



City of Oakland

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

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, July 7, 2015

5:30 PM

City Council Chamber, 3rd Floor

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 6:16 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 28 Open Forum speakers.

The Roll Call was modified to note Councilmember Gallo absent at 7:34 p.m.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY (Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Rachel P. Wilson.

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JUNE 8, JUNE 17, AND JUNE 22, 2015

[14-1110](#)

Attachments: [View Report.pdf](#)

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A motion was made by Campbell Washington, seconded by Guillén, 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

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):

Items 7.5, 7.14 and 11 will be withdrawn with no new date.

Councilmember Brooks moved, seconded by Vice Mayor Kaplan, to withdraw
Tirems 7.10 and 7.11 and reschedule to the July 21, 2015 City Council meeting as
a Non-Consent item.

7 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

A motion was made by Kalb, seconded by Kaplan, 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
[14-1108](#)

Attachments: [View Report.pdf](#)

- 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
[14-1109](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.3** Subject: Settlement Agreement - Helmes v. Douglas Parking/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 Priscilla Helmes V. Douglas Parking, LLC, City Of Oakland, Alameda County Superior Court Case No. RG11-598739, In The Amount Of Nineteen Thousand Dollars And No Cents (\$19,000.00) (Public Works Agency - Trip And Fall)
[14-1106](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.4** Subject: Settlement Agreement - Claim Of Jerome Matthews
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Jerome Matthews (Claim No. C30225), In The Amount Of Ten Thousand And No Cents Dollars (\$10,000.00) Payable To Jerome Matthew (Oakland Public Works - Dangerous Condition/Streets)
[14-1107](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.5** Subject: DDA For 12th Street Remainder Parcel
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing: (1) The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland, And A Development Entity Comprised Of Urbancore Development, LLC, And UDR, Inc., (Or Its Related Entities Or Affiliates) For Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue For No Less Than \$5.1 Million And Development As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A; (2) Set -Aside Of No More Than \$500,000 From Land Sales Proceeds For Remediation Of Property, And (3) Appropriation Of \$200,000 From Land Sales Proceeds To Fund An Asset Portfolio Management Plan
[14-0662](#)

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

This Ordinance was Withdrawn with No New Date.

- 7.6 Subject: Board Of Port Commissioners Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Cestra Butner And The Appointment Of Joan Story To The Board Of Port
Commissioners
[14-1133](#)

Attachments: [View Report.pdf](#)
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This City Resolution was Adopted.

- 7.7 Subject: Claremont EAP Amendment To Add OFD
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend
Existing Resolution 83596 Authorizing An Agreement With Claremont Behavioral
Services, Inc. ("Claremont") Adding The Provision Of Employee Assistance Program
(EAP) Services To Sworn Employees Of The Oakland Fire Department And Their
Respective Dependents In An Amount Not To Exceed \$30,000 Per Year For Fiscal
Years 2015-16 Through 2019-20, Under The Same Terms And Conditions As Agreed
Under The Citywide Employee Assistance Program Services Agreement With
Exception To The Service Model Terms
[14-1049](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.8 Subject: Salary Ordinance Amendment For Public Ethics Classifications
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of
Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Classification,
Salary And Represetnation Unit Of Executive Director, Public Ethics Commission And
Create The Classifications Of Deputy Director, Public Ethics Commission; Ethics
Investigator; Ethics Analyst I; And Ethics Analyst II
[14-1050](#)

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 7/21/2015**

- 7.9** Subject: Excess Litter Fee Contract
 From: Office Of The City Administrator
 Recommendation: Adopt A Resolution Authorizing A Three Year Services
 Agreement, With Two One-Year Options To Renew, With Oakland Venue
 Management For Implementation Of The Excess Litter Fee Program In An Amount
 Not To Exceed \$400,000 Each Year
 [14-1091](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.10** Subject: Rainbow Recreation Center Professional Services Contract
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or
 Designee To Award And Execute A Professional Services Contract With Byrens Kim
 Design Works For The Design And Construction Of The Rainbow Recreation Center
 Expansion And Renovation Project (No. C470910) For An Amount Not To Exceed
 Five Hundred Twenty-Five Thousand Dollars (\$525,000.00)
 [14-1044](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Withdrawn and Rescheduled.to the Meeting of the
Oakland City Council to be heard 7/21/2015**

