



# 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

Tuesday, October 1, 2019

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: Nikki Fortunato Bas, District 2; Noel Gallo, District 5; President Pro Tempore Dan Kalb, District 1; Council President Rebecca Kaplan, At Large; Lynette McElhane, District 3; Vice Mayor Reid, District 7; Loren Taylor, District 6; Sheng Thao, District 4*

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: Honoring The Oakland Museum Of California  
From: Councilmember Bas, President Kaplan And Councilmember McElhaney  
Recommendation: Adopt A Ceremonial Resolution Honoring The Oakland Museum Of California And Celebrating Its 50th Anniversary  
[18-2090](#)

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

[View Supplemental Report 9/27/2019](#)

**Legislative History**

7/11/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>As A Ceremonial Item</i>	
9/19/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Councilmember McElhaney requested to be added as a Co-Sponsor</i>	

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF SEPTEMBER 17,  
2019  
[18-2230](#)

**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  
[18-2231](#)

**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  
[18-2232](#)

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

- 7.3 Subject: Declaration Of A Local Emergency On Homelessness  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis  
[18-2233](#)

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

- 7.4 Subject: Accept And Appropriate Up To \$4,050,000 From 2019-2020 State Budget  
From: Council President Kaplan  
Recommendation: Adopt A Resolution Accepting And Appropriating Grant Funds In An Amount Up To \$4,050,000 To Be Awarded To The City Of Oakland From The 2019-2020 California State Budget And Authorizing The City Administrator To Execute Grant Agreements With: 1) Uncommon Law In An Amount Not To Exceed \$4,000,000; And 2) After Innocence In The Amount Not To Exceed \$50,000  
[18-2244](#)

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

**Legislative History**

9/19/19      \*Rules & Legislation      Scheduled to the \* Concurrent Meeting of  
Committee      the Oakland Redevelopment Successor  
Agency and the City Council

*The Committee Approved a Title Change read into record and to scheduled this item as a Consent Item*

- 7.5 Subject: Settlement Agreement - Nicole Pifari 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 Nicole Pifari V. The City Of Oakland, Alameda County Superior Court Case No. RG16842544, In The Amount Of Three Hundred Fifty Thousand Dollars And No Cents (\$350,000.00) As A Result Of Alleged Employment Discrimination (Oakland Police Department)  
[18-2254](#)

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

**Legislative History**



9/24/19 \*Public Works Committee Approved the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There was 1 speaker on this item*

**S7.8** Subject: Major Encroachment Permit At 1700 Webster Street.  
From: Transportation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Grant A Conditional And Revocable Major Encroachment Permit To 1700 Webster, LLC, Oregon Limited Liability Company, To Allow Portions Of The Existing Foundation Below Grade At 1700 Webster Street To Encroach Into The Public Right-Of-Way On Webster Street, Major Encroachment Permit ENMJ19059  
[18-2192](#)

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

**Legislative History**

9/12/19 \*Rules & Legislation Committee Scheduled to the \*Public Works Committee

9/24/19 \*Public Works Committee Approved the Recommendation of Staff, and Forward to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

**S7.9** Subject: On-Call Historic Preservation Planning Services  
From: Planning And Building Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award, Negotiate, And Execute A Professional Services Agreement With Environmental Science Associates (ESA) For A Not To Exceed Amount Of \$500,000 And Not To Exceed Term Of Five Years.  
[18-2195](#)

**Sponsors:** Planning & Building Department

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

**Legislative History**

9/12/19 \*Rules & Legislation Committee Scheduled to the \*Community & Economic Development Committee

9/24/19 \*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 were 2 speakers on this item*

**S7.10** Subject: Measurer KK Affordable Housing Programs  
From: Housing And Community Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Make Acquisition And Conversion To Affordable Housing (ACAH) Loans From Measure KK Bond Proceeds Without Returning To Council; And 2) Reallocate Funding From Projects Currently Scheduled To Be Funded By The First Tranche Of Measure KK Funds (Fund 5331), Notwithstanding Any Previous Action By The City Council, To Any New Projects Initiated Pursuant To Programs Authorized To Receive Funding From Measure KK Bonds, Including But Not Limited To Projects Initiated Pursuant To The ACAH Program, To The Extent Necessary To Maximize Spend Down Of Outstanding Bond Funds And Ensure Cost Efficiency  
[18-2222](#)

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[View Supplemental Report 9/27/2019](#)

