Kelly Koehn (Oakland Police Department - Auto Collision)  
[14-0142](#)
- 7.9 Subject: Settlement Of Claim Of Kevin Flynn  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Kevin Flynn, City Attorney's Claim No. C30159, In The Amount Of Seven Thousand Five Hundred Sixty-One Dollars And Twenty-Five Cents (\$7,561.25), Payable To Kevin Flynn (Oakland Fire Department - Automobile Collision)  
[14-0143](#)
- 7.10 Subject: Settlement Agreement Of Nancy Lee, Et Al.  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Nancy Lee, Monica Lee, And Samantha Lee v. City Of Oakland, Alameda County Superior Court Case No. RG12641451, City Attorney's File No. 28903, In The Amount Of Two Million Dollars (\$2,000,000.00) (Public Works Department - Dangerous Condition)  
[14-0144](#)
- 7.11 Subject: Amending The Prompt Payment Ordinance  
From: President Pro Tempore Kaplan And Councilmember Brooks  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.06 To Add Requirements To Make Prompt Disbursements Of Grant Funds To Grant Recipients  
[14-0051](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ITEM*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 18, 2014*

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 4 Ayes.*

- 7.12** Subject: PayLock, Inc. Contract Extension  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Third Amendment To The Agreement Between The City Of Oakland ("City") And IPT LLC ("Paylock"), Extending At No Cost To The City The Term Of The Agreement For A Period Not To Exceed 6 Months, Starting October 15, 2014 And Terminating April 14, 2015 To Provide Self-Release Smartboot Vehicle Immobilization Program Services; And Waiving The Request For Proposal/Qualifications Process  
[14-0084](#)

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 4 Ayes.*

- 7.13** Subject: Awarding A Contract To Staples Advantage  
From: Finance Department  
Recommendation: Adopt A Resolution Awarding A Contract To Staples Advantage, A Corporation, To Furnish General Office Supplies, In An Annual Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), And Give Something Back, A Corporation, To Furnish Copy Paper And Toner Cartridges, In An Annual Amount Not To Exceed Three Hundred Ninety-Nine Thousand Dollars (\$400,000.00), For The Period Of October 1, 2014 To September 30, 2017 For An Aggregate Contract Amount Of Two Million, Two Hundred Forty-Seven Thousand Dollars (\$2,247,000.00), In Accordance With Specification No. 13-615-00-01/Request For Quotation (RFQ) No. 4917 And The General Conditions Therfor On File In Purchasing According To Its Bid Filed With The City On January 27,2014  
[14-0087](#)

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 4 Ayes.*

- 7.14** Subject: Additional Audit Related Services  
From: Finance Department  
Recommendation: Adopt A City Resolution Amending City Council Resolution No. 82682 C.M.S, Which Authorized A Contract With Macias Gini & O'connell LLP ("MGO") To Provide Audit Services To Increase The Contract For The City Audit Services For An Additional Amount Not-To-Exceed \$75,193. The Additional Services Requested Are To Cover Governmental Accounting Standards Board (GASB) 67 Testing, Planning And Implementing GASB 68, And Agreed-Upon Procedures Testing The City Procurement Policies And Procedures For Fiscal Year Ending June 30, 2014 And A Waiver For Advertising And Request For Proposals For These Additional Audit Related Services.  
[14-0117](#)

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 4 Ayes.*

**7.15** Subject: Extension Of Auditing Service Contract  
From: Finance Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution By The City Council Of The City Of Oakland Authorizing The City Administrator To Execute A One (1) Year Extension With Macias Gini & O'connell, LLP ("MGO") To Provide Audit Services For Fiscal Year Ending June 30, 2015 In An Amount Not To Exceed \$674,560 And Waiving The Competitive Request For Proposals Process; And

[14-0118](#)

2) A Resolution Authorizing The Agency Administrator To Waive The Competitive Requesting For Proposals Process And Execute A One (1) Year Contract Extension With Macias Gini & O'connell, LLP ("MGO") To Provide For Audit Services For Fiscal Year Ending June 30, 2015 In An Amount Not To Exceed \$25,000

[14-0118-1](#)

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 4 Ayes.*

**7.16** Subject: 4901 Telegraph Ave. Major Encroachment Permit  
From: Planning And Building Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Vocam Telegraph, LLC, A California Limited Liability Company, To Allow Encroachment Of An Existing Building's Overhanging Bay Windows, Eaves And Access Stairs Adjacent To 4901 Telegraph Avenue

[14-0091](#)

*The October 28, 2014 Public Works Committee approved recommendations with a vote of 4 Ayes.*

**7.17** Subject: Repair Stair Paths At Locarno Way (Project No. C470710)  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Construction Contract With Mosto Construction To Repair Stair Paths At Locarno Way (Project No. C470710), In Accordance With The Project Plans And Specifications And With Contractor's Bid In The Amount Of One Hundred Eighty-Seven Thousand One Hundred Ten Dollars (\$187,110.00)

[14-0092](#)

*The October 28, 2014 Public Works Committee approved recommendations with a vote of 4 Ayes.*

- 7.18** Subject: Appropriation Of Funds For HSIP-6  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee, To Accept And Appropriate One Million One Hundred Eighty Nine Thousand And Five Hundred Dollars (\$1,189,500.00) In Highway Safety Improvement Program Cycle 6 (Hsip-6) Grant Funds For Transportation Safety Improvements At Selected Locations Along Grand Avenue From Park View Terrace To Euclid Avenue; And Madison Street From 7th Street To 9th Street, And 8th Street From Jackson Street To Oak Street  
[14-0093](#)

*The October 28, 2014 Public Works Committee approved recommendations with a vote of 4 Ayes.*

- 7.19** Subject: Highway Safety Improvement Program (HSIP) Cycle 4  
From: Oakland Public Works Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract To W. Bradley Electric, Inc. For Highway Safety Improvement Program Cycle 4 (HSIP4): Traffic Signal Modifications On Hegenberger Road (Edes Avenue To International Boulevard), Project No. C452410, In Accordance With Project Plans, Specifications, State Requirements And With Contractor's Bid In The Amount Of Five Hundred Ten Thousand Eight Hundred Fifty-Four Dollars (\$510,854.00); And  
[14-0094](#)

2) A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric For Highway Safety Improvement Program Cycle 4 (HSIP4): Traffic Signal On Bancroft Avenue At 94th Avenue, Project No. C444110, In Accordance With Project Plans, Specifications, State Requirements And With Contractor's Bid In The Amount Of Three Hundred Forty-Eight Thousand One Hundred Fifty-Five Dollars (\$348,155.00); And  
[14-0094-1](#)

3) A Resolution Authorizing The City Administrator To Award A Construction Contract To Bay Area Lightworks For Highway Safety Improvement Program Cycle 4 (HSIP4): Traffic Signal On San Pablo Avenue (West Grand Avenue To West Street), Project No. C444010, In Accordance With Project Plans, Specifications, State Requirements And With Contractor's Bid In The Amount Of Five Hundred Four Thousand Nine Dollars And Seventy-Five Cents (\$504,009.75)  
[14-0094-2](#)

*The October 28, 2014 Public Works Committee approved recommendations with a vote of 4 Ayes.*



- 7.20** Subject: Safe Routes To School (SR2S) Cycle 10  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Beliveau Engineering Contractors, Inc. For Safe Routes To School Cycle 10 (SR2S10) Project (Project No. C471910) In Accordance With Project Plans, Specifications, State Requirements And With Contractor's Bid In The Amount Of One Hundred Forty-Three Thousand One Hundred Sixty-Eight Dollars (\$143,168.00)  
[14-0098](#)

*The October 28, 2014 Public Works Committee approved recommendations with a vote of 4 Ayes.*

*The Committee also directed staff to provide an information report prior to the deadline of the next grant. Report should include information regarding:*

- 1. Current projects including list of schools with site improvements;*
- 2. A list of upcoming projects or projects brought to staff's attention; and*
- 3. Information regarding a partnership with OUSD to potentially share costs associated with the projects.*

