

## City of Oakland

**Meeting Minutes - DRAFT** 

## Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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

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

Tuesday, April 21, 2015	5:30 PM	City Council Chamber, 3rd Floor
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#### **1 PLEDGE OF ALLEGIANCE**

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:47 p.m.

## 2 ROLL CALL / CITY COUNCIL

Excused 1 - Laurence E. Reid

Present 7 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Lynette Gibson McElhaney

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

There were 24 Open Forum speakers.

#### **4 ACTIONS ON SPECIAL ORDERS OF THE DAY**

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

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Wesley Burton and Charlotte Lavine.

Councilmember Guillen took a point of personal privilege and requested that the meeting be adjourned in memory of Captain Ed Tracey. President Pro Tempore and Councilmember Campbell Washington requested association with this adjournment.

Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Alfred Gomez and Cosey Norisse.

*Councilmember Brooks requested association with the adjournments for Cosey Norisse, Charlotte Lavine and Captain Ed Tracey.* 

Office of the City Clerk Oakland City Hall 1 Frank H. Ogawa Plaza Oakland, California 94612 LaTonda Simmons, City Clerk Subject: Honoring Saundra Andrews
 From: Councilmembers Reid And Gibson McElhaney
 Recommendation: Adopt A Resolution Honoring Ms. Saundra Andrews For More
 Than 20 Years Of Dedicated Service With Congresswoman Barbara Lee Upon Her
 Retirement
 14-0720

Attachments: View Report.pdf

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

Excused: 1 - Reid

- Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- 4.2 Subject: Recognizing Captain Ricardo Orozco For 28 Years Of Service From: Councilmembers Noel Gallo & Annie Campbell Washington Recommendation: Adopt A Resolution Recognizing Captain Ricardo Orozco For 28 Years Of Exemplary And Dedicated Service To The Oakland Police Department And To The Citizens Of Oakland And Congratulating Him On His Retirement And Bidding Him Farewell

<u>14-0687</u>

Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- Subject: Declaring April 19-26 As Oakland Veg Week
   From: Councilmembers Gibson McElhaney And Brooks
   Recommendation: Adopt A Resolution To Declare The Week Of April 19-26, 2015 As
   "Oakland Veg Week" In The City Of Oakland And To Encourage Oakland Residents
   To Take The Veg Pledge To Eat Vegetarian For One Week

<u>14-0683</u>

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A motion was made by Gibson McElhaney, seconded by Brooks, that this matter be Adopted. The motion carried by the following vote:

Excused: 1 - Reid

- Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- **4.4** Subject: Sexually Exploited Minors Awareness Week

From: Councilmembers Gibson McElhaney And Campbell Washington Recommendation: Adopt A Resolution Declaring April 20 - 26 As Sexually Exploited Minors Awareness Week In The City Of Oakland, And Calling On Oaklanders To Be Aware That The Commercial Sexual Exploitation Of Children Is A Tragic Form Of Child Abuse And Urging Ardent Community Support To End This Exploitation Of Children And All People

14-0624

Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF MARCH 20, 2015 AND MARCH 31, 2015 14-0746

Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Gibson McElhaney
  - Absent: 1 Gallo

## 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):

Item 13 has been withdrawn and rescheduled to the May 5, 2015 City Council meeting.

Item 9.1 will be Continued to the May 5, 2015 City Council meeting.

Item 16 will be taken after Item 10.

## 7 CONSENT CALENDAR (CC) ITEMS:

There were 26 speakers on Consent Item.

## Approval of the Consent Agenda

A motion was made by Kaplan, seconded by Guillén, to approve the Consent Agenda. The motion carried by the following vote:

- Excused: 1 Reid
  - Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
   From: Office Of The City Attorney
   Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
   Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
   Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired

Immunodeficiency Syndrome ("AIDS") Epidemic

<u>14-0744</u>

Attachments: View Report.pdf

## This City Resolution was Adopted.

 7.2 Subject: Declaration Of Medical Cannabis Health Emergency From: Office Of The City Attorney Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland <u>14-0745</u>

<u>Attachments:</u> <u>View Report.pdf</u>

7.3 Subject: Coliseum Area Specific Plan And EIR
 From: Planning And Building Department
 Recommendation: Adopt An Ordinance, As Recommended By The City Planning
 Commission, Amending The Oakland Planning Code To (A) Create The D-CO
 Coliseum Area District Zones Regulations; (B) Make Conforming, But
 Non-Substantive Changes To Other Planning Code Sections In The Coliseum Specific
 Plan, Lake Merritt Station Area Plan And West Oakland Specific Plan Areas; And (C)
 Adopt Revised Zoning And Height Area Maps
 14-0658