- 7.11** Subject: Foothill-Seminary Public Transit Hub Streetscape
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding
 And Increasing The Change Order Limit With McGuire And Hester For The
 Construction Of Foothill/Seminary Public Transit Hub Streetscape (Project No.
 C429610) From Fifteen Percent (15%) To Twenty-Three Percent (23%) Of The
 Original Contract Amount
 [14-1043](#)

Attachments: [View Report.pdf](#)

**This City Resolution was Withdrawn and Rescheduled.to the Meeting of the
Oakland City Council to be heard 7/21/2015**

- 7.12** Subject: Rehab Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To J. Howard Engineering, 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 17th Street, 21st Street, 27th Street, Inyo Avenue, And 25th Street (Project No. C329145) And With Contractor's Bid In The Amount Of Two Million Nine Hundred Forty-Nine Thousand Three Hundred Thirty-Eight Dollars (\$2,949,338.00)

[14-1042](#)

Attachments: [View Report.pdf](#)

This City Resolution was Adopted.

- 7.13** Subject: Amendments To Business Improvement Management District Ordinance
From: Economic & Workforce Development Department
Recommendation: Adopt An Ordinance Amending Chapter 4.48 Of The Oakland Municipal Code (1) To Allow The City To Enter Into Contracts Exceeding One Year With Nonprofit Corporations To Administer Business Improvement Management Districts (BIMD), (2) To Clarify That More Than 30 Percent Of Affected Properties Must Petition For The Formation Of A New BIMD, (3) To Change The Official Responsible For Administering BIMDs From The City Clerk To The City Administrator, And (4) To Allow A Summary Of The Management District Plan To Be Attached To Petitions To Form BIMDs

[14-1047](#)

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 7/21/2015

- 7.14** Subject: Resolution Supporting Affordable Housing Developers
From: Vice Mayor Kaplan
Recommendation: Adopt A Resolution To Support Affordable Housing Developers To Expand The Availability Of Affordable Housing In Oakland, California Through A Clear And Effective Process That Will Provide Timely Information Regarding Available Land To Affordable Housing Providers

[14-1056](#)

Attachments: [View Report.pdf](#)

[View Supplemental Report.pdf](#)

This City Resolution was Withdrawn with No New Date.

- 7.15** Subject: Oakland Workforce Investment Board FY 2015-2016 Budget And Contracts
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution (1) Adopting The Fiscal Year 2015-2016 Workforce Investment Board Budget; 2) Accepting And Appropriating Workforce Investment Act (WIA) Title I Formula Funds For Adult, Dislocated Worker, Rapid Response And Youth Programs In The Amount Of \$4,567,188; (3) Accepting And Appropriating \$205,090 In State Department Of Education Career Pathways Trust Funds Through The Alameda County Office Of Education And Waiving Payment Of Central Services Overhead Charges For Said Grant Funds; And (4) Authorizing Contracts With Service Providers Competitively Selected By The Oakland Workforce Investment Board To Provide Adult, Dislocated Worker, Rapid Response And Youth Services From WIA Title I Formula Funds Through June 2017
[14-1054](#)

Attachments: [View Report.pdf](#)

The title of the resolution was revised as follows: "A Resolution (1) Adopting The Fiscal Year 2015-2016 Workforce Investment Budget; (2) Accepting And Appropriating Workforce Investment Act (WIA) Title I Formula Funds For Adult, Dislocated Worker, Rapid Response And Youth Programs In The Amount Of \$4,567,188; (3) Authorizing Contracts With Service Providers Competitively Selected By The Oakland Workforce Investment Board To Provide Adult, Dislocated Worker, Rapid Response And Youth Services From WIA Title ,I Formula Funds, For Fiscal Year 2015-2016, And (4) Waiving The Competitive Process For Training Services Procured By The City"

This City Resolution was Adopted as Amended.

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

A motion was made by Campbell Washington, seconded by Guillén, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of one final decision 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: 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, and Gibson McElhaney

**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](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:20 p.m.

9 individuals spoke on this item.