- 7.21** Subject: West Oakland Jobs Resource Center Fiscal Agent  
From: Economic and Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing An Amendment To The Contract With Urban Strategies Council To Act As The Fiscal Agent For The West Oakland Job Resource Center To Increase The Contract Amount From \$50,000 To \$105,000, And To Extend The Termination Date From November 20, 2014 To June 30, 2015 And Waiving The Advertising, Competitive Bid, And Request For Proposals/ Qualifications Process  
[14-0089](#)

*The October 28, 2014 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.*

- 7.22** Subject: Approving Four (4) Mills Act Contracts  
From: Planning And Building Department  
Recommendation: Adopt A Resolution, As Recommended By The Landmarks Preservation Advisory Board, Approving Four (4) Mills Act Contracts Between The City Of Oakland And The Properties At 851 Trestle Glen Road (Estimated \$11,865/Year Property Tax Reduction), 80-82/88-90 9th Street (Estimated \$1275/Year Property Tax Reduction), 619 15th Street (Estimated \$949/Year Property Tax Reduction), And 918 18th Street (Estimated \$3078/Year Property Tax Reduction) Pursuant To Ordinance 12987 C.M.S., To Provide Property Tax Reductions In Exchange For Owners' Agreement To Repair And Maintain Historic Properties In Accordance With Submitted Work Programs  
[14-0085](#)

*The October 28, 2014 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.*



- 7.23** Subject: Cultural And Service Learning Trip To Ethiopia Report  
From: Councilmember Desley Brooks  
Recommendation: Receive An Informational Report On The Outstanding Work Of Edom Tadesse And 14 Students From The French American School Who Participated In The Cultural And Service Learning Trip To Ethiopia  
[14-0111](#)

*The October 28, 2014 Life Enrichment Committee received and forwarded the report with a vote of 4 Ayes.*

- 7.24** Subject: Report On The Outstanding Work Of Hanna Solomon  
From: Councilmember Desley Brooks  
Recommendation: Receive An Informational Report On The Outstanding Work Of 16 Year Old Hanna Solomon In Organizing A Coat Drive For Deserving Individuals [TITLE CHANGE]  
[14-0112](#)

*The October 28, 2014 Life Enrichment Committee received and forwarded the report with a vote of 4 Ayes.*

- 7.25** Subject: Report On The Outstanding Work Of Natthan Mesfin  
From: Councilmember Desley Brooks  
Recommendation: Receive An Informational Report On The Outstanding Work Of 9 Year Old Natthan Mesfin In Organizing And Raising Funds For A Sleeping Bag Give-Away To Homeless Individuals [TITLE CHANGE]  
[14-0113](#)

*The October 28, 2014 Life Enrichment Committee received and forwarded the report with a vote of 4 Ayes.*

- 7.26** Subject: Inclement Weather Response System Strategy  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Accept And Appropriate An Estimated Amount Of \$15,000 From The City Of Emeryville For Winter Shelter And Warming Centers; 2) To Enter Into Grant Agreements For The Provision Of Emergency Winter Shelter Beds In An Aggregate Amount Of \$53,000 With St. Mary's Center And East Oakland Community Project; 3) To Enter Into Grant Agreements For The Provision Of Warming Centers In An Aggregate Amount Of \$54,000 With Dignity Housing West And Bay Area Community Services; And 4) To Allocate Up To \$15,115 In Existing Funds And Accept, Appropriate And Allocate Any Additional Funds From Other Sources To Amend The Grant Agreements For Additional Shelter Beds And/Or Warming Center Accommodations, And Purchase Miscellaneous Supplies For The Operation Of The Winter Shelters For The Period Beginning November 15, 2014 Through April 15, 2015 Without Returning To Council  
[14-0125](#)

*The October 28, 2014 Life Enrichment Committee approved recommendations with a vote of 4 Ayes.*

*The Committee also directed staff to include in the following in future reports: information regarding the types of housing the City offers, provide a greater detail regarding services for the disabled and mental ill, and provide more specific numbers for target populations.*