 Attachments:
 View Report Part A.pdf

 View Report Part B.pdf

 View Report Part C.pdf

 View Report Part D.pdf

 View Report Part E.pdf

 View Supplemental Report.pdf

## This Ordinance was Approved for Final Passage.

 7.4 Subject: Term Lengths For The Safety And Services Oversight Commission From: Office Of The City Administrator Recommendation: Adopt An Ordinance Establishing The Membership Terms And Quorum Requirement For The Public Safety And Services Violence Prevention Oversight Commission 14-0685

## Attachments: View Report.pdf

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## This Ordinance was Approved for Final Passage.

7.5 Subject: Amendment Of The Ground Lease For The Oakland Marriott From: Economic & Workforce Development Department Recommendation: Adopt An Ordinance Authorizing The Interim City Administrator, Without Returning To The City Council, To Negotiate And Execute An Amendment To The Oakland Marriott Hotel City Center Ground Lease Between The City Of Oakland And Either The Current Tenant, The CIM Group, Inc. (Or A Related Entity), Or The Prospective Tenant, AGRE DCP Oakland City Center LLC (Or A Related Entity), Clarifying Or Modifying Various Lease Provisions, Including The Terms Of The Ground Tenant's Option To Purchase 14-0615

Attachments: View Report.pdf

## This Ordinance was Approved for Final Passage.

7.6 Subject: General Obligation 2015A Refunding Bonds
 From: Finance Department
 Recommendation: Adopt An Ordinance Authorizing The Issuance Of Not To Exceed
 \$140,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation
 Refunding Bonds (Dedicated Unlimited Ad Valorem Property Tax), Series 2015A, And
 Authorizing Certain Actions Related Thereto
 14-0684

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This Ordinance was Approved for Final Passage.

7.7 Subject: Settlement Agreement - Clifton Raines v. City Of Berkeley, 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 Clifton Raines V. City Of Berkeley, City Of Oakland, Et Al, Alameda County Superior Court Case No. RG13-686968, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) As A Result Of A Trip And Fall Incident On Or About October 15, 2012 (PWA- Dangerous Condition/Trip & Fall)

14-0701

Attachments: View Report.pdf

## This City Resolution was Adopted.

 7.8 Subject: Settlement Agreement - John Yue v. City Of Oakland From: Office Of The City Attorney Recommendation: Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of John Yue v. City Of Oakland, Alameda County Superior Court Case No. RG14732692, City Attorney's File No. 29453, In The Amount Of Eighty Thousand Dollars (\$80,000) (Public Works Department- Motor Vehicle Accident) 14-0754

Attachments: View Report.pdf

View Supplemental Report.pdf

 7.9 Subject: Settlement Agreement - Reynelder Julian 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 Reynelder Julian v. City Of Oakland, Alameda County Superior Court Case No. RG14736691, City Attorney's File No. 29968, In The Amount Of Fifteen Thousand Dollars (\$15,000.00) (Oakland Public Works -Trip And Fall).

<u>14-0755</u>

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## This City Resolution was Adopted.

 7.10 Subject: Settlement Agreement - Dessie R. Nelson v. The Hartford From: Office Of The City Attorney Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Dessie R. Nelson v. The Hartford, Et Al., United States District Court Case No. C13-04196 CRB, In The Amount Of Seventy Thousand Dollars And No Cents (\$70,000.00) As A Result Of Failure To Properly Pay Death Benefits On Or About March 20, 2013 (City Administrator) (1584048) <u>14-0759</u>

Attachments: View Report.pdf

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

- Excused: 1 Reid
- Abstained: 1 Brooks
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney

7.11 Subject: Settlement Agreement - EBMUD 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 East Bay Municipal Utility District v. City Of Oakland, Alameda County Superior Court Case No. RG15-758444, In The Amount Of Eighteen Thousand Six Hundred Fifty Dollars And Forty-Six Cents (\$18,650.46) As A Result Of A City Storm Drain Infrastructure Project Causing Damage To A Water Main On Or About September 19, 2013 (Public Works Agency- Dangerous Condition/Storm Drains)

