



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 - FINAL

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

Tuesday, November 28, 2017

5:00 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; President Pro Tempore Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large; Lynette McElhaney, District 3; Council President Larry Reid, District 7

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: Commending Axis Dance Company
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Congratulating Axis Dance Company For 30 Years
Of Incredible Service To The City Of Oakland And Residents With Disabilities
[17-0239](#)

Attachments: [View Report](#)

Legislative History

10/12/17	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
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- 4.2** Subject: Commending The Omega Boys Club
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Congratulating The Omega Boys Club On Their
30th Anniversary
[17-0240](#)

Attachments: [View Report](#)

[View Report 11-16-17](#)

[86964 CMS](#)

Legislative History

10/12/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 4.3** Subject: Ghost Ship Fire Remembrance
From: Councilmember Gallo And Kaplan
Recommendation: Adopt A Resolution In Remembrance Of The Ghost Ship Fire Tragedy
One Year Later And Moment Of Reflection And Silence
[17-0414](#)

Attachments: [View Report](#)

[86965 CMS](#)

Legislative History

11/16/17	*Rules & Legislation Committee	Scheduled to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council
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Councilmember Kaplan was added as coauthor.

- 4.4 Subject: Recognizing And Honoring Claudia Cappio
From: President Reid, President Pro Tem Guillen, Vice Mayor Campbell Washington
and Councilmember Kaplan
Recommendation: Adopt A Resolution Recognizing And Honoring Claudia Cappio On
Her Retirement From The City Of Oakland After More Than 10 Years Of Service
[17-0367](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[86966 CMS](#)

Legislative History

11/16/17	*Rules & Legislation Committee	Scheduled to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF NOVEMBER 7, 2017
[17-0348](#)

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
[17-0349](#)

Attachments: [View Report](#)
[86967 CMS](#)

- 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
[17-0350](#)

Attachments: [View Report](#)
[86968 CMS](#)

- 7.3** Subject: Resolution Recognizing and Honoring Phil Neville
From: Council President Reid And City Attorney Parker
Recommendation: Adopt A Resolution Recognizing And Honoring Deputy Executive Director For Real Estate Development Phil Neville Upon His Retirement From The Oakland Housing Authority After 43 Years of Service
[17-0316](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[86969 CMS](#)

Legislative History

11/2/17	*Rules & Legislation Committee	Scheduled to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council
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- 7.4** Subject: Graffiti Abatement Grant For Attitudinal Healing Connection
From: Councilmember McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$11,000 From Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing Connection For The Fourth Mural In Their Oakland Superheroes Mural Project On The West Street Freeway Underpass Between 35th And 36th Street
[17-0320](#)

Attachments: [View Report](#)
[86970 CMS](#)

Legislative History

11/2/17	*Rules & Legislation Committee	Scheduled to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council
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- 7.5** Subject: Appointment To The Community Jobs Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Doug Bloch To The Community Jobs Oversight Commission
[17-0266](#)

Attachments: [View Report](#)
[Supplemental 11-17-2017](#)
[86971 CMS](#)

Legislative History

10/19/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn and Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 7.6** Subject: Reappointment To The Budget Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Lori Erin Andrus, Kenneth Benson, Margurite Fuller, Brandon Baranco, Geoffrey Johnson, And Jennifer West To The Budget Advisory Commission
[17-0267](#)

Attachments: [View Report](#)
[Supplemental 11-17-2017](#)
[86972 CMS](#)

Legislative History

10/19/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>DUE TO THE PRESENCE OF COUNCILMEMBER KALB, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE BY PRESIDENT PRO TEM GUILLEN AND SECONDED BY COUNCILMEMBER MCELHANEY TO ADJOURN THE MEETING OF THE RULES AND LEGISLATION COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 10:53 AM</i>
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Withdrawn and Rescheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.7 Subject: Prohibit Contracting With Companies Bidding On The Border Wall
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To
Prohibit The City From Contracting With Companies That Contract With The Federal
Government To Provide Services Or Goods To Construct The Border Wall Referenced In
Executive Order No. 13767, Dated January 25, 2017
[16-1293](#)

Attachments: [View Report](#)
[Supplemental 10-12-17](#)
[13459 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

6/29/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
7/11/17	* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Finance and Management Committee <i>There was 1 speaker on this item.</i>	Withdrawn with No New Date
10/5/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
10/24/17	*Finance & Management Committee <i>1 speaker spoke on this item</i>	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.8 Subject: Amendment To Ordinance No. 12187 C.M.S.
From: Human Resources Management
Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S.("Salary Ordinance") And Amending The Salary Schedule Of The Salary Ordinance To Increase The Salary For City Clerk
[17-0234](#)

Attachments: [View Report](#)
[13460 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

10/12/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
10/24/17	*Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
<i>The record was modified to show that item 4 was moved to be heard as the last item on the agenda</i>		
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.9 Subject: Ordinance To Enact The Uniform Residential Tenant Relocation Ordinance
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance To Enact The Uniform Residential Tenant Relocation Ordinance To (1) Establish An Uniform Schedule Of Relocation Payments; (2) To Extend Relocation Payments To Tenants Displaced By Owner Move-In Evictions; (3) To Extend Relocation Payments To Tenants Displaced By Condominium Conversions; And (4) Conform Existing Ellis Act And Code Compliance Relocation Amounts To Those In The Uniform Schedule
[17-0111](#)

Attachments: [View Report](#)
[Supplemental 10/12/17](#)
[View Supplemental 11/08/17](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

- 9/21/17 *Rules & Legislation Committee Scheduled to the *Community & Economic Development Committee
- 10/24/17 *Community & Economic Development Committee Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

There was 19 speakers for this item

The Committee directed staff to bring forth at Rules a Supplemental report that includes Councilmember McElhaney's motion; "amendments to the proposed ordinance with a 'hardship exemption' that would exempt owners without the income or assets necessary to provide relocation payments for an owner or relative move-in eviction"

- 11/7/17 * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Approved As Amended On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

The ordinance was amended to modify section 8.22.810 on page 2 of the attachment to the report as follows:

to read: "Minor child(ren)" means a person(s) who is eighteen (18) years or younger at the time the notice is served."

also amending the 2nd paragraph to read:

"Owner or Property Owner means a person, persons, corporation, partnership, limited liability company, or any other entity holding any portion of the fee interest in the property, and the property owner's obligations in the chapter shall be joing and several as to each property owner."

Modifying ordinance section 8.22.850(C)1 on page 4 of attachment to the report to read as follows:

"The Owner must pay the Tenant half of the relocation payment provided for in Section 8.22.820(A) when the termination notice is given to the household and the remaining half when the Tenant vacates the unit provided that the Tenant agrees, in writing, not to contest an unlawful detainer based on the notice of terminate tenancy for the Owner or relative moving in to the Tenant's Rental Unit. If the Tenant does not so agree, then the entirety of the relocation payment is not due unless the Owner prevails in the unlawful detainer. If the Owner prevails in the unlawful detainer, the relocation payment must be paid to the Tenant prior to the Owner seeking a writ of possession for the Tenant to vacat the unit."

7.10 Subject: Oakland Museum Of California Policies
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation;

1) An Ordinance Amending Oakland Municipal Code Title II To Add Chapter 2.05, Which Will Establish Procedures For The Acquisition (Also Referenced As "Accession") And Disposition (Also Referenced As "Deaccession") Of Artifacts And Other Items For/From The Listed Holdings Of The Oakland Museum Of California (OMCA), And

[17-0098](#)

Attachments: [View Report](#)
[Supplemental Report 10/12/17](#)
[13461 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

9/26/17	*Life Enrichment Committee	* Withdrawn and Rescheduled to the *Life Enrichment Committee
	<i>There were 2 speakers on this item.</i>	
10/24/17	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>There was 1 speaker on the item.</i>	
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

2) An Ordinance Amending Oakland Municipal Code Chapter 2.04 To Exempt Acquisition (Accession) And Disposition (Deaccession) Of City Of Oakland Personal Property Known As The Oakland Museum Of California Collection, From The Provisions Of The Purchasing Ordinance, Oakland Municipal Code Chapter 2.04, Applicable To Purchase And To Disposition And Disposal Of Surplus Property

[17-0101](#)

Attachments: [View Report](#)
[Supplemental Report 10/12/17](#)
[13462 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

9/26/17	*Life Enrichment Committee	* Withdrawn and Rescheduled to the *Life Enrichment Committee
10/24/17	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.11 Subject: Accepted And Appropriated Grants And Donations

From: The Budget Office

Recommendation: Receive An Annual Informational Report From The City Administrator On The Acceptance And Appropriation Of Restricted Grant Funds, Gifts, And Donations Of \$50,000 Or Less For The Period Of July 1, 2016 Through June 30, 2017[TITLE CHANGE]

[17-0251](#)

Attachments: [View Report](#)

Legislative History

10/24/17	*Finance & Management Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>1 speaker spoke on this item</i>	
11/9/17	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.12 Subject: Brooklyn Basin Community Facilities

From: Planning And Building

Recommendation: Adopt An Ordinance Levying Special Taxes Within Community Facilities District No. 2017-1 (Brooklyn Basin Public Services)

[16-1291](#)

Attachments: [View Report](#)

[13463 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

6/29/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
10/12/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
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7.13 The Item Regarding " Oak Knoll Project And City Owned Barcelona Parcel" was moved to the Non Consent calendar of this agenda.

7.14 Subject: Status Of Negative Funds
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Status Of Negative Funds As Of June 30, 2017
[17-0029](#)

Attachments: [View Report](#)

Legislative History

5/23/17	*Special Finance & Management Committee	Scheduled to the *Finance & Management Committee
6/1/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
11/14/17	*Finance & Management Committee	Received and Forwarded to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

1 speaker spoke on this item

The Committee directed that staff return 2nd quarter with a supplemental report that includes staff's recommendation on page 6 of the report: 1. Eliminate all appropriations shown in Table 4 or move to sustainable funding sources where appropriate. 2. Create formal repayments plans for those funds that are informally paying down negative balances. 3. Identify one-time revenues that can be used to pay down the negative balances in Category 3

7.15 Subject: Parking Citation Void Process Audit Report
From: Councilmember Dan Kalb & President Pro Tem Abel Guillén
Recommendation: Receive A Presentation From The City Auditor Regarding The Performance Audit Of The City Of Oakland Parking Citation Void Process
[17-0235](#)

Attachments: [View Report](#)

[City Auditor's audit report - Parking Citation Void Process - October 2017 \(003\)](#)
[Executive Summary Handout](#)
[Hyperlink](#)

Legislative History

10/12/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
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11/14/17 *Finance & Management Committee Received and Forwarded to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

1 speaker spoke on this item

The Committee directed staff to return with a follow-up report April 2018

7.16 Subject: Semi-Annual Vacancy Report
From: Human Resources Management Department
Recommendation: Receive A Semi-Annual Informational Report On Budgeted Vacant Positions Through October 9, 2017
[17-0254](#)

Attachments: [View Report](#)

Legislative History

10/10/17 *Finance & Management Committee Scheduled to the *Finance & Management Committee
11/14/17 *Finance & Management Committee Received and Forwarded to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

1 speaker spoke on this item

The Committee directed staff to include in the next Semi- Annual report a comparison with the surrounding city's Vacancy rate

7.17 Subject: Semi-Annual Grants Report
From: Finance Department /Budget Bureau
Recommendation: Receive A Semi-Annual Informational Report From The Finance Department On City Efforts To Apply For, Accept And Appropriate Grants Over \$50,000 From Private, Local, State And Federal Sources, For The Period Beginning January 1, 2017 And Projected Through June 30, 2018
[17-0281](#)

Attachments: [View Report](#)

Legislative History

10/26/17 *Rules & Legislation Committee Scheduled to the *Finance & Management Committee
11/14/17 *Finance & Management Committee Received and Forwarded to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

1 speaker spoke on this item

7.18 Subject: Salary Ordinance Amendment
From: Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classifications Of Head Start Coach Coordinator, Head Start Family And Community Engagement Coordinator, Head Start Mental Health And Disabilities Coordinator, And Head Start School Readiness Coordinator; And To Increase The Salary Rate Of Child Education Coordinator And Change The Title To Head Start Education Coordinator; And To Increase The Salary Rate For Head Start Facilities Coordinator
[17-0299](#)

Attachments: [View Report](#)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON TBD.

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
11/14/17	*Finance & Management Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

The recorded was modified to show items 9 and 10 were heard after item 6

7.19 Subject: Adjustment To FY 2017-18 Appropriations
From: Finance Department
Recommendation: Adopt A Resolution Adjusting Various Appropriations Including; (A) Amending Resolution No. 86179 C.M.S. To Include Provision To Authorize The City Administrator To Add And Recruit Additional Positions Devoted To Duties Administering The Two Federal Emergency Management Agency's (FEMA) Grant -Funded Seismic Retrofit Programs For The City Of Oakland. (B) Authorizing The City Administrator To Add And Recruit Additional Positions To Enable The Rent Adjustment Program To Continue To Meet Its Responsibilities And To Function In An Efficient And Responsive Manner. (C) Amending Resolution No. 86821 C.M.S. To Provide An Appropriation Of \$150,000 For Youth Together By Reducing An Appropriation Of \$150,000 In The General Purpose Fund (1010) For Subsidies To The Head Start Program. (D) Authorize A Grant Award To Youth Together For An Amount Not To Exceed \$150,000 In FY 2017- 18 With An Option To Renew For The Same Amount For One Additional Year, Contingent On Funding Availability In FY 2018-19
[17-0327](#)

Attachments: [View Report](#)
[Supplemental 11-17-2017](#)
[86973 CMS](#)

Legislative History

11/2/17	*Rules & Legislation Committee	Scheduled to the *Finance & Management Committee
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This Item was consolidated with the item regarding "

7.20 Subject: Acceptance Of California Active Transportation Program Grant
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Million Eight Hundred Ninety-Five Thousand Dollars (\$1,895,000) In Active Transportation Funds Assigned To The Metropolitan Transportation Commission; Commit Matching Funds Of Up To Two Hundred Twenty-Two Thousand Dollars (\$222,000), And; Assure Completion Of The Oakland Safe Routes To School: Crossing To Safety Project
[17-0288](#)

Attachments: [View Report](#)
[86974 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
11/14/17	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

There were 2 speakers on this item.

7.21 Subject: Construction Award For Rainbow Recreation Center Renovation & Expansion
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising
And Competitive Bidding, Authorizing The City Administrator, Or Designee, To Negotiate,
Award And Execute A Construction Contract Without Return To Council For An Amount
Not To Exceed Eight Million Seven Hundred Thousand Dollars (\$8,700,000.00) In The
Open Market For The Construction Of The Rainbow Recreation Center Renovation And
Expansion Project (No. 1000854) In Accordance With The Project Plans And
Specifications
[17-0294](#)

Attachments: [View Report](#)
[Supplemental 11-21-2017](#)
[86975 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
11/14/17	*Public Works Committee	Approved as Amended the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

*The Committee amended the Resolution On page 3, second Further Resolved
clause to add after the word construction "consistent with the approved
design".*

There were 2 speakers on this item.

7.22 Subject: City And BART Cooperative Agreement
From: Department Of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A
Cooperative Agreement With The San Francisco Bay Area Rapid Transit (BART) District
For BART System Modernization Program For 34.5kv Cable Replacement A-Line
Ana-Aco (19th Avenue To Coliseum Substations) And M03 (Surface And Tunnel Rail
Tracks) Interlocking Projects
[17-0296](#)

Attachments: [View Report](#)
[86976 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
11/14/17	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

There was 1 speaker on this item.

7.23 Subject: LAMMPS Streetscape Project
From: Department of Transportation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Laurel Access To Mills, Maxwell Park & Seminary ("LAMMPS") Streetscape Project (Project Number 1000634) And With Contractor's Bid In The Amount Of Six Million Four Hundred Seventy-Six Thousand Nine Hundred Ninety Five Dollars And Fifty Cents (\$6,476,995.50)
[17-0297](#)

Attachments: [View Report](#)
[View Supplemental 11/22/17](#)
[86977 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Public Works Committee
11/14/17	*Public Works Committee	Approved the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

There was 1 speaker on this item.

7.24 Subject: Resolution Of Intention: Montclair Business Improvement District
From: Economic Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2018-2019 For The Montclair Business Improvement District, Approving The Annual Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 12, 2017
[17-0287](#)

Attachments: [View Report](#)
[86978 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
11/14/17	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 7.25** Subject: Resolution of Intention: Rockridge Business Improvement District
From: Economic Workforce Development Department
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal Year 2018-2019 For The Rockridge Business Improvement District, Approving The Annual Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A Public Hearing For December 12, 2017
[17-0286](#)

Attachments: [View Report](#)
[86979 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
11/14/17	*Community & Economic Development Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

- 7.26** Subject: State Boating And Waterways Grant
From: Oakland Parks And Recreation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The State Of California Department Of Parks And Recreation Division Of Boating And Waterways Aquatic Center Grant Program In The Amount Not To Exceed Ninety Five Thousand Dollars (\$95,000) For The FY2017/2018-2018/2019 Grant Cycle And Ninety Five Thousand Dollars (\$95,000) For The FY2019/2020-2020/2021 Grant Cycle For Funding For Oakland Parks And Recreation Boating Program Equipment, Financial Assistance For Boating Program Participants, Staff Training, And Event Support
[17-0284](#)

Attachments: [View Report](#)
[86980 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
11/14/17	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

7.27 Subject: AC-OCAP Annual Report And 2018 CSBG Resolution
From: Human Services Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Accept And Allocate A Renewal Grant In The Amount Of \$1,335,822 In Anti-Poverty Community Services Block Grant (CSBG) Funds For 2018 From The California Department Of Community Services And Development (CSD); 2) Authorizing The City Administrator To Accept Additional CSBG Grant Funds From CSD For The Same Purpose Within The 2018 Term, Without Returning To Council; And 3) Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead Charges Estimated At \$94,699
[17-0285](#)

Attachments: [View Report](#)
[86981 CMS](#)

Legislative History

10/26/17	*Rules & Legislation Committee <i>There was a title change read into record.</i>	Scheduled to the *Life Enrichment Committee
11/14/17	*Life Enrichment Committee <i>The Committee directed staff to contact the County of Alameda to obtain a match of these funds in the amount of \$100,000 (\$50,000 for both this year and last year).</i>	Approved the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

There were 4 speakers on this item.

7.28 Subject: OPD 2017 DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Forty-Six Thousand And Two Hundred And Thirty -Seven Dollars (\$246,237) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2017 Oakland Police Department (OPD) Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program; And 2) Waiving The City Advertising And Competitive Bidding Requirements For The Purchase Of DNA Typing Supplies From: (A) Promega For Thirty-Five Thousand Eight Hundred Ninety-Two Dollars (\$35,892), And (B) Qiagen For Twenty-Seven Thousand Dollars (\$27,000)
[17-0319](#)

Attachments: [View Report](#)
[86982 CMS](#)

Legislative History

11/2/17	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
11/14/17	*Public Safety Committee	Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

2 speakers on this item

7.29 Subject: Settlement Agreement - Mary Catherine Dino 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 Mary Catherine Dino V. City Of Oakland, Et Al,
Alameda County Superior Court Case No. RG 16-823556, In The Amount Of Seventy Five
Thousand Dollars And No Cents (\$75,000.00) As A Result Of A Trip And Fall Accident On
January 28, 2016 (Public Works - Dangerous Condition)

[17-0406](#)

Attachments: [View Report](#)
 [86983 CMS](#)

Legislative History

11/16/17	*Rules & Legislation Committee	Scheduled to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council
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**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:**

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: Adult-Use Cannabis Regulations
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Chapters 5.80 And 5.81 Of The Oakland Municipal Code To: (1) Authorize The Retail Sale, Cultivation, Distribution, Testing, And Manufacturing Of Adult-Use (Recreational) Cannabis; (2) Clarify Allowed Locations For Delivery Only Cannabis Dispensaries; (3) Expand The Types Of Documentation An Equity Program Applicant Can Use To Show Income And Local Residency; And (4) Clarify What Local Authorization Means For The Purposes Of A Business Obtaining A Temporary State License To Engage In Commercial Cannabis Activity.

[17-0237](#)

Attachments:

[View Report](#)

[Supplemental Report 10-27-2017](#)

[Supplemental 11-02-17](#)

[Supplemental 11-17-2017](#)

[KaplanKalbCannabisAmendments11.7.2017](#)

[13464 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

10/12/17

*Rules & Legislation
Committee

Scheduled to the *Public Safety Committee

10/24/17

*Public Safety Committee

Approved as Amended the Recommendation
of Staff, and Forward

9 speakers spoke on this item

The Roll Call was modified to show Council President Reid Present at 7 p.m.

*COUNCILMEMBER At Large Kaplan WAS NOTED PRESENT AT 7:03 P.M.
AND A QUORUM WAS DECLARED.*

*The Committee approved staffs recommendations as amended to strike the
language currently in Sections 5.80.120 and 5.81.140 and replace the
language with the following amended language:*

5.80.120 - Local Authorization For Temporary State Licenses

*A. For The Purpose Of Qualifying For A Temporary State License To Conduct
Commercial Cannabis Activity Pursuant To California Business And -
Professions Code Section 26050.1, The City Administrator May Only Provide
Local Authorization To The Following:*

*1. Individuals Or Entities That Have Been Issued A Permit Under Oakland
Municipal Code Chapters 5.80 And 5.81.*

*2. Applicants With A Pending Application Pursuant To Oakland Municipal
Code 5.80 Or 5.81 Who Have Been Approved By The Planning Department And
Revenue Management Bureau.*

*B. Temporary Permits Shall Only Be Issued To Applicants Meeting The
Requirements Of Section A(2) Above, And In Compliance With The Processing
Of Permits During The Initial Permitting Phase Of The Equity Permit Program,
At Any Point In Time A Minimum Of Fifty (50) Percent Of All Applicants
Authorized Under OMC 5.80.120(A)(2) And OMC 5.81.140(A)(2) Shall Be
Issued To Equity Applicants. Likewise, A General Applicant That Serves As An
Equity Incubator Will Receive The Next Available General Applicant Local
Authorization Under OMC 5.80.120(A)(2) And OMC 5.81.140(A)(2).*

*C. Local Authorization For Applicants Under OMC 5.80.120(A)(2) And OMC
5.81.140(A)(2) Shall Be Provided Based On The Timing Of The Approvals
Received By The Planning Department And Revenue Management Bureau And
The Restrictions Described Under OMC 5.80.120(B) And OMC 5.81.140(B).*

5.81.140 -Local Authorization For Temporary State Licenses

*A. For The Purpose Of Qualifying For A Temporary State License To Conduct.
Commercial Cannabis Activity Pursuant To California Business And
Professions Code Section 26050.1, The City Administrator May Only Provide
Local Authorization To The Following:*

*1. Individuals Or Entities That Have Been Issued A Permit Under Oakland
Municipal Code Chapters 5.80 And 5.81.*

*2. Applicants With A Pending Application Pursuant To Oakland Municipal
Code 5.80 Or 5.81 Who Have Been Approved By The Planning Department And*

Revenue Management Bureau.

B. Temporary Permits Shall Only Be Issued To Applicants Meeting The Requirements Of Section A(2) Above, And In Compliance With The Processing Of Permits During The Initial Permitting Phase Of The Equity Permit Program, At Any Point In Time A Minimum Of Fifty (50) Percent Of All Applicants Authorized Linder OMC 5.80.120(A)(2) And OMC 5.81.140(A)(2) Shall Be Issued To Equity Applicants. Likewise, A General Applicant That Serves As An Equity Incubator Will Receive The Next Available General Applicant Local Authorization Under OMC 5.80.120(A)(2) And OMC 5.81.140(A)(2).

C. Local Authorization For Applicants Under OMC 5.80.120(A)(2) And OMC 5.81.140(A)(2) Shall Be Provided Based On The Timing Of The Approvals Received By The Planning Department And Revenue Management Bureau And The Restrictions Described Under OMC 5.80.120(B) And OMC 5.81.140(B).

11/7/17

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

There were 11 speakers on the item.

The ordinance was amended to sections 5.80 and 5.81 of the October 24, 2017 Public Safety committee's recommendation with the following additional minor changes accordingly:

*On page 10, section 5.80.045(B)(2) striking the 9th bullet that read, " * Lease agreement with proof of landlord's property ownership during relevant time periods. ";*

On page 14, under section 5.80.120(A), the 2nd to last line, replacing the word "may" with "shall";

*On page 20, striking the 8th bullet under section 5.81.060(B)(2) that read, " * Lease agreement with proof of landlord's property ownership pduring relevant time periods. ";*

On page 26, under section 5.81.140(A), the 2nd to last line, replacing the word "may" with "shall".and directing the amendments of Councilmember Gallo and Kaplan handed out on the floor to the December 5, 2017 Public Safety Committee

Councilmember Kaplan made a motion, seconded by Councilmember Kalb to add additional amendments referenced as Attachment A to the ordinance, the motion tied by Ayes: Gallo, Guillen, Kalb, Kaplan; Noes: Brooks, Campbell Washington, McElhaney, Reid.

Pursuant to Charter section 200, the Mayor was requested to cast the tie breaking vote. Mayor Schaaf appeared and cast a vote of "aye" resulting in 5 ayes. As a result of Mayor Schaaf's affirmative vote the Kaplan/Kalb amendments passes.

- 12 Subject: Moratorium On Substantial Rehabilitation Exemption
From: Councilmembers Kalb And Kaplan
Recommendation: Adopt An Ordinance Imposing A 180-Day Moratorium On Substantial Rehabilitation Exemptions Pursuant To Chapter 8.22 Of The Oakland Municipal Code ("Residential Rent Adjustment Program") Section 8.22030.B.2.
[17-0268](#)

Attachments: [View Report](#)
[View Supplemental 11-02-17](#)
[View Supplemental 11-08-17](#)
[13465 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 8 AYES.

Legislative History

10/19/17	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Staff read into record a title change to this item to read the following " Adopt an ordinance imposing a 180-day moratorium on substantial rehabilitation exemptions pursuant to chapter 8.22 of the oakland municipal code ("residential rent adjustment program") section 8.22030.B.2"</i>
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council <i>There were 16 speakers on this item.</i>

At 11:56pm a motion was made by Councilmember McElhaney, seconded by Council President Reid to extend the meeting ast midnight. The motion carried.

The ordinance was amended to change the date from 2017 to 2018.

- 13 Subject: Grand Jury Response Letter
From: President Reid
Recommendation: Approve A Report And Recommendation Authorizing The Council President (President Reid) To Submit The Response Letter To The 2017 Grand Jury Report On Developing City-Owned Property in Oakland
[17-0343](#)

Attachments: [View Report](#)
[Supplemental 11-28-2017](#)
Legislative History

- 15** Subject: Construction Of Citywide Pavement Rehabilitation Program
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Gallagher And Burk, Inc. The Lowest Responsive And Responsible Bidder For The Construction Of Citywide Pavement Rehabilitation Program (Project No. 1003298 Rebid) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Eight Million Four Hundred Seventy-Six Thousand Two Hundred Ninety-Three Dollars (\$8,476,293.00)

[17-0295](#)

Attachments:

[View Report](#)

[View Report Color Map](#)

[View Supplemental 11/22/17](#)

[86985 CMS](#)

Legislative History

10/26/17 *Rules & Legislation Scheduled to the *Public Works Committee
Committee

11/14/17 *Public Works Committee Approved the Recommendation of Staff, and Forward to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council

The Committee directed staff to provide a supplemental report with the maps and a completed equity analysis to determine order of correction to the streets.

There was 1 speaker on this item.

- 16** Subject: Purchase of OPD Body-Worn Cameras
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Contract With VIEVU LLC (VIEVU), The Vendor Selected From The Competitive Bidding Process, To Purchase New Body Worn Cameras (BWC), Related Hardware, And A Fully Hosted Digital Evidence Management Software Solution, Maintenance, Professional Services, And Training, For A Total Contract Cost Not To Exceed One Million Two Hundred Seventy-One Thousand Two Hundred Twenty-One Dollars (\$1,271,221), For A Total Contract Period Of January 1, 2018 Through December 31,2022

[17-0321](#)

Attachments:

[View Report](#)

[86986 CMS](#)

Legislative History

11/2/17 *Rules & Legislation Scheduled to the *Public Safety Committee
Committee

A title Change was read into record.

11/14/17 *Public Safety Committee Approved the Recommendation of Staff, and Forward to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

3 speakers spoke on this item

The Agenda was modified to show item 7, 4 and 3 were heard after item 2

- 17** Subject: August 16, 2017 ICE Operation In Oakland
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Oakland Police Department Regarding The August 16, 2017 U.S. Department Of Homeland Security Immigration And Customs Enforcement Operation ("Operation") In Oakland, Including The Nature Of The Operation And The Police Department's Involvement
[17-0416](#)

Attachments: [View Report](#)
[Brooks Supplemental 11-20-2017](#)

Pursuant to Rule 28(a) Council of Resolution 86034 C.M.S., this item was added to this agenda.

- 18** Subject: Oak Knoll Project And City Owned Barcelona Parcel
From: Council President Reid
Recommendation: Adopt An Ordinance (A) Adopting CEQA Findings, Including Certification Of Environmental Impact Report; And (B) Rezoning, Including New Zoning Districts, New Zoning Text And Zoning Map Changes For Oak Knoll Mixed Use Community Plan Project, Located On The Former Oak Knoll Naval Medical Center Property At 8750 Mountain Boulevard, Oakland
[17-0209](#)

Attachments: [View Report](#)
[13466 CMS](#)

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

INTRODUCTION (First Reading) WAS PASSED ON NOVEMBER 7, 2017; 5 AYES (Brooks, Campbell Washington, Kaplan, McElhane and Reid); 3 NOS (Gallo, Guillen, Kalb)

Legislative History

10/5/17	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee
11/7/17	* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council	Approved On Introduction and Scheduled for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

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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