- 7.27** Subject: ShotSpotter Contract Extension and System Expansion  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement With SST, Inc. To: 1) Expand The ShotSpotter Coverage Area (Phase III), In An Amount Not To Exceed \$146,600.00; 2) Extend Coverage For The Period Of October 21, 2014 To April 18, 2015 (Phase I), In A Pro-Rated Amount Not To Exceed \$41,425.00, With An Option To Renew For Two Additional One-Year Terms At A Cost Of \$84,000.00 Annually, For A Total Contract Amount Not To Exceed \$356,025.00; And 3) Waiving The Competitive Request For Proposal / Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions For The Contracts With SST, Inc.  
[14-0090](#)

*The October 28, 2014 Public Safety Committee approved recommendations with a vote of 3 Ayes, 1 Absent - Gibson McElhaney.*

- 7.28** Subject: Contract To Provide Fire Fighter Physical Exams  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Enter Into An Agreement With Emeryville Occupational Medical Center To Provide Annual Physical Examinations Of Sworn Oakland Fire Department Employees For The Period Of November 13, 2014 Through November 12, 2016 With An Optional Two year Extension, In An Amount Not-To-Exceed Six Hundred Thousand Dollars (\$600,000) For The Initial Two Year Term And Not-To-Exceed Six Hundred Thousand Dollars (\$600,000) For The Two-Year Extension For A Total Contract Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000) For The Period Of November 13, 2014 Through November 12, 2018  
[14-0119](#)

*The October 28, 2014 Public Safety Committee approved recommendations with a vote of 4 Ayes.*

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

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

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

- 9.1** Subject: Agricultural Regulations & Other Planning Regulation Changes  
From: Councilmembers Kaplan, Kalb And Gibson McElhaney  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Update The City's Agricultural Regulations; And Make Other Miscellaneous Planning Code Text, Map, And Height Area Amendments, Including But Not Limited To: 1) Clarifying The Process And Exceptions To The Maximum Yard Requirements; 2) Standardizing Design Review Procedure Language; 3) Clarifying The Definitions Of "Live/Work" And "Work/Live"; 4) Streamlining The Process For Allowing Alcoholic Beverage Manufacturers To Sell Their Products On Site; 5) Modifying The Cup Findings For Hotels; 6) Adding "Taxi And Light-Based Fleet Services" To The Activity Chart For The CIX-1, CIX-2, IG, And LO Zones; 7) Modifying The Minimum Lot Frontage And I Width Requirements In The CIX-IC And CIX-ID Zones; 8) Clarifying The Application Of The S-19 Combining Zone; 9) Adding Height Area Designations To Certain CC Zoned Parcels In West Oakland; 10) Changing The Zoning From CIX-IA To CIX-IB For Certain Properties In The 3rd And 7th Street Corridors In West Oakland; 11) Adding The T Overlay To Two Blocks Between 3rd And 5th, Market And Brush Streets; 12) Adjusting The Boundary Between The CC-2 And RM-2 Zones Near The Intersection Of 7th And Peralta Streets; 13) Modifying The Regulation Of Pharmacies In The D-BV Zones; 14) Amending The Wood Street Zoning District Development Standards In Support Of Redevelopment Of The 16th Street Train Station; And 15) Making Other Minor Zoning Text Changes To Improve The Clarity Of The Planning Code, And Make Appropriate California Environmental Quality Act Determinations

[13-0328](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ITEM*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 18, 2014*

*The October 14, 2014 Community & Economic Development Committee approved recommendations as amended with a vote of 3 Ayes, 1 Abstention - Reid to include the following:*

- 1. Remove Animal products and livestock production from the definition of community gardens;*
- 2. Make an exception for bees and apiaries; and*
- 3. Allow those areas that currently have approval for community gardens to continue to operate under the old definition of community garden which allows animals.*

- 9.2** Subject: Lake Merritt Station Area Plan And Related Actions  
From: Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The  
Following Pieces Of Legislation:

1) A Resolution (A) Certifying The Environmental Impact Report And Making Related CEQA Findings And Adopting The Lake Merritt Station Area Plan And Related General Plan Amendments And Design Guidelines; (B) Authorizing The Installation Of Bicycle Lanes On Eighth (8th) Street From Harrison Street To Fallon Street, On Tenth (10th) Street From Madison Street To Oak Street, Madison Street From Fifth (5th Street To Nineteenth (19th) Street, And On Oak Street From Fifth (5th) Street To Thirteenth (13th) Street; And (C) Adopting A General Plan Amendment To The Community Commercial Land Use Classification Text For The Broadway Valdez District Specific Plan (BVDSP) Area To Allow A Maximum Density Of 250 Units Per Gross Acre And Making Related CEQA Findings; And

[14-0121](#)

2) An Ordinance, Amending The Oakland Planning Code To Create The D-LM Lake Merritt Station Area District Zone Regulations And Make Conforming Changes To Other Planning Code Sections, As Well As Adopting Zoning And Height Area Maps

[14-0121-1](#)

*THIS ITEM WILL NOT BE HEARD AND HAS BEEN CONTINUED TO THE  
NOVEMBER 12, 2014 SPECIAL COMMUNITY & ECONOMIC DEVELOPMENT  
COMMITTEE MEETING.*

### **ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

#### **10 THIS NUMBER INTENTIONALLY NOT USED**

- 11** Subject: Accountability & Transparency In High-Stakes Negotiations Act  
From: Councilmember Libby Schaaf And The Office Of The City Attorney  
Recommendation: Adopt The Accountability And Transparency In High Stakes Negotiations Policy Resolution Amending Rule 25 Of The Council's Rules Of Procedure, Resolution No. 82580 C.M.S. And Resolution No. 84758 C.M.S., To Require City Councilmembers Appointed To Serve On Boards, Commissions, Agencies, Joint Powers Authorities, ("Representatives") To: (1) Notify The City Council As Soon As High-Stakes Negotiations Commence; (2) Provide Real-Time Reports On High-Stakes Negotiations And Annual Reports On General Business; And (3) Participate In Training Regarding Their Duties And Obligations Of Representation Within 30 Days Of Appointment

[13-0744](#)

*Vice Mayor Reid made a motion, seconded by Councilmember Brooks, to remove this item from the October 21, 2014 City Council agenda and Continue it to this agenda.*

- 12** Subject: Establish 1% For Public Art In Private Development Projects  
From: Councilmember Libby Schaaf  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt Chapter 15.70 Public Art Requirements, Which Establishes A New Requirement Of .5% For Residential Or 1% For Nonresidential Of Private Development Project Costs For Public Art And Codifies An Existing Requirement Of 1.5% Of The City's Capital Improvement Project Costs For Public Art, Adopted By The City Council Through Ordinance No. 11086 C.M.S.  
[14-0036](#)

*ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ITEM*

*FINAL PASSAGE (Second Reading) WILL OCCUR ON NOVEMBER 18, 2014.*

*Vice Mayor Reid made a motion, seconded by Councilmember Gibson McElhaney, to remove this item from the October 21, 2014 City Council agenda and Continue it to this agenda.*

- 13** Subject: Tenant Protection Ordinance  
From: Councilmember Dan Kalb  
Recommendation: Adopt An Ordinance Prohibiting Various Harassing Behaviors By Landlords Against Tenants And Providing Civil Remedies For Violations [TITLE CHANGE]  
[14-0043](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON OCTOBER 21, 2014; 5 AYES, 3 ABSTENTIONS - BROOKS, REID AND KERNIGHAN.*

- 14** Subject: FY 2013-2014 4th Quarter Revenue & Expenditure Report  
From: Finance Department  
Recommendation: Adopt A Resolution Accepting The Unaudited FY 2013-2014 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds: General Purpose Fund (GPF, 1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds; And Authorizing The City Administrator To Adjust The General Purpose Fund Expenditure Appropriations In The Amount Of \$0.50 Million Over Budget By Departments Listed In Exhibit A Attached Herein  
[14-0127](#)

*The October 28, 2014 Finance & Management Committee approved recommendations with a vote of 2 Ayes, 1 Abstention - Brooks, and 1 Absent - Schaaf.*

## CONTINUATION OF OPEN FORUM

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote  
Of The Council)**

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 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) 238-6406

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[ITD](#)

**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.**