<u>14-0760</u>

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View Supplemental Report.pdf

## This City Resolution was Adopted.

 7.12 Subject: Settlement Agreement - Claim Of Chubb Group Of Insurance From: Office Of The City Attorney Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Chubb Group Of Insurance (Claim No. C29999) In The Amount Of Nine Thousand Six Hundred Fifty Four Dollars And Fifty Nine Cents (\$9,654.59), Payable To Chubb Group Of Insurance As Subrogee For David Curley (Oakland Police Department- Auto Collision) <u>14-0761</u>

<u>Attachments:</u> <u>View Report.pdf</u>

View Supplemental Report.pdf

## This City Resolution was Adopted.

- 7.13 Subject: Settlement Agreement Claim Of Ellen Reier
  - From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Partially Compromise And Settle The Claim Of Ellen Reier (Claim No. C30485) In An Amount Not To Exceed Fifty-Nine Thousand Three Hundred Seventy-Nine Dollars And One Cent (\$59,379.01), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On February 18, 2015 (Public Works Agency - Dangerous Condition/Sewers) 14-0762

Attachments: View Report.pdf

View Supplemental Report.pdf

7.14 Subject: Arbor Day 2015
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Proclaiming Friday April 24, 2015 Arbor Day 2015 In The City Of Oakland And Authorizing An Official Tree Planting Ceremony At Parker Elementary School Located At 7929 Ney Avenue <u>14-0758</u>

## Attachments: View Report.pdf

## This City Resolution was Adopted.

7.15 Subject: Resolution Calling On Gerawan Farming To Respect The Law
 From: Councilmember Abel J. Guillén
 Recommendation: Adopt A Resolution Calling Upon Gerawan Farming To Meet Basic
 Standards Of Fair Conduct And Immediately Implement The Union Contract Issued
 By The Neutral Mediator And The State Of California
 <u>14-0725</u>

## Attachments: View Report.pdf

## This City Resolution was Adopted.

 7.16 Subject: Anti-Graffiti Grant To Trybe For A Mural At 2731 13th Avenue From: Councilmember Abel Guillen Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$10,000 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To Trybe Inc. For A Mural On N&M Market, 2731 13th Avenue In District 2 <u>14-0753</u>

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.17 Subject: Anti-Graffiti Grant To Artist Caroline Stern For A Mural On 169 - 14th Street From: Councilmember Abel Guillen
 Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$10,000
 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To Artist Caroline Stern For A Mural On Little Stars Preschool, 169 14th Street In District 2

 14-0751

<u>Attachments:</u> <u>View Report.pdf</u>

**7.18** Subject: Anti-Graffiti Grant To Artist David Kim For A Mural On 1745 International Boulevard

From: Councilmember Abel Guillen

Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$10,000 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To Artist David Kim For A Mural At Turbo Tires On 1745 International Boulevard In District 2

<u>14-0752</u>

Attachments: View Report.pdf

## This City Resolution was Adopted.

**7.19** Subject: Anti-Graffiti Grant To HOPE Collaborative For A Mural On 1554 13th Avenue

From: Councilmember Abel Guillen

Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$10,000 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To The Tides Center For Use By The Hope Collaborative For A Mural At Three Amigos Market On 1554 13th Avenue In District 2 14-0750

Attachments: View Report.pdf

## This City Resolution was Adopted.

- 7.20 Subject: Anti-Graffiti Grant To Artist Pamela Consear
  - From: Councilmember Abel Guillen

Recommendation: Adopt A Resolution Authorizing A Grant Of Up To \$10,000 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To Artist Pamela Consear For A Mural Mosaic Along E. 24th Street At 10th Avenue At Oakland Unified School District's Bella Vista Child Development Center, 2410 10th Avenue In District 2

<u>14-0764</u>

Attachments: View Report.pdf

 7.21 Subject: Anti-Graffiti Grant To Oakland Chinatown Chamber Foundation From: Councilmember Abel Guillen Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$10,000 From Councilmember Abel Guillen's Graffiti Abatement Mural And Green Wall Funds To The Oakland Chinatown Chamber Foundation For A Mosaic Mural At Oakland Unified School District's Yuk Yau Child Development Center, 291 10th Street In District 2 14-0765

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.22 Subject: Community Police Advisory Board Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
 Ravinder Singh And Colleen Brown And The Reappointment Of Jay Ashford, Don Link
 And John Garvey To The Community Police Advisory Board
 14-0767

Attachments: View Report.pdf

This City Resolution was Adopted.

## 7.23 THIS NUMBER INTENTIONALLY NOT USED

**7.24** Subject: Public Safety And Services Violence Prevention Oversight Commission Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Appointing Jody Nunez, Tony Marks-Block, Curtis Flemming, Jennifer Madden, Rebecca Alvarado, Melanie Shelby, Kevin McPherson, Letitia Henderson, And Garry Scott As Members Of The Public Safety And Services Violence Prevention Oversight Commission 14-0769

Attachments: View Report.pdf

 7.25 Subject: Support For AB 700: California Disclose Act From: Councilmember Dan Kalb Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 700 (Gomez & Levine), The California Disclose Act, That Would Require Radio, Telephone, TV, And Video Ads Regarding Ballot Measures To State The Top Contributors To The Committee Paying For The Ad 14-0673

Attachments: View Report.pdf

View Supplemental Report.pdf

This City Resolution was Adopted.

**7.26** Subject: Support For SB 379: Update Safety Element To Address Climate Adaptation

From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 379 (Hannah-Beth Jackson), Which Would, Upon The Next Revision Of The Housing Element On Or After January 1, 2017, Require The Safety Element To Be Updated To Address Climate Adaptation And Resiliency Strategies 14-0726

Attachments: View Report.pdf

View Supplemental Report.pdf

View Supplemental Report.pdf

## This City Resolution was Adopted.

**7.27** Subject: Support For AB 865 - Establish The Empower California Act From: Councilmember Dan Kalb

Recommendation: Adopt A Resolution In Support Of State Assembly Bill (AB) 865 (Alejo) That Would Establish The Empower California Act, Which Would Require Recipients Of California Energy Resources Conservation And Development Commission (CA Energy Commission) Funding To Report Annually On And Develop A Plan For Boosting Their Women-, Minority-, Disabled Veteran- And Lgbt-Owned Business Procurement Efforts And Require The Ca Energy Commission To Establish A Diversity Task Force And Guidelines For Fund Recipients 14-0743

Attachments: View Report.pdf

View Supplemental Report.pdf

 7.28 Subject: Opposing SB 101: Religious Freedom Restoration Act From: President Pro Tempore Reid And Vice Mayor Kaplan Recommendation: Adopt A Resolution Opposing Senate Bill 101 (Kruse, Schneider, Steele) Religious Freedom Restoration Act In The State Of Indiana As Approved By Governor Mike Pence (Indiana) 14-0742

Attachments: View Report.pdf

View Supplemental Report.pdf

View Supplemental Report.pdf

## This City Resolution was Adopted.

 7.29 Subject: Opposition To HB 1228: Religious Freedom Restoration Act From: President Pro Tempore Reid And Vice Mayor Kaplan Recommendation: Adopt A Resolution Opposing HB 1228 (Rep. Ballinger-Arkansas) Religious Freedom Restoration Act In The State Of Arkansas 14-0747

Attachments: View Report.pdf

View Supplemental Report.pdf View Supplemental Report.pdf

## This City Resolution was Adopted.

7.30 Subject: Salary Ordinance Amendments To Add Part Time Classifications From: Human Resources Management Department Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Part Time Classifications Of Cable TV Stage Manager, PT; Hearing Officer PT; Language Interpreter, PT; And To Modify Existing Full Time Classifications By Adding The Part Time Equivalents Of The Classifications Of Emergency Planning Coordinator, PT; Emergency Planning Coordinator, Senior, PT: Head Start Program Coordinator, PT: Senior Services Program Assistant, PT; Special Events Coordinator, PT; Veterinarian, PT: And To Correct Inconsistencies In The Published Salary Rates For The Part Time Equivalent Classifications Of Emergency Medical Services Instructor, PT; Management Intern, PT; Management Assistant, PT; And Program Analyst I, PT To Align With The Salary Rate For The Full Time Rate For Those Classifications; And To Delete The Classifications- Of Case Manager, Supervising, PT; CD Cleanup Supervisor, PT; Employee Assistance Program Counselor, PT; And Senior Center Director, PT

14-0706

Attachments: View Report.pdf

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Meeting of the Oakland City Council to be heard 5/5/2015