Councilmember Kalb made a motion, seconded by Vice Mayor Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

Council also directed staff to include the compromised amendments in a supplemental report for the next public hearing.

A motion was made by Kalb, seconded by Kaplan, 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

- 9.3** Subject: Laurel Business Improvement District 2016
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Establishing The Laurel Business
Improvement District 2016 ("Laurel Bid 2016"); Approving The Management Plan;
Directing Filing Of The Proposed Assessment District Boundary Description; Making A
Determination With Regard To The Majority Protest Procedure For Approval Of The
Proposed Assessments; Approving The Assessments For The District; And
Appointing The Advisory Board For The Laurel Bid 2016
[14-1111](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:47 p.m.

Six individuals spoke on this item.

Councilmember Campbell Washington made a motion, seconded by Councilmember Brooks, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

Council amended the resolution to revise the boundary map to exclude the following property APN 030198005500 located at 3500 35th Avenue, Oakland, CA 94619.

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

Excused: 1 - Reid

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

Absent: 1 - Gallo

- 9.4** Subject: 2015/16-2020/21 Five Year Consolidated Plan
From: Housing & Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator To 1) Prepare And Submit To The U.S. Department Of Housing And Urban Development The Five Year Consolidated Plan For Fiscal Years 2015/16 - 2020/21 And The Annual Action Plan For Fiscal Year 2015/16; 2) Accepting And Appropriating Funds Totaling \$12,019,659 For The Home, Emergency Solutions Grant, Housing Opportunities For Persons With Aids, And The Community Development Block Grant Programs; And 3) Appropriating \$ 850,000 In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund

[14-1084](#)

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

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 8:00 p.m.

6 individuals spoke on this item.

Councilmember Brooks made a motion, seconded by Councilmember ---, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

Amend resolution to provide \$50,000 to Rebuilding Together Oakland, provide up to \$100,000 to offer low income senior rebates for garbage service fees, and defer current NRSA designations and direct staff to review the CDBG criteria for corridor criteria and bring a report back to Council regarding what City areas qualify.

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

Excused: 1 - Reid

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

Absent: 1 - Gallo

9.5 Subject: Assessment Of Liens For Delinquent Real Property Transfer Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[14-1019](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 9:01 p.m.

No individuals spoke on this item.

Councilmember Brooks made a motion, seconded by Councilmember Campbell Washington to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

A motion was made by Brooks, seconded by Campbell Washington, that this matter be . The motion failed by the following vote:

Excused: 1 - Reid

Aye: 5 - Brooks, Campbell Washington, Guillén, Kalb, and Kaplan

Absent: 2 - Gallo, and Gibson McElhaney

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[14-1020](#)

This City Resolution was Not Adopted.

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[14-1021](#)

This City Resolution was Not Adopted.

9.6 Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department
Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For July/August/September 2014 Monthly Accounts And October -December 2014 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[14-1022](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 9:02 p.m.

One individual spoke on this item.

Councilmember Kalb made a motion, seconded by Councilmember Guillen, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

Council also directed the City Administrator to begin to track problems that arise during Wast Managmenet Franchise implementation to quickly make adjustments where needed.

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

Excused: 1 - Reid

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

Absent: 1 - Gallo

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[14-1023](#)

This City Resolution was Not Adopted.

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[14-1024](#)

This City Resolution was Not Adopted.

9.7 Subject: Assessment Of Liens For Delinquent Business Taxes
 From: Finance Department
 Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or

[14-1025](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 9:06 p.m.

No individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Brooks, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

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

Excused: 1 - Reid

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

Absent: 1 - Gallo

2) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code; Or
[14-1026](#)

This City Resolution was Not Adopted.

3) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection
[14-1027](#)

This City Resolution was Not Adopted.

9.8 Subject: Assessment Of Liens For Delinquent Transient Occupancy Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[14-1028](#)

Attachments: [View Report.pdf](#)

Upon the reading of Item 9.8 by the City Clerk, the Public Hearing was opened at 9:08 p.m.

No individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Brooks, Campbell Washington, Guillèn, Kalb, Kaplan, and Council President Gibson McElhaney, 1 Excused - Reid, 1 Absent - Gallo.