**Legislative History**

9/12/19	*Rules & Legislation Committee <i>The Committee accepted a Title Change</i>	Scheduled to the *Community & Economic Development Committee
9/24/19	*Community & Economic Development Committee <i>There was a motion by Councilmember Bas, seconded by councilmember Gallo to approve the staff recommendation as amended to add a final Whereas clause:</i>	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*WHEREAS, the FY 2019-2021 Budget, adopted by the City Council on June 25, 2019, includes a Budget Policy Directive creating a Permanent Affordability Program with an annually recapitalized budget of \$12 million to be utilized by Community Land Trusts and Limited Equity Housing Cooperatives to acquire, rehabilitate, and preserve small sites (properties of 25 units or less) for permanent affordability, prioritizing households under 80 percent AMI.  
And to also add a final further resolved clause:*

*FURTHER RESOLVED: That \$12 million of Measure KK funds be dispensed on a rolling basis to the extent that funds are available after the first round in accordance with the Budget Policy Directive creating a Permanent Affordability Program and allocating these funds towards Community Land Trusts, Limited Equity Housing Cooperatives, and organizations that partner with these entities.*

**S7.11** Subject: Youth Ventures Joint Powers Authority  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Youth Ventures Joint Powers Authority (JPA), Through Its Fiscal Agent Marcus A. Foster Educational Institute, In The Amount Of \$150,000 For Fiscal Year 2019-2020 With An Option To Renew In The Same Amount For Fiscal Year 2020-2021, For The City Of Oakland's Annual Contribution To The JPA  
[18-2197](#)

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

**Legislative History**

9/12/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
9/24/19	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Council President Kaplan made and a motion Seconded by Councilmember Bas to adopt staffs recommendation with direction to strike Oakland Promise from the report*

**S7.12** Subject: Department Of Violence Prevention Implementation  
From: Councilmember Taylor  
Recommendation: Receive An Informational Report From the City Administrator On The Final Report And Recommendations From Urban Strategies Council's Community Research And Leadership Summit Planning Project Designed To Inform The Establishment Of The Department Of Violence Prevention (DVP)  
[18-2219](#)

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

**Legislative History**

9/12/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
9/24/19	*Life Enrichment Committee	Received and Forwarded to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*Council Councilmember McElhaney made and a motion Seconded by President Kaplan to adopt staffs recommendation with direction to provide a supplemental report, introducing the new permeant Chief of the DVP and his goals.*

**S7.13** Subject: FY 2019-20 OPD Traffic Safety Grant  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee,  
To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand  
Dollars (\$500,000) Dollars From The State Of California, Office Of Traffic Safety (OTS),  
For The Fiscal Year 2019-2020 Selective Traffic Enforcement Program (STEP) To Be  
Administered By The Oakland Police Department (OPD), And To Authorize The General  
Purpose Services Fund To Contribute Seventy One Thousand Two Hundred Twenty Two  
Dollars (\$71,222) To Cover The Related Central Services Overhead Charges  
[18-2196](#)

**Attachments:** [View Report](#)  
[View Supplemental Report 9/20/2019](#)

**Legislative History**

9/12/19	*Rules & Legislation Committee	Scheduled to the *Public Safety Committee
9/24/19	*Public Safety Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*DUE TO THE PRESENCE OF PRESIDENT PRO TEMPORE KALB, A QUORUM  
OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND  
SECONDED TO ADJOURN THE MEETING OF THE PUBLIC SAFETY  
COMMITTEE, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL  
COUNCIL AT 7:27 P.M.*

*There were 4 speakers on this item*

*The Committee directed staff to provide a supplemental report that includes the  
following;*

- 1) A map of the traffic Hot Spots.*
- 2) Breakdown of the types of traffic citations.*

9/26/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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*Staff will bringing a separate rules request to be scheduled to the November 12,  
2019 Public Safety Committee to address the supplemental questions asked*

**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: 2018/19 Consolidated Annual Performance & Evaluation Report  
From: Housing And Community Development Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report For Fiscal Year 2018/19 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs To Be Submitted To The United States Department Of Housing & Urban Development  
[18-2198](#)

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

**Legislative History**

9/12/19 \*Rules & Legislation Scheduled to the \*Community & Economic  
Committee Development Committee  
*The Committee accepted a Title Change*

*The Committee accepted this item be heard at October 1, 2019 City Council Meeting as a Public Hearing*