7.31 Subject: Salary Ordinance Amendments To Adjust Salaries & Titles
 From: Human Resources Management Department
 Recommendation: Adopt Ordinance Amending The Salary Schedule Of Ordinance
 No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salaries And Titles Of Various
 Classifications And Delete The Classifications Of Revenue Collections Supervisor,
 Revenue Audit Supervisor, And Police Services Technician I And Various Part-Time
 Camp Classifications

## <u>14-0710</u>

Attachments: View Report.pdf

## This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Meeting of the Oakland City Council to be heard 5/5/2015

7.32 Subject: CSAC-EIA Risk Management Subsidy Funds From: Human Resources Management Department Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Risk Management Subsidy Funds From The California State Association Of Counties - Excess Insurance Authority (CSAC-EIA) In An Estimated Amount Of \$135,511.39, For Software License, Service And Hosting Fees To Use Riskmaster, A Risk Management Information System, And Receive Annually Thereafter Risk Management Subsidy Funds From CSAC-EIA In The Amount Of \$39,560 To Pay These Ongoing Fees 14-0711

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.33 Subject: 2021 Broadway Major Encroachment Permit From: Planning & Building Department Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Alameda Bayfarm Investment, LLC To Allow An Existing Under-Sidewalk Basement To Encroach. Into The Public Right-Of-Way Along The Building's Frontage On 2021 Broadway 14-0702

Attachments: View Report.pdf

7.34 Subject: Agreement With MTC For Pavement Management Assistance From: Oakland Public Works Department Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Apply For, Accept \$100,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission;
2) Allocate \$20,000.00 In Matching Funds And An Additional \$88,860.00 For Additional Professional Services From An Existing Project; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Additional Professional Services In An Amount Not-To-Exceed \$88,860.00 <u>14-0715</u>

<u>Attachments:</u> <u>View Report.pdf</u>

## This City Resolution was Adopted.

 7.35 Subject: Rehab Of Sanitary Sewers From: Oakland Public Works Department Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Mountain Boulevard, Joaquin Miller Road, Skyline Boulevard And Castle Drive (Project No. C329144) And With Contractor's Bid In The Amount Of Four Million Three Hundred Seventy-One Thousand Seven Hundred Seventy-Three Dollars (\$4,371, 773.00) <u>14-0713</u>

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.36 Subject: Caldecott Settlement Bike/Ped Improvements Award Contract From: Oakland Public Works Department Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Bidding; And Authorizing The City Administrator Or Designee, To Negotiate With Bidders And Execute A Construction Contract, Without Return To Council, In Accordance With The Plans And Specifications, For The Caldecott Fourth Bore Settlement Project #9 And #14, Along Broadway From Keith Avenue To Golden Gate Way (City Project No. C369520), In An Amount Not To Exceed One Million Eight -Hundred Eighty Four Thousand Two Hundred And Fifteen Dollars (\$1,884,215.00) For The Base Bid And A Bid Alternate 14-0714

Attachments: View Report.pdf

 7.37 Subject: DeFremery Park Rec Center Exterior Rehabilitation Project From: Oakland Public Works Department Recommendation: Adopt A Resolution To Reject All Bids, Waive Further Advertising And Competitive Bidding, And Authorize The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Six Hundred Forty Thousand Dollars (\$640,000.00) In The Open Market For The DeFremery Park Recreation Center Exterior Rehabilitation Project (No. C469510) In Accordance With The Project Plans And Specifications 14-0712

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.38 Subject: Contract Authorization For Sewer Operations Equipment & Supplies From: **Oakland Public Works Department** Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Execute A One-Year Contract With One Or More Vendors, To Be Selected Through A Competitive Bidding Process, For The Period Of May 1, 2015 Through April 30, 2016, In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00) For The Purchase Of Iron And Steel Castings For Manhole Frames, Covers, Drainage Grates And Other Related Capital Improvement Supplies And Equipment On Behalf Of Oakland Public Works, With Two, One-Year Options To Extend These Contracts In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000.00) Per Year, For A Grand Total Contract Amount Of One Million Two Hundred Thousand Dollars (\$1,200,000.00), Without Return To Council, Provided That The City's Contracting Requirements Are Followed With Respect To These Purchases 14-0704

Attachments: View Report.pdf

This City Resolution was Adopted.