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 - Brooks, Campbell Washington, Guillén, Kalb, Kaplan, and Gibson McElhaney

Absent: 1 - Gallo

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code; Or
[14-1029](#)

This City Resolution was Not Adopted.

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[14-1030](#)

This City Resolution was Not Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Support For SB 420
From: Councilmembers Gibson McElhaney And Guillen
Recommendation: Adopt A Resolution In Support Of California Senate Bill 420 (Huff) Which Would Clearly Distinguish The "Seller" From The "Purchaser" Of Sex With Minors In The State Penal Code, In Order To Enable Better Data Collection And Tracking, And Thus Better Shape Policies To Reduce The Demand For The Purchase Of Sex [TITLE CHANGE]
[14-0976](#)

Attachments: [View Report.pdf](#)

- 12** Subject: Grant Funding For Director Of Equity & Strategic Partnership
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Grant Funds From The East Bay Community Foundation In The Total Amount Of Two Hundred Thirty Two Thousand Dollars (\$232,000) For Fiscal Years 2015 To 2017, To Be Provided By The Foundation At The Beginning Of Each Fiscal Year (One Hundred Sixteen Thousand (\$116,000) In Fiscal Year 2015-2016, And In Fiscal Year 2016-2017), To Be Used To Pay The Salary Of The Mayor's Director Of Equity And Strategic Partnership position For Two Years, And Requiring Matched Funding By The Office Of Mayor Totaling Two Hundred Thirty Two Thousand Dollars (\$232,000) For Fiscal Years 2015-2017
[14-1117](#)

Attachments: [View Report.pdf](#)

There was one speaker

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

Excused: 1 - Reid

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

Absent: 1 - Gallo

- 13** Subject: Developer Selection & ENA For The Henry J. Kaiser Convention Center
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Orton Development, Inc. For The Rehabilitation, Adaptive Reuse, And Operation Of The Henry J. Kaiser Convention Center, Also Known As The Oakland Municipal Auditorium
[14-0954](#)

Attachments: [View Report.pdf](#)
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Council directed the City Attorney to provide a legal opinion on the status of the land as public park land. The Council also directed staff to provide a supplemental analysis of the additional financials and plan provided by developers.

There were 54 speakers on this item.

A motion was made by Guillén, seconded by Campbell Washington, that this matter be Withdrawn and Rescheduled to the Meeting of the Oakland City Council, to be heard 7/21/2015. The motion carried by the following vote:

Excused: 1 - Reid

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

Absent: 1 - Gallo

S-14 Subject: Amendment to OMC Chapter 2.29 - City Organization
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To: Create The Public Ethics Commission Department; Create The Department Of Transportation; Transfer The Ball Fields Maintenance Unit To Public Works; Transfer The Neighborhood Services Division To The Police Department; And Eliminate Bureaus In The Fire, Public Works And Planning And Building Departments
[14-1137](#)

Attachments: [View Report.pdf](#)

The Council directed staff to revise the Department of Transportation item to align with the Council's direction in the budget; add the Department of Race and Equity and provide for the KTOP change.

A motion was made by Brooks, seconded by Kaplan, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 7/21/2015. The motion carried by the following vote:

Excused: 1 - Reid

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

Absent: 1 - Gallo

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 Rachel p. Wilson at 10:45 p.m.

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ATTACHMENT A

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: ***Tuesday, July 7, 2015***

The Council made a final decision in Closed Session on one item of Litigation:

NAME OF CASE:

James Williams v. City of Oakland

Alameda County Superior Court Case No. RG14734547

This matter is listed as **Item No. 1(b)** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$32,425.96**

This case arose out of incidents that occurred on **March 2013**

FACTS OF THE CASE:

James Williams, a former Deputy Fire Chief (DFC), and the City disputed whether he was entitled to cash-out certain leave time when he left City employment in March 2013. This settlement is the amount of the cash-out claim, which is a fair result, and will avoid the risk of incurring Mr. William's attorney's fees and any other costs in this matter.

Motion Made by: Councilmember Rebecca Kaplan

Motion Seconded by: Councilmember Noel Gallo

AYES: Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney = **7**

NOES: Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney =

ABSENT: ~~Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney~~ = **1**

ABSTENTIONS: Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney =