



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

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, May 3, 2016

5:30 PM

City Council Chamber, 3rd Floor

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; Vice Mayor Annie Campbell Washington, District 4; Noel Gallo, District 5; Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large; President Pro Tempore Larry Reid, District 7; Council President Lynette Gibson McElhaney, District 3

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: Oakland Small Business Week
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Oakland Entrepreneurs In
Celebration Of National Small Business Week, May 1-7, 2016
[15-0879](#)

Sponsors: Gallo

Attachments: [View Report](#)

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 4.2 Subject: Proclaiming East Bay Affordable Housing Week
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Proclaiming May 13 To May 21, 2016 As The
20th Annual East Bay Affordable Housing Week And Affirming The City of Oakland's
Commitment To Supporting Affordable Housing At All Levels Of Government
[15-0924](#)

Sponsors: Gibson McElhaney

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 4.3 Subject: Declaring May 12, 2016 As Bike To Work Day
From: Vice Mayor Campbell Washington
Recommendation: Adopt A Resolution Proclaiming May 12, 2016 As Bike To Work
Day In The City Of Oakland To Mark The Importance Of Bicycling To Promote Greater
Health, To Build Stronger Local Economies, To Enhance Community Connection, To
Increase Sustainability For The City And Its Residents And To Urge Oaklanders To
Ride Their Bicycles
[15-0944](#)

Sponsors: Campbell Washington

Attachments: [View Report](#)

[View Supplemental Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 4.4 **Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was
removed from this agenda and rescheduled to the May 17, 2016
City Council meeting.**

- 4.5 Subject: Municipal Clerk's Week
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Declaring May 1, 2016 Through May 7, 2016
Municipal Clerk's Week In The City Of Oakland
[15-0943](#)

Sponsors: Gibson McElhaney

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 19, 2016
[15-0930](#)

Attachments: [View Report](#)

- 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
[15-0931](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

- 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
[15-0932](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

- 7.3 Subject: NOFA Housing Policy Recommendations
From: Housing & Community Development Committee
Recommendation: Adopt An Ordinance Amending Chapter 15.68 Of The Oakland Municipal Code To (1) Allow Affordable Housing Trust Funds From Funds Distributed To The City Under Redevelopment Dissolution Laws To Be Used For Ownership Housing And Mortgage Assistance To Households With Incomes Up To 120% Of Area Median Income, And (2) Allow The Use Of Affordable Housing Trust Funds To Preserve Affordable Housing That Is At Imminent Risk Of Loss Due To Tax Defaults, Rent Increases, Demolition, Or Conversion To Other Uses [TITLE CHANGE]
[15-0768](#)

Sponsors: Housing And Community Development Department

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

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

INTRODUCTION (First Reading) WAS PASSED ON APRIL 19, 2016; 6 AYES, 2 ABSTAIN - BROOKS, KAPLAN.

Legislative History

4/12/16	*Community & Economic Development Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
4/19/16	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council

7.4 Subject: Citywide Impact Fees Adoption
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The
Following Pieces Of Legislation:

1) An Ordinance (1) Amending The Oakland Municipal Code To Establish City-Wide
Affordable Housing Impact Fees And Make Related And Conforming Amendments,
Including Minor Amendments For Consistency Purposes To The Jobs-Housing Impact
Fee Codified In OMC Chapter 15.68, (2) Amending The Master Fee Schedule
(Ordinance No. 13320, C.M.S., As Amended) To Include The Affordable Housing
Impact Fees, And (3) Adopting CEQA Exemption Findings; And
[15-0754](#)

Sponsors: Planning & Building Department

Attachments: [View Report](#)

[Attachment A, January 26, 2016 CED Agenda Report](#)

[Attachment B, February 9, 2016 CED Agenda Report, Supplemental Report](#)

[Attachment C, February 9, 2016 Memo, Motion to Adopt from four Council Mem](#)

[Attachment D, Oakland Afford Housing Impact Fee Nexus Analysis](#)

[Attachment E, Oakland Transportation and Cap Imp Impact Fee Nexus Analysis](#)

[Attachment F, Target Impact Fees with Maximum Legal Impact Fees Tables](#)

[Attachment G, Map of Impact Fee Zones for Residential Projects, smaller size](#)

[Attachment H, EBHO On-Site Proposal](#)

[Attachment I, Development Impact Fees Administrative Program Cost Analysis](#)

[Attachment J, Oakland Impact Fee Program CEQA Compliance](#)

[View Supplemental Report](#)

[view supplemental report](#)

Legislative History

3/10/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
3/22/16	*Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

There were 62 speakers on this item

4/19/16 Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 8:46 p.m.

52 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 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney.

President Pro Tempore Reid made a motion, seconded by Councilmember Gallo, to approve as amended with the following revisions:

1) Include all of Coliseum City Specific Area Plan into Zone 3, therefore, amending Sections 15.72.140 and 15.74.150 accordingly; and

2) Restrict spending of impact fees for moderate income housing to 15%, therefore, amending Section 15.62.040 to read as follows: "Funds in the Affordable Housing Trust Fund shall be used in accordance with the adopted housing element to the City's General Plan, the Consolidated Plan, and subsequent housing plans adopted by the City Council, to subsidize or assist the City, other government entities, nonprofit organizations, private organizations or firms, or individuals in the construction, preservation or substantial rehabilitation of affordable housing. Monies in the Affordable Housing Trust Fund may be disbursed, hypothecated, collateralized or otherwise employed for these purposes from time to time as the City Administrator so determines is appropriate to accomplish the purposes of the Affordable Housing Trust Fund. Eligible uses include, but are not limited to, assistance with staff costs or other administrative costs attributable to a specific affordable housing project, equity participation in affordable housing projects, loans and grants (including, predevelopment loans or grants) to affordable housing projects, or other public/private partnership arrangements. Monies from the Affordable Housing Trust Fund may be extended for the benefit of rental housing, owner occupied housing, limited equity cooperatives, mutual housing developments, or other types of affordable housing projects. Not more than 15% of the funds deposited into the Affordable Housing Trust Fund from Affordable Housing Impact Fees may be used for housing affordable to moderate income households unless this limit is waived by the City Council with a specific finding that the waiver is in the best interests of the City."

2) An Ordinance (1) Amending The Oakland Municipal Code To Establish City-Wide Transportation And Capital Improvements Impact Fees And Make Related And Conforming Amendments, (2) Amending The Master Fee Schedule (Ordinance No. 13320, C.M.S., As Amended) To Include The Transportation And Capital Improvements Impact Fees, And (3) Adopting CEQA Exemption Findings
[15-0755](#)

Sponsors:

Planning & Building Department

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

INTRODUCTION (First Reading) WAS PASSED ON APRIL 19, 2016; 7 AYES, 1 NO - BROOKS.

Legislative History

3/22/16	*Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
	<i>Public Hearing</i>	
4/19/16	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council

7.5 Subject: 1638-47th Avenue Church And School Conversion To Residential Units
From: Planning & Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, To Rezone The Project Site From RU-1 Urban Residential Zone-1 To RU-4 Urban Residential Zone - 4 With Height Area 45 For 1638-47th Avenue And Adopt CEQA Exemptions

[15-0806](#)

Sponsors:

Planning & Building Department

Attachments:

[View Report](#)

[View Presentation](#)

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

INTRODUCTION (First Reading) WAS PASSED ON APRIL 19, 2016; 8 AYES.

Legislative History

3/24/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/12/16	*Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
4/19/16	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council

- 7.6 Subject: Settlement Agreement - Claim Of Juan Carlos Pacheco
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Juan Carlos Pacheco, In The Amount Of Thirteen Thousand One Hundred Ninety Nine Dollars And 30/100 Cents (\$13,199.30) As The Result Of Damages Sustained From An Automobile Collision On February 3, 2016 (Oakland Police Department- Automobile Collision)

[15-0939](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 7.7 Subject: Settlement Agreement - Claim Of Lester Austin
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Lester Austin, In The Amount Of Nine Thousand Five Hundred Dollars And 00/100 Cents (\$9,500.00) As The Result Of Damages Sustained From A Trip And Fall Incident On April 30, 2015 (Public Works Agency- Trip And Fall)

[15-0940](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 7.8 Subject: Settlement Agreement - Claim Of Erica Jackson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Erica Jackson, In The Amount Of Seven Thousand Five Hundred Dollars And 00/100 Cents (\$7,500.00) As The Result Of Damages Sustained From An Automobile Collision On May 7, 2015 (Oakland Police Department- Automobile Collision)

[15-0941](#)

Sponsors: Office Of The City Attorney

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

S7.9 Subject: One-Year Contract For Citywide Check Stock
From: Finance Department - Controller's Bureau
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Waive Competitive Bidding And Award A One year Contract For The Purchase Of Customized, E-Z Fold Check Stock Needed For Accounts Payable, Payroll, Retirement, And Successor Redevelopment Agency Payments To CTP Solutions, In An Amount Not-To-Exceed Ten-Thousand Dollars (\$10,000)

[15-0861](#)

Sponsors: Finance Department

Attachments: [view Report](#)

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
4/26/16	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.10 Subject: Off-Street Parking Contracts Capacity
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Amending The Fiscal Year 2015-2016 Budget By Appropriating Revenue From Off-Street. Parking Operations By An Additional \$650,000.00 And Expenses For Increased Levels Of Service Of Parking Facility Operations By An Additional \$650,000 In Multipurpose Reserve Fund (1750); Authorizing And Directing The City Administrator To Amend The City's Parking Operations Contracts With City Of Oakland Parking Partners By An Additional \$600,000 And With Montclair Village Association By An Additional \$50,000.00; And Waiving The Request For Qualifications/Proposal Competitive Selection Requirement

[15-0846](#)

Sponsors: Oakland Public Works Department

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

Legislative History

4/14/16	*Special Rules and Legislation Committee <i>The title was revised on the dais.</i>	Scheduled to the *Finance & Management Committee
4/26/16	*Finance & Management Committee <i>There were 2 speakers on this item</i>	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.11 Subject: FY 2016-17 Landscaping And Lighting Assessment District Intention
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Accept The
Fy 2016-17 Preliminary Engineer's Report For The City Of Oakland Landscaping And
Lighting Assessment District, And Set June 7, 2016 At 6:30pm As The Date And Time
For A Public Hearing
[15-0914](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Finance & Management Committee
4/26/16	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

The committee asked to explore options to add a COLA increase to the LLAD

S7.12 Subject: Establishment Of Two-Hour And No Parking Restrictions
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To Establish: 1) Two-Hour Parking Restrictions
Between 8:00 A.M. And 6:00 P.M., Monday Through Sunday, On The South Side Of
31st Street From The Westerly Line Of Telegraph Avenue To The CalTrans Property
Right-Of-Way Of The Grove Shafter Freeway (Interstate 980); And 2) No Parking
Restrictions Between 8:00 P.M. And 6:00 A.M., Monday Through Sunday, On Both
Sides Of Covington Street From 215 Feet West Of Marlow Drive To The North
Terminus Of Covington Street
[15-0845](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Public Works Committee
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.13 Subject: Measure DD Interest Allocation
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To Allocate The Remaining \$3,127,049.00
Measure DD Series 2003A And 2009B Unallocated Interest Funds To Previously
Approved Measure DD Series B Projects As The City Administrator Deems Necessary
To Assure The Timely Completion Of Measure DD Projects
[15-0908](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Public Works Committee
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.14 Subject: TDA Article 3 Funds Approval
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For, Accept, And Appropriate Up To Five Hundred Thousand Dollars (\$500,000.00) In
Fiscal Year 2016-17 State Transportation Development Act Article 3 Funds To Prepare
A Bicycle Master Plan
[15-0915](#)

Sponsors: Oakland Public Works Department

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

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Public Works Committee
	<i>Portion 2: "Create A Program Analyst II Position To Support Development Of The Master Plan And Development Of Bicycle Facility Projects" was withdrawn from the item.</i>	
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.15 Subject: Contract Authorizations: On-Call Sewer Cleaning Services
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding Construction Contracts In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00), Per Contract, From FY 2016-17 To FY 2018-19 To: 1) Nor-Cal Pipeline Services, 2) Pipe And Plant Solutions, 3) Andes Construction, Inc. And 4) Roto Rooter Sewer Services In Accordance With Plans And Specifications For Oncall Sewer Cleaning Services (Project No. A481310) For A Cumulative Project Allocation In An Amount Not To Exceed Six Million Dollars (\$6,000,000.00) For A Period Of Three Years, With Three, One-Year Options To Negotiate And Renew Each Of The Aforementioned Construction Contracts

[15-0848](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Public Works Committee
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.16 Subject: On-Call Environmental And Hazardous Materials Consulting Contracts
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each, For A Three-Year Period From July 1, 2016 Through June 30, 2019, With The Firms: (1) Eler & Kalinowski, Inc., (2) Haley & Aldrich, Inc., (3) Northgate Environmental, Inc. (4) Rincon Consultants, Inc., (5) SLR International Corp., (6) Terraphase Engineering, (7) TRC Companies, Inc. And (8) Weiss Associates; And

[15-0859](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) Each, For A Three-Year Period From July 1, 2016 Through June 30, 2019, With The Firms: (1) ACC Environmental Consultants, (2) Ninyo & Moore, (3) SCA Environmental, Inc., And (4) Sensible Environmental Solutions, Inc.

[15-0860](#)

Sponsors: Oakland Public Works Department

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
4/26/16	*Public Works Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

There was one speaker on this item.

S7.17 Subject: 500 Kirkham DDA With TLC
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance (1) Authorizing The Purchase Of 500 Kirkham Street In West Oakland (The "Property From Cal Trans, (2) Authorizing A Disposition And Development Agreement with TLPartners V, LP., Or A Related Entity, For The Sale And Development Of The Property For A Mixed-Use Project, And (3) Making CEQA Findings For This Action

[15-0864](#)

Sponsors: Economic & Workforce Development Department

Attachments: [View Report](#)

[View Supplemental Report](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 17, 2016.

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/26/16	*Special Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.18 Subject: Lease Agreement For The City-Owned Property At 1226 73rd Avenue
From: Human Services Department
Recommendation: Adopt An Ordinance Authorizing A Lease Agreement With East
Oakland Community Project For City-Owned Property At 1226-73rd Avenue For Use
As A Shelter Plus Care Housing Facility, For A Lease Term Of Five Years Until June
30, 2020
[15-0865](#)

Sponsors: Human Services Department

Attachments: [View Report](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 17, 2016.

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
4/26/16	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.19 Subject: Youth Ventures JPA Amended Agreement & Marcus Foster Education Fund
From: Human Services Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Amended Youth Ventures Joint Powers Authority (JPA)
Agreement That Focuses The Efforts Of The JPA Primarily On The City Of Oakland
And Removes References To The Previous Administrative Structure; And
[15-0910](#)

Sponsors: Human Services Department

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Life Enrichment Committee
4/26/16	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

2) A Resolution Authorizing The City Administrator To Enter Into A Contract With The
Youth Ventures Joint Powers Authority (JPA) Fiscal Agent Marcus A. Foster
Educational Institute DBA Marcus Foster Education Fund, In The Amount Of \$150,000
Per Year For Fiscal Years 2015-2016 And 2016-2017 For The City's Annual
Contribution To Support Operations Of The Youth Ventures JPA
[15-0911](#)

Sponsors: Human Services Department

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Life Enrichment Committee
4/26/16	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S7.20 Subject: Deputizing Task Force Officers
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Enter Into A Memorandum Of Understanding (MOU) With The
Department Of Homeland Security (DHS), Office Of Homeland Security Investigations
(HSI) For The Purpose Of Allowing Particular Oakland Police Department (OPD)
Officers To Be Designated As United States Customs Title 19 Task Force Officers
(TFOS), Without Additional Compensation, Until The Expiration Date Of The
Agreement, Unless Revoked At An Earlier Date By Either OPD Or HSI
[15-0812](#)

Sponsors: Oakland Police Department

Attachments: [View Report](#)

Legislative History

3/24/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/26/16	*Public Safety Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

*The Committee also requested an annual follow-up report be brought to
Committee regarding the agreement.*

There were 2 speakers on this item.

S7.21 Subject: SMU OPD Information Sharing MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or
Designee To Enter Into A Memorandum Of Understanding (MOU) With Samuel Merritt
University (SMU) And Sutter East Bay Hospitals DBA Alta Bates Summit Medical
Center (ABSMC) For The Purpose Of Establishing, Information Sharing Protocols
Related To The Gathering Of Evidence From Sexual Assault, Violence And Hate
Crimes; And To Protect Victims' Confidential Information
[15-0866](#)

Sponsors: Oakland Police Department

Attachments: [View Report](#)

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
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4/26/16 *Public Safety Committee Approve the Recommendation of Staff, and
Forward to the Meeting of the Oakland City
Council

There was one speaker on this item.

S7.22 Subject: OPD Peralta College Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution No. 84864 C.M.S.
(Which Authorized The City Administrator To Enter Into An Agreement With The
Peralta Community College District (PCCD) Regarding Public Safety Training Courses
With OPD And Accept Funds Worth An Estimated Amount Of Two Hundred Thousand
Three Hundred Forty-Nine Dollars (\$200,349) For Additional Training Of OPD
Personnel And The Development Of A Training Facility), And To Accept Future Funds
That Are Provided By The State Through Reimbursement To PCCD If Additional
Academies Are Approved So That The Agreement Extends Beyond The 170th OPD
Police Academy Towards Present And Future OPD Police Academies.

[15-0913](#)

Sponsors: Oakland Police Department

Attachments: [View Report](#)

Legislative History

4/14/16 *Special Rules and Legislation Committee Scheduled to the *Public Safety Committee
4/26/16 *Public Safety Committee Approve the Recommendation of Staff, and
Forward to the Meeting of the Oakland City
Council

S7.23 Subject: Support For AB 1957: Release Of Law Enforcement Body Camera Footage
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1957 (Quirk)
Which Requires State Or Local Law Enforcement To Make Available, Upon Request,
Footage From Law Enforcement Body-Worn Cameras 60 Days After The
Commencement Of An Investigation Into Misconduct That Uses Or Involves That
Footage

[15-0878](#)

Sponsors: Ms. Brooks

Attachments: [View Report](#)

[View Supplemental Report](#)

[View Supplemental Report](#)

This item was placed on the agenda Pursuant to Rule 28(b).

*This item requires an Urgency Finding (2/3 majority vote) pursuant to Section 2.20.080
E(2) of the Sunshine Ordinance, prior to hearing the item.*

Legislative History

4/7/16 *Rules & Legislation Committee Scheduled to the *Rules & Legislation
Committee

**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: Amendments To Medical Cannabis Ordinances
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The
Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.80, Medical Cannabis
Dispensary Permits, To Align With California's Medical Marijuana Regulation And
Safety Act And Adopting CEQA Exemption Findings ; And
[15-0587](#)

Sponsors: Office Of The City Administrator

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

Legislative History

2/9/16	*Public Safety Committee	Continued to the *Public Safety Committee
3/24/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/26/16	*Public Safety Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

*The Committee approved the recommendations as amended to approve all
future permits as follows:*

- 1) Equity measures shall be included in the implementation regulations;*
- 2) Fifty (50) percent of all medical cannabis permits shall be issued to
primary applicants who have lived, for at least one year, in a census tract or
police beat which has been heavily and negatively impacted by law enforcement
with respect to cannabis; and*
- 3) The primary applicant must maintain fifty-one (51) percent ownership of
the operation.*

There were 16 speakers on this item.

4/26/16	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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*The committee approved items 3 and 4, contingent on approval of items 1 and 2
in the Public Safety Committee*

There were 2 speakers on this item

2) Ordinance Amending Oakland Municipal Code Chapter 5.81, Medical Cannabis Cultivation Facility Permits, To Align With California's Medical Marijuana Regulation And Safety Act And Adopting CEQA Exemption Findings; And

[15-0589](#)

Sponsors:

Office Of The City Administrator

Legislative History

2/9/16	*Public Safety Committee	Continued to the *Public Safety Committee
3/24/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/26/16	*Public Safety Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

3) An Ordinance Amending The Fy 2015-16 Master Fee Schedule (Ordinance No. 13320 C.M.S., As Amended) To Modify And Establish Permit Application And Annual Regulatory Fees For City Of Oakland Licensed Medical Cannabis Facilities And Adopting CEQA Exemption Findings ; And

[15-0811](#)

Sponsors:

Office Of The City Administrator

ACTION ON THESE ITEMS WILL RESULT IN INTRODUCTION (First Reading) OF THE ORDINANCES.

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 17, 2016.

Legislative History

3/24/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/26/16	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
4/26/16	*Public Safety Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

4) A Resolution Authorizing The City Administrator To Transfer Four Hunder Thousand Dollars (\$400,000) Of Medical Cannabis Cooperative Project (A242610) Funds Within The General Purpose Fund (1010) From The Office Of The City Administrator To The Fire Department And The Planning And Building Department

[15-0814](#)

Sponsors:

Office Of The City Administrator

Legislative History

3/24/16	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
4/26/16	*Finance & Management Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

4/26/16	*Public Safety Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** Subject: Establishing An Alameda County Community Choice Energy Program
From: Councilmember Kalb & Alameda County Community Development Agency
Recommendation: Receive An Informational Status Report On The Process And Progress Of Establishing An Alameda County Community Choice Energy Program, Including Level Of Progress, Process Going Forward, Including Eventual Next Steps From Oakland And Other Participating Cities And The County

[15-0820](#)

Sponsors: Kalb

Attachments: [View Report](#)

Legislative History

3/24/16	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
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- 12** Subject: Ballot Measure To Impose A Sugar-Sweetened Beverage Distribution Tax
From: Vice Mayor Campbell Washington And Councilmembers Brooks & Kaplan
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The November 8, 2016 Statewide General Election, A Proposed Ordinance To Impose A 1 Cent Per Ounce Tax On The Distribution Of Sugar-Sweetened Beverages; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election (TITLE CHANGE)

[15-0945](#)

Sponsors: Campbell Washington, Ms. Brooks and Kaplan

Attachments: [View Report](#)

[View Report](#)

[View Supplemental Report](#)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

- 13** Subject: Consultant Contract
From: Office Of The City Administrator
Recommendation: Adopt A Resolution (A) Waiving Advertising, Competitive Bidding, And Request For Proposals/Qualification ("RFP/Q") Competitive Selection Requirements And (B) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Contract With Environmental Science Associates Not To Exceed\$ 120,000 For The Analysis Of Potential Health And Safety Effects Of Certain Commodities Proposed At The Oakland Bulk And Oversized Terminal At The Oakland Army Base West Gateway Site Without Returning To City Council From Undesignated General Purpose Fund Balance

[15-0877](#)

Sponsors: Office Of The City Administrator

Attachments: [View Report](#)

Legislative History

4/7/16	*Rules & Legislation Committee	Scheduled to the Meeting of the Oakland City Council
4/14/16	*Special Rules and Legislation Committee	* Withdrawn and Rescheduled to the Meeting of the Oakland City Council

- S-14** Subject: Establishing Policy Regarding Permit Applications For Transient Habitation
From: Councilmembers Guillen And Kalb
Recommendation: Adopt A Resolution To Issue An Official Statement Of Policy Related To Implementing Oakland Municipal Code And Oakland Planning Code Regarding Conditional Use Permit And Major Variance Applications For Transient Habitation Development Operations [TITLE CHANGE]

[15-0756](#)

Sponsors: Guillén and Kalb

Attachments: [view Report](#)
[View Supplemental Report](#)

Legislative History

3/10/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/26/16	*Special Community & Economic Development Committee	Approve as Amended the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council <i>The committee approved recommendations as ammended to include 25 rooms or more and asked for an update on measure FF enforcement for the supplemental.</i>

Non-consemt

S-15 Subject: Maximize Use Of Available Funds To Benefit Job Seekers & Employers
From: President Pro Tempore Reid
Recommendation: Adopt A Resolution Recommending That The Workforce Development Board Consider Reallocation Of FY 2015-16 City Workforce Innovation And Opportunity Act (WIOA) Funds To Previously Approved Service Providers To (1) Utilize Available City Savings In The Current Fiscal Year; (2) Avoid Returning Additional Funds To The State For Failure Of The City To Utilize Said Funds In A Timely Manner; And (3) Achieve Better Alignment Of Actual Reduction Of WIOA Allocation To The City With Reductions To Service Providers
[15-0713](#)

Sponsors: Mr. Reid and Economic & Workforce Development Department

Attachments: [View Report](#)

Legislative History

3/3/16	*Rules & Legislation Committee	Withdrawn with No New Date
3/17/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
4/26/16	*Special Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

S-16 Subject: Covenant House/Alameda Family Services Amended Grant Agreements
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend Grant Agreements With Covenant House California And Alameda Family Services To Extend The Grant Term Through 2016 And Increase Grant Funding In An Amount Of \$50,000 Each In Alignment With The Alameda County - Oakland Community Action Partnership 2015-2016 Community Services Block Grant Funding Cycle For The 2016 Program Year
[15-0909](#)

Sponsors: Human Services Department

Attachments: [View Report](#)

Legislative History

4/14/16	*Special Rules and Legislation Committee	Scheduled to the *Life Enrichment Committee
4/26/16	*Life Enrichment Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council

There were 2 speakers on this item.

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)**

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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.**