## 7.39 This Number Intentially Left Blank

7.40 Subject: Appropriate Additional JAG Funds
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or
 Designee, To Accept And Appropriate Additional Funds From FFY 2014 JAG Grant A
 Ward In An Amount Not To Exceed Forty One Thousand, Eight Hundred Twenty Five
 Dollars And Thirty Five Cents (\$41,825.35) In Addition To The Five Hundred
 Thousand, Two Hundred Dollars (\$500,200) Already Accepted And Appropriated As
 Part Of Resolution 84641, For The 2014 Federal Fiscal Year
 14-0686

Attachments: View Report.pdf

## This City Resolution was Adopted.

7.41 Subject: MOU With Alameda County Operational Area From: Oakland Fire Department Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding (MOU) With The Alameda County Operational Area To Administer And Maintain The Local Oil Spill Contingency Plan (LOSCP) For The Alameda County Operational Area; And 2) Accept And Appropriate Up To Thirty-Five Thousand Dollars (\$35,000) Annually In Grant Funds For The Next Five Years For A Total Amount Of One Hundred And Seventy Five Thousand Dollars (\$175,000), Through July 1, 2020 Or Whenever Said Amount Of Grant Funds Is Exhausted, Whichever Occurs Last, From The California Department Of Fish And Wildlife (CDFW) Office Of Spill Prevention And Response (OSPR)
14,0703

<u>14-0703</u>

Attachments: View Report.pdf

This City Resolution was Adopted.

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

A motion was made by Gallo, seconded by Kalb, that this matter be Approve as Submitted of the oral report from the Office of the City Attorney of 5 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

- Excused: 1 Reid
  - Aye: 6 Brooks, Campbell Washington, Gallo, Guillén, Kalb, and Gibson McElhaney
  - Absent: 1 Kaplan

## 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: Oakland Tourism Business Improvement District 2015
 From: Economic & Workforce Development Department
 Recommendation: Conduct A Public Hearing To Satisfy The Public Meeting
 Requirement Regarding The Proposed Formation Of An Oakland Tourism Business
 Improvement District 2015 (OTBID) And Pursuant To California Streets And Highways
 Code Section 36623 And Government Code Section 54954.6
 14-0748

Attachments: View Report.pdf

There were 14 speakers on the item.

This Public Hearing was Continued.to the Meeting of the Oakland City Council to be heard 5/5/2015

## ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 Subject: Budget Message & Calendar For Fiscal Year 2015-2017 Proposed Budget From: Office Of The Mayor/City Administrator Recommendation: Receive An Informational Report Presenting The Mayor/Administrator's Budget Message & Calendar For Fiscal Year 2015-2017 Proposed Budget In Accordance With The Consolidated Fiscal Policy 14-0756

Attachments: View Report.pdf

View Supplemental Report.pdf

There was one speaker on this item.

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

- Excused: 1 Reid
  - Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney

11 Subject: Update On The Status Of The Zero Waste Garbage Contract From: Vice Mayor Rebecca Kaplan Recommendation: Receive An Informational Report On The Status Of Zero Waste Implementation 14-0536

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Vice Mayor Kaplan made a motion, seconded by Councilmember Kalb, to Continue the item with the following direction:

 For staff to provide report of the status of the CWS agreement;
 If the CWS agreement is still unresolved, provide the specific details of the unresolved issues to allow for Council input and action; and
 Provide report on the City's efforts for outreach regarding multi-unit residences and multilingual communities.

There were 7 speakers on this item

A motion was made by Kaplan, seconded by Kalb, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 5/5/2015. The motion carried by the following vote:

Excused: 1 - Reid

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

Absent: 1 - Campbell Washington

12 Subject: Fiscal Year 2014-2015 Port Security Grant Program From: Oakland Fire Department

> Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or His Designee To: A) Enter Into An Agreement With The U.S. Department Of Homeland Security For Fiscal Year 2014/2015 Port Security Grant Program (PSGP) Funds In An Amount Up To Five Hundred Seventy-Eight Thousand, Five Hundred And Twenty-Seven Dollars (\$578,527); And B) Accept, Appropriate, And Administer Said Funds; And C) Approve The Preliminary Spending Plan; And D) Expend Funds In Accordance With The Preliminary Spending Plan Including Purchases Of Equipment And Services In Excess Of The City Administrator's Purchasing Authority; And E) Authorize The Use Of Existing (Budgeted) Funding In The Amount Of One Hundred Ninety-Two Thousand, Eight Hundred And Forty Two Dollars (\$192,842) From General Purpose Fund For Personnel And Other Administrative Resources, To Satisfy The In-Kind Match Requirement; And 2) Waiving The City Of Oakland's Advertising And Bidding Requirements For Items Required To Be Purchased From The Federally Authorized Equipment List ("AEL")

## <u>14-0620</u>

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Councilmember Guillen made a motion, seconded by Councilmember Brooks, to approve staff recommendations with the following amendments:

1. Add clarifying language:

a. (C) APPROVE THE PRELIMINARY SPENDING PLAN WHICH INCLUDES THE PURCHASE OF A VIDEO SECURITY SYSTEM FOR THE EMERGENCY OPERATIONS CENTER (EOC) AND THE FIRE DISPATCH CENTER (FDC) AND THE PURCHASE OF A LAW ENFORCEMENT AIR UNIT FLIR FOR THE CITY AND PORT OF OAKLAND;

b. Add the following clarifying language: FURTHER RESOLVED: That the City Administrator or his designee is authorized to approve the 2014/2015 PSGP preliminary spending plan and that the spending plan includes the purchase of the Emergency Operations Center (EOC) and Fire Department Center (FDC) Camera Security System for the Fire Department, Emergency Management Services Division and the purchase of the Law Enforcement Air Unit FLIR for the City and Port of Oakland and the purchase of the Law Enforcement Air Unit FLIR for the City and Port of Oakland; and be it

c. Add the following clarifying language: FURTHER RESOLVED: That the 2014/15 Port Security Grant Program (PSGP) grant allocation funds received by the City of Oakland may only be used specifically for project #1 the purchase and allowable maintenance costs of the EOC and FDC Camera Security System; and for project #2, the purchase and allowable maintenance costs of the Law Enforcement Air Unit FLIR Camera that allows for Situational Awareness and Air Patrol for the City and Port of Oakland; and be it

2. Add the following to address data retention and privacy concerns:

a. FURTHER RESOLVED: That no information processed by the Law

Enforcement Air Unit FLIR Camera will be collected, retained, stored or disseminated by the Oakland Police Department and the Oakland Fire Department in their use of the Law Enforcement Air Unit FLIR Camera; and be it b. FURTHER RESOLVED: That the DAC Ad Hoc Committee shall, before the City Council's 2015 summer recess, draft and present a Privacy and Data Retention Policy that specifies the allowable uses of, and governs the collection, retention, storage and dissemination of information processed by, the Law Enforcement Air Unit FLIR Camera; and be it

c. FURTHER RESOLVED: That the prohibition on dissemination of information does not include the prohibition of the Oakland Police Department from communicating critical information obtained through the use of the FLIR, such as fleeing suspect's location, to outside agencies assisting in the immediate apprehension of a fleeing suspect who is not inside a private residence; and be it

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

Excused: 1 - Reid

Abstained: 1 - Kaplan

- Aye: 6 Brooks, Campbell Washington, Gallo, Guillén, Kalb, and Gibson McElhaney
- 13 Subject: Reaffirm Consolidation Of All Complaints Against Police At CPRB From: Councilmember Noel Gallo Recommendation: Receive An Informational Report And Adopt A Motion To Reaffirm And Implement The City Council Decision Made In 2011 To Consolidate All Complaints From Oakland Residents Against Police At The Citizens' Police Review Board (CPRB)

<u>14-0569</u>

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#### There were 73 speakers on this item

A motion was made by Gallo, seconded by Kaplan, that this matter be \* Withdrawn and Rescheduled to the Meeting of the Oakland City Council, to be heard 5/5/2015. The motion carried by the following vote:

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- Absent: 1 Brooks

14 Subject: Foreign Trade Zone Program Agreement From: Economic & Workforce Development Department Recommendation: Adopt A Resolution Authorizing The City Administrator To Submit A Foreign Trade Zone Alternative Site Framework Application And To Sign And Enter Into An Agreement With The Foreign Trade Zone Board Of The U.S Department Of Commerce 14-0757

Attachments: View Report.pdf

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

Excused: 1 - Reid

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

Absent: 1 - Brooks

**15** Subject: Increase CPS HR Consulting Contract Amount

From: Human Resources Management Department

Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process And Amending The On Call Contract With CPS-HR, Consulting For Full Service Public Sector Human Resource Services To Increase The Contract Amount By \$200,000 (Two Hundred Thousand Dollars) To A New Cap Of \$400,000 (Four Hundred Thousand Dollars) And For An Additional One Year For A Total Of Three Years Duration For Additional Services [TITLE CHANGE] 14-0665

Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
  - Absent: 1 Brooks

16 Subject: Appointment Of Sabrina Landreth As City Administrator From: Office Of The Mayor Recommendation: Adopt A Resolution Confirming Mayor Schaaf's Appointment Of Sabrina Landreth As City Administrator And Authorizing The Mayor, On Behalf Of The City, To Execute An Employment Agreement With Ms. Landreth For The Four Year Period Commencing On July 1, 2015 And Ending At Midnight On June 30, 2019 And For An Annual Salary Of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) 14-0763

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This item was heard after Item 10.

There was one speaker on this item.

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

- Excused: 1 Reid
  - Aye: 7 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- **17** Subject: Subordinated Tax Allocation Refunding Bonds, Series 2015-TE & 2015-T From: Finance Department

Recommendation: Adopt A Successor Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To Exceed \$115,000,000 Combined Aggregate Principal Amount Of The Oakland Redevelopment Successor Agency Subordinated Tax Allocation Refunding Bonds, Series 2015-Te And Oakland Redevelopment Successor Agency Taxable Subordinated Tax Allocation Refunding Bonds, Series 2015-T, Approving The Form Of And Authorizing The Execution And Delivery Of An Indenture Of Trust And A Purchase Agreement; Approving The Selection And Retention. Of A Financial Advisor And Underwriters; Authorizing Payment Of Costs Of Issuance; And Authorizing And Approving Necessary Actions In Connection Therewith

<u>14-0705</u>

Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
  - Absent: 1 Brooks

## 18 Subject: General Obligation 2015 Refunding Bonds From: Finance Department Recommendation: Adopt A Resolution Ratifying And Approving The Issuance And Sale Of Not To Exceed \$140,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation Refunding Bonds (Dedicated Unlimited Ad Valorem Property Tax), Series 2015A; Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Fiscal Agent Agreement, Escrow Agreements, Continuing Disclosure Certificate And Bond Purchase Agreement; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official

## Authorizing Necessary Actions Related Thereto 14-0707

## Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney

Statement And Authorizing The Execution And Delivery Of An Official Statement; And

Absent: 1 - Brooks

18.5 Subject: Brooklyn Basin Transportation Demand Management Plan
 From: Planning & Building Department
 Recommendation: Adopt A Resolution Approving The Brooklyn Basin Transportation
 Demand Management Plan
 14,0717

## <u>14-0717</u>

## Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- Absent: 1 Brooks

Subject: Tract No. 7621 Subdivision Map, Brooklyn Basin Project 845 Embarcadero
 From: Planning & Building Department
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7621 Phase 1 Located At 845 Embarcadero For A Seven Lot Subdivision For Zarsion-OHP I LLC; And

14-0708

## Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- Absent: 1 Brooks

2) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Subdivision Improvement Agreement With Zarsion-OHP I LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 7621 Phase 1 Located At 845 Embarcadero 14-0709

## Attachments: View Report.pdf

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

- Excused: 1 Reid
  - Aye: 6 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney
- Absent: 1 Brooks

20 Subject: Working Group On Police Recruitment From: Council President Lynette Gibson McElhaney And Councilmember Abel Guillen Recommendation: Adopt A Resolution Calling For An Ad-Hoc Working Group On Police Recruitment In Which Each Council District Appoints 1 Or 2 Representatives To Brainstorm Ideas, Develop Strategies, And Address Gaps In The Oakland Police Department's Ability To Recruit And Retain Oakland Residents And Candidates Of Color, And Calling For Staff To Return To The Public Safety Committee Within 6 Months With Recommendations And Possible Action 14-0670

## Attachments: View Report.pdf

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A motion was made by Kaplan, seconded by Kalb, that this matter be Adopted as Amended to include/remove the following: (1) Delete by passing committee from the resolution; and (2) Include a point about the committee based outreach gathering info beyond the committee. The motion carried by the following vote:

#### Excused: 1 - Reid

- Aye: 5 Campbell Washington, Guillén, Kalb, Kaplan, and Gibson McElhaney
- No: 1 Gallo
- Absent: 1 Brooks

## CONTINUATION OF OPEN FORUM

## ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Wesley Burton, Charlotte Lavine, Captain Ed Tracey, Alfred Gomez and Cosey Norisse at 10:26 p.m.

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