9/24/19 \*Community & Economic Received and Forwarded to the \* Concurrent  
Development Committee Meeting of the Oakland Redevelopment  
Successor Agency and the City Council

- 9.2** Subject: Shelter Crisis Ordinance  
From: Councilmember Bas And Council President Kaplan  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance Declaring A Shelter Crisis In The City Oakland; Making Findings That A Significant Number Of Persons Are Without The Ability To Obtain Shelter, And That The Situation Has Resulted In A Threat To The Health And Safety Of Those Persons; And Authorizing The City Administrator To Suspend Provisions Of State Or Local Regulatory Statutes, Regulations, And Ordinances Prescribing Standards Of Housing, Health, Or Safety For Additional Shelter Facilities If Needed  
[18-2247](#)

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

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*(PURSUANT TO CITY CHARTER SECTION 213 (EMERGENCY ORDINANCE) THIS ITEM MAY BE INTRODUCED AND ADOPTED AT THE SAME MEETING, REQUIRING 6 VOTES, UPON PASSAGE ORDINANCE WILL BE DEEMED APPROVED)*

**Legislative History**

9/19/19 \*Rules & Legislation Scheduled to the \* Concurrent Meeting of  
Committee the Oakland Redevelopment Successor  
Agency and the City Council

*The Committee Approved to Change the item to an Emergency Ordinance and to scheduled as a Public Hearing*

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

**10 THIS NUMBER INTENTIONALLY NOT USED**

**11** Subject: Councilmembers Taylor And McElhaney Travel Reimbursement  
From: Councilmembers Taylor And McElhaney  
Recommendation: Adopt A Resolution Authorizing Reimbursement For Councilmembers  
Loren Taylor And Lynette Gibson McElhaney's Costs Of Approximately \$8,135 From The  
Council Contingency Fund For Travel To Washington, DC For Attendance At The  
Congressional Black Caucus Foundation's Annual Legislative Conference From  
September 11-15, 2019  
[18-2229](#)

**Attachments:** [View Report](#)  
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**Legislative History**

9/12/19	*Rules & Legislation Committee	Continued to the *Rules & Legislation Committee
9/19/19	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*The Committee Approved that this item be scheduled as a Non-Consent item*

**S12** Subject: Resolution Funding Additional Emergency Shelter Beds  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1. Reprogram \$800,000 From The GPF Second Project 1003813 To The Oakland Anti-Displacement Project 1004815 Within The Affordable Housing Trust Fund To Be Used For Family Shelter Services, And Of That \$800,000, Reallocate \$750,000 For East Oakland Community Project (EOCP) And \$50,000 For Building Futures With Women And Children (BFWC) For The Purpose Of Providing Shelter Services To Homeless Families In Northern Alameda County During The Period Of July 1,2019 Through June 30, 2020; And 2. Transfer \$1,000,000 In Fund 1870 Affordable Housing Trust Fund Anti-Displacement Project 1004815 From The Housing And Community Development Department To The Human Services Department; And 3. Enter Into Grant Agreements With EOCP And BFWC In Amounts Not To Exceed \$50,000 And \$50,000, Respectively, For The Purpose Of Providing Shelter Services To Homeless Families In Northern Alameda County As Relates To Existing Shelter Beds And Services During The Period Of July 1, 2019 Through June 30, 2020; And 4. Enter Into A Grant Agreement With EOCP In An Amount Not To Exceed \$1,700,000 To Provide Shelter Services To Homeless Families In Northern Alameda County As Relates To New Shelter Beds And Services During The Period Of July 1, 2019 Through June 30, 2020; And 5. Accept And Appropriate Any Additional Family Shelter Services Funds That May Become Available From Alameda County, The State Of California, The City Of Emeryville, The City Of Berkeley And Any Other Sources During The Period Of July 1, 2019 Through June 30, 2020 Without Returning To Council; And 6. Amend The Above Grant Agreements And Amounts Based On Additional Funds That May Become Available From Any Of The Above Sources For Family Page 1 Of 4 Services And To Renew The Agreements For An Additional Fiscal Year Pending Funding Availability Without Returning To Council  
[18-2200](#)

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

**Legislative History**

9/12/19	*Rules & Legislation Committee	Scheduled to the *Life Enrichment Committee
9/24/19	*Life Enrichment Committee	Approved the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

*There were 5 speaker on this item*

*Council President Kaplan made and a motion Seconded by Councilmember McElhaney to adopt staffs recommendation and forward to Council as a Non-Consent 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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**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.**