



# 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, April 19, 2016

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 5:40 pm.*

### 2 ROLL CALL / CITY COUNCIL

**Present** 8 - Desley Brooks, Annie Campbell Washington, Noel Gallo, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, Laurence E. Reid, and Lynette Gibson McElhaney

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

*There were 30 Open Forum speakers.*

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

*Councilmember Brooks and Councilmember Guillén took a point of personal privilege and requested that the meeting be adjourned in memory of Maria Isabel Fuentes.*

*Councilmember Brooks, Council President Gibson McElhaney and Vice Mayor Annie Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Lloyd Henry Munson, Jr.*

*President Pro Tem Reid took a point of personal privilege and requested that the meeting be adjourned in memory of V. Hap Smith, Cedric Williams and Kathleen McMorroa Walsh.*

*Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Hilda Newman Stone.*

- 4.1 Subject: Recognizing Oakland Residents In Celebration Of Cesar Chavez Day  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution In Celebration Of Cesar Chavez Day Honoring Oakland Residents Who Through Their Leadership And Community Service Have Continued The Legacy Of Cesar Chavez  
[15-0781](#)

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

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

**Aye:** 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 4.2 **This item was moved to the Consent portion of the agenda as item 7.24.**

- 4.3 Subject: Commending Alyssa Liu On Her Achievements In Figure Skating  
From: Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Commending Oakland Figure Skater Alyssa Liu On Winning Gold At The 2016 National Figure Skating Championships In The Intermediate Ladies Division  
[15-0880](#)

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

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

**Aye:** 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 5, 2016  
[15-0851](#)

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

**A motion was made by Guillén, seconded by Reid, that this matter be Received and Filed. The motion carried by the following vote:**

**Aye:** 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, 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):**

**7 CONSENT CALENDAR (CC) ITEMS:**

*There were 18 speakers on the Consent Calendar.*

***Approval of the Consent Agenda***

**A motion was made by Reid, seconded by Gallo, to approve the Consent Agenda.  
The motion carried by the following vote:**

**Aye:** 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, 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  
[15-0852](#)

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

**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  
[15-0853](#)

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

**This City Resolution was Adopted.**

- 7.3** Subject: Amendment To Ordinance No. 12187 C.M.S. (The Salary Ordinance)  
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 Classification Of Early  
Head Start Instructor; Add The Full-Time, Permanent Part-Time, And Part-Time  
Equivalents Of The New Head Start/Early Head Start Substitute Associate Instructor  
Classification; Add The Part-Time Equivalent Food Service Worker, PT Classification;  
And Adjust The Title Of Early Childhood Instructor To Head Start Instructor  
[15-0757](#)

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

**This Ordinance was Approved for Final Passage.**

- 7.4** Subject: Amending Fire Code Chapter 15.12, Section 114.3  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Chapter 15.12, Section 114.3 Of The Oakland Fire Code To Authorize Use Of The Lien Process To Recover Unpaid Administration And Reinspection Fees, Fines, Interest, Penalties, And Collection Fees And Other Costs Associated With Enforcement Of The Fire Code  
[15-0654](#)

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

**This Ordinance was Approved for Final Passage.**

- 7.5** Subject: Amending The Master Fee Schedule  
From: Finance Department  
Recommendation: Adopt An Ordinance Amending Ordinance 13320 C.M.S. (The FY 2015-16 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland, Referenced Herein  
[15-0655](#)

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

**This Ordinance was Approved for Final Passage.**

- 7.6** Subject: Arbor Day 2016  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Proclaiming Friday April 29, 2016 To Be The City Of Oakland's Arbor Day 2016 And Authorizing An Official Tree Planting Ceremony At Garfield School Located At 1640 22nd Avenue  
[15-0862](#)

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

**This City Resolution was Adopted.**

- 7.7**      Subject:    Settlement Agreement - Monique Miles 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 Monique Miles, Et Al. V. City Of Oakland,  
United States District Court, Northern District Of California Court Case No. 15-01799,  
City Attorney's File No. 29608, In The Amount Of Twenty-Two Thousand Dollars And  
No Cents (\$22,000.00) (Oakland Police Department- Civil Rights)  
[15-0868](#)

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

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

**Aye:**    7 -    Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

**No:**     1 -    Brooks

- 7.8**      Subject:    Settlement Agreement - Squethia Gidden 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 Squethia Gidden V. City Of Oakland, Et Al.,  
Alameda County Superior Court Case No. RG14748541, City Attorney's File No.  
29614, In The Amount Of Nineteen Thousand Three Hundred Twenty Dollars And No  
Cents (\$19,320.00) (Oakland Public Works - Motor Vehicle Accident)  
[15-0869](#)

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

**This City Resolution was Adopted.**

- 7.9**      Subject:    Settlement Agreement - Ava Whitmire 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 Ava Whitmire V. City Of Oakland, Alameda  
County Superior Court Case No. RG13704223, City Attorney's File No. 30115, In The  
Amount Of One Hundred Thirty-Five Thousand Dollars And No Cents (\$135,000.00)  
(Oakland Public Works Dangerous Condition)  
[15-0870](#)

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

**This City Resolution was Adopted.**

- 7.10** Subject: Settlement Agreement - Rochelle Fuller 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 Rochelle Fuller V. City Of Oakland, Alameda County Superior Court Case No. RG15756788, City Attorney's File No. 30200, In The Amount Of Six Thousand Five Hundred Dollars (\$6,500.00) (Oakland Public Works -Trip And Fall)  
[15-0871](#)

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

**This City Resolution was Adopted.**

- 7.11** Subject: Settlement Agreement - Biggs & Robinson 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 Jeffrey Biggs & Evan Robinson, A Minor V. City Of Oakland, Alameda County Superior Court Case No. RG15-758388, In The Amount Of Fifteen Thousand Dollars And No Cents (\$15,000.00) As A Result Of An Automobile Collision On April 30, 2013 (Public Works - Motor Vehicle Collision)  
[15-0872](#)

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

[View Supplemental Report](#)

**This City Resolution was Adopted.**

- 7.12** Subject: Settlement Agreement To Release National Westminster Bank PLC  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Entry Into A Settlement Agreement To Release National Westminster Bank PLC ("NatWest") From Potential Claims Or Legal Actions By The City Of Oakland Based On The Allegations Of In Re Municipal Derivatives Antitrust Litigation, And Authorizing Acceptance Of Payment From NatWest Of \$20,000 In Exchange For Release By The City  
[15-0873](#)

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

**This City Resolution was Adopted.**

- 7.13** Subject: Support For SB 880: Closes The Bullet Button Loophole  
From: Councilmembers Desley Brooks And Rebecca Kaplan  
Recommendation: Adopt A Resolution Of Support For SB 880 (Hall/Glazer) That Would Clarify The Definition Of Assault Weapons And Provide The Department Of Justice The Authority To Bring Existing Regulations Into Conformity With The Original Intent Of California's Assault Weapon Ban  
[15-0782](#)

Attachments: [View Report](#)

[VIEW SUPPLEMENTAL REPORT](#)

**This City Resolution was Adopted.**

- 7.14** Subject: Support For SB 1446: Prohibits Possession Of Large Capacity Ammunition Magazines  
From: Councilmembers Desley Brooks And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of SB 1446 (Hancock) That Would Prohibit Possession Of Large Capacity Ammunition Magazines  
[15-0788](#)

Attachments: [View Report](#)

[VIEW SUPPLEMENTAL REPORT](#)

**This City Resolution was Adopted.**

- 7.15** Subject: Support For AB 2459: Transparency For All Gun Transactions  
From: Councilmembers Desley Brooks And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2459 (McCarty) That Would Enact Requirements For All Gun Transactions Such As Requiring Gun Retailers To Install And Use Video Recording Equipment, Ban Of Residential Gun Dealers, Require Gun Retailers To Hold Insurance, Grant Authority To Attorney General To Enforce, And Allow Local Jurisdictions To Enact More Stringent Laws Respecting Insurance Requirements And Where Dealers And Licensees May Conduct Their Business If They So Choose  
[15-0789](#)

Attachments: [View Report](#)

[VIEW SUPPLEMENTAL REPORT](#)

**This City Resolution was Adopted.**

- 7.16** Subject: Support For AB 1695: Stop Illegal Gun Sales Act  
From: Councilmembers Desley Brooks, Dan Kalb And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1695 (Bonta) That Would Inform Potential Purchasers Of Their Rights And Responsibilities Surrounding The Purchase And Transfer Of Firearms Through Direct Contact From The Attorney General And Make It A Crime To Report A Lost Or Stolen Firearm Knowing That Report To Be False

[15-0790](#)

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

[View Supplemental Report](#)

**This City Resolution was Adopted.**

- 7.17** Subject: Support For AB 1674: Caps Firearm Purchases  
From: Councilmembers Desley Brooks, Dan Kalb And Rebecca Kaplan  
Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 1674 (Santiago) That Would Cap The Amount Of Firearms That May Be Purchased By A Person At One Per Month

[15-0791](#)

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

[View Supplemental Report](#)

**This City Resolution was Adopted.**

- 7.18** Subject: Support For AB 1809: Reform Asset Limit For Cal-WORKS Program  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1809 Introduced By Assemblymember Patty Lopez To Reform The Asset Limit For The California Works Opportunity And Responsibility To Kids (Cal-WORKS) Program To Encourage Low-Income Families To Save And Develop Behaviors That Lead To Economic Self-Sufficiency And It Reduces Administrative Inefficiencies

[15-0774](#)

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

[View Supplemental Report](#)

**This City Resolution was Adopted.**



- 7.19** Subject: Support For AB 2811: Vehicle Nuisance Abatement  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2811 (Chavez) Which Amends Section 22659.5 Of The Vehicle Code, Related To Vehicles:Nuisance Abatement, Which Declares A Motor Vehicle To Be A Public Nuisance Subject To Seizure And An Impoundment If The Vehicle Is Used In The Commission Or Attempted Commission Of The Crimes Of Pimping, Pandering, And Soliciting, Or Agreeing To Engage In, Or Engaging In, Any Act Of Prostitution. AB 2811 Will Provide A Real Deterrent That Will Prevent 'Johns' From Seeking To Purchase Sex In The Future  
[15-0792](#)

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

**This City Resolution was Adopted.**

- 7.20** Subject: Support Of AB 2031: Affordable Housing Financing For Local Government  
From: Councilmembers Abel Guillén And Dan Kalb  
Recommendation: Adopt A Resolution In Support Of AB 2031 (Bonta) That Would Allows Cities And Counties To Redirect Their Net Available Real Property Tax Trust Fund Revenue ("Boomerang Funds") To An Affordable Housing Special Beneficiary District For Funding Affordable Housing  
[15-0804](#)

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

**This City Resolution was Adopted.**

- 7.21** Subject: Support Of SB 1282 - Protect Pollinators Act  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of SB 1282 (Leno) That Would, After July 1, 2017, Require Labeling Of Seeds And Plants Sold At Retail Establishments That Have Been Treated With A Neonicotinoid Pesticide, And, By 2018, Designate Neonicotinoid Pesticides As Restricted Materials Pursuant To State Law  
[15-0822](#)

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

**This City Resolution was Adopted.**

- 7.22** Subject: Community Policing Advisory Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Nancy Sidebotham And Emily D. Rogers-Pharr And Reappointment Of Angela Haller As Members Of The Community Policing Advisory Board  
[15-0883](#)

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

**This City Resolution was Adopted.**

- 7.23** Subject: Commission On Aging Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Bryan Ricks, Suzette A. E. Chaumette And Michelle Hall As Members Of The Commission On Aging  
[15-0884](#)

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

**This City Resolution was Adopted.**

- 7.24** Subject: 70th Anniversary Of Faith Presbyterian Church  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution: Faith Presbyterian Church Celebrates 70 Years Of Fellowship And Community Service In The City Of Oakland  
[15-0821](#)

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

**This City Resolution was Adopted.**

- S7.25** Subject: Oakland Golf LLC - Sublease And Operating Agreement  
From: Oakland Parks & Recreation Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Execute A Third Amendment To The Sublease And Operating Agreement With Oakland Golf, LLC For The Operation Of Metropolitan Golf Links Course To Restructure The Minimum Annual Guarantee Rent Amount To \$400,000, Amend The Percentage Rent Of Gross Revenue From Golf Activities To 13.5%, And Modify The Sublease Term To Twenty-Two Years; And 2) Execute A Settlement Agreement With Oakland Golf, LLC To Resolve Payment Of Delinquent Rent  
[15-0810](#)

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

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

**Abstained:** 1 - Brooks

**Aye:** 7 - Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

**S7.26** Subject: Contract Award And Spending Authority To Parkmobile USA  
From: Finance Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Award A Professional Services Agreement To Parkmobile USA, Inc. ("Parkmobile") In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000) For Three (3) Years (\$250,000 Per Year) With Two (2) One-Year Renewal Options, To Provide Pay-By-Mobile Services To Motorists For Parking At Parking Metered Spaces In The City; And (2) Authorizing Collection And Appropriation Of Transaction Fees Charged To The Motorists In Addition To the Motorist's Parking Meter Fee In An Annual Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For Reimbursement To Parkmobile Under An Agreed Upon Professional Services Agreement

[15-0026](#)

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

**This City Resolution was Adopted.**

**S7.27** Subject: Agreement With HDL Software For The Purchase Of Local Tax Software Solution  
From: Revenue Management Bureau  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute An Agreement With HDL Software, LLC ("HDL") For The Purchase Of A Local Tax Software Solution ("LTSS") To Include Software, Installation, Implementation, Training, And Related Professional Services, Taxes, Maintenance, And Support For An Initial Five-Year Term, In A Total Amount Not To Exceed \$1,226,730, (\$800,000 For Purchase And Installation, \$102,000 For Maintenance Year 1, \$105,060 For Maintenance Year 2, \$108,212 For Maintenance Year 3, And \$111,458 For Maintenance Year 4) With, At The Discretion Of The City, Five Potential One-Year Extensions To Provide On-Going Maintenance, Necessary Upgrades, And Technical Support Services Beyond Year 4

[15-0849](#)

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

**This City Resolution was Adopted.**

- S7.28** Subject: Acceptance of TFCA Grants  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Transportation Funds For Clean Air (TFCA) County Program Manager Fund Award In The Amount Of One Hundred Twenty-Four Thousand Dollars (\$124,000.00) For The Cityracks Bicycle Parking Program, Phase 12, And Two Hundred Ten Thousand Dollars (\$210,000.00) For The Oakland Broadway "B" Shuttle Off-Peak Hour Operations

[15-0807](#)

Attachments: [View Report](#)

**This City Resolution was Adopted.**

- S7.29** Subject: Major Encroachment Permit At 632 14th Street  
From: Oakland Public Works Department  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 632 14th Street LLC To Allow Portions Of The Building At 632 14th Street To Encroach Into The Public Right-Of-Way Along The Building Frontage On 14th Street

[15-0817](#)

Attachments: [View Report](#)

**This City Resolution was Adopted.**

- S7.30** Subject: On-Call Construction Contract With McGuire And Hester  
From: Oakland Public Works  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator To Amend An On-Call Construction Contract With McGuire And Hester, Inc. Increasing The Contract Amount From Six Hundred Thousand Dollars (\$600,000.00) To Seven Hundred Seventy-Five Thousand Dollars (\$775,000.00).

[15-0847](#)

Attachments: [View Report](#)

**This City Resolution was Adopted.**

**S7.31** Subject: NOFA Housing Policy Recommendations  
From: Housing And Community Development Department  
Recommendation: Receive A Report On The Housing Program And Policy  
Recommendations Associated With the Affordable Housing Notice Of Funding  
Availability (NOFA) And Adopt The Following Pieces Of Legislation:

[15-0551](#)

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

**A motion was made by Reid, seconded by Gallo, that this matter be Received and Filed. The motion carried by the following vote:**

**Abstained:** 2 - Brooks, and Kaplan

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

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

[15-0768](#)

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

**A motion was made by Reid, seconded by Gallo, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 5/3/2016. The motion carried by the following vote:**

**Abstained:** 2 - Brooks, and Kaplan

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

2) A Resolution Amending Resolution Nos. 81961 And 82989 C.M.S. To Increase  
Income Limits For Households Participating In The First-Time Homebuyer Mortgage  
Assistance Program From 100% Of Area Median Income To 120% Of Area Median  
Income, And Modify The Corresponding Calculation For The Purchase Price Limit,  
And Authorizing The Transfer Of \$800,000 To The Program From The Affordable  
Housing Trust Fund [TITLE CHANGE]; And

[15-0769](#)

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

**Abstained:** 2 - Brooks, and Kaplan

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

3) A Resolution Establishing An Affordable Housing Acquisition, Rehabilitation, And Preservation Program, Allocating \$1,000,000 From The Affordable Housing Trust Fund To The Program, And Authorizing The City Administrator To Fund Affordable Housing Acquisition, Rehabilitation, And Preservation Loans Under The Program Without Returning To Council [TITLE CHANGE]; And

[15-0770](#)

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

**Abstained:** 2 - Brooks, and Kaplan

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

4) A Resolution Establishing An Affordable Housing Multifamily Emergency Repair Program, Allocating \$600,000 From The Affordable Housing Trust Fund To The Program, And Authorizing The City Administrator To Fund Affordable Housing Multifamily Emergency Repair Loans Under The Program Without Returning To Council

[15-0771](#)

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

**Abstained:** 2 - Brooks, and Kaplan

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

**S7.32** Subject: Façade Improvement Program Allocation Of Historic Mitigation Funds  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To (1) Accept And Appropriate \$188,750 In Historic Mitigation Funds From Three Developers To The Façade Improvement Program; And (2) Accept And Appropriate Any Historic Mitigation Funds Which May Be Received By The City Of Oakland In Fiscal Year 2015/2016 Through Fiscal Year 2024/2025 To The Façade Improvement Program Relying On An Exemption From California Environmental Quality Act ("CEQA") Review Pursuant To Section 15061(B)(3) Of The CEQA Guidelines

[15-0802](#)

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

**This City Resolution was Adopted.**

- S7.33** Subject: Brownfield Loan Modification For 785 Seventh Street  
From: Economic And Workforce Development Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Third Amendment To A Loan Agreement And Promissory Note Between The City Of Oakland And Brush Street Group, LLC For Brownfield Cleanup At 785 Seventh Street, Oakland CA 94607; Action Taken In Reliance On Previously Certified Environmental Impact Report For The West Oakland Specific Plan Certified On July 29, 2014 (CEQA Guidelines 15162 And As A Separate And Independent Basis, Section 15183)

[15-0803](#)

Attachments: [View Report](#)

**This City Resolution was Adopted.**

- S7.34** Subject: Permanent Access To Housing (PATH) High Priority Funds FY 2015-2017  
From: Human Services Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Amend The PATH Grant With Operation Dignity To Increase Funding By Up To \$125,000 For The Remainder Of The Grant Term Fiscal Year (FY) 2015-2017 For Additional Outreach Hours, Outreach Supplies, Case Management, Reunification Services, And Emergency Motel Vouchers For Single Adults; 2) Amend The PATH Grant With Abode Services To Increase Funding By Up To \$170,000 For The Remainder Of The Grant Term Of FY 2015-2017 For Housing Case Management Services; 3) Amend The Current Winter Shelter Grant Agreement With Bay Area Community Services To Increase Funding In An Amount Not To Exceed \$5,000 For The Provision Of Reunification Services In FY 2015-2016; And 4) Amend The Grant Agreements Without Further Council Approval If Additional General Purpose Funding Becomes Available For The Same Purpose Within The Grant Term

[15-0818](#)

Attachments: [View Report](#)

**This City Resolution was Adopted.**

- S7.35** Subject: Purchase Of Additional Body Worn Cameras  
From: Oakland Police Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Purchase: (A) Body Worn Cameras For Forty-Five Thousand Dollars (\$45,000) And Hardware For Eighteen Thousand Five-Hundred Dollars (\$18,500), For A Total Cost Not To Exceed Sixty-Three Thousand Five Hundred Dollars (\$63,500) From Adamson Police Products; And (B) Technical Support For Two Hundred Thousand Dollars (\$200,000) From VIEVU; And 2) Waiving The City's Advertising/Bidding And Request For Proposal Requirements For The Proposed Purchases  
[15-0763](#)

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

**This City Resolution was Adopted.**

- S7.36** Subject: Acceptance Of Project Safe Neighborhood Grant Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Twenty-Two Thousand Seven Hundred Twenty-Six Dollars (\$222,726) From The California Governor's Office Of Emergency Services (CALOES), Which Serves As The Grant Administrator On Behalf Of The U.S. Attorney's Office, On Behalf Of The U.S. Department Of Justice, Office Of Justice Programs (USDOJ/OJP) Project Safe Neighborhoods (PSN), To Fund Equipment, Training, Supplies, And A Research Partner, To Support The Implementation Of The Ceasefire, Procedural Justice And Police Legitimacy Strategies Related To Shooting & Homicide Scenes  
[15-0813](#)

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

**This City Resolution was Adopted.**



**S7.37** Subject: Support For AB 2200: School Employee Housing Assistance Grants  
From: Vice Mayor Campbell Washington  
Recommendation: Adopt A Resolution In Support Of AB 2200 (Thurmond) The  
School Employee Housing Assistance Grant Program Which Would Create A \$100  
Million Grant Program To Provide Development Financing Assistance To Qualified  
School Districts For The Development Of Affordable Rental Housing For School  
Employees, Including Teachers  
[15-0826](#)

Attachments: [View Report](#)

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 Reid, seconded by Kaplan, that this matter be Approve as  
Submitted. The motion carried by the following vote:

**Aye:** 8 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, 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:    Citywide Impact Fees Adoption  
             From:        Planning And Building Department  
             Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The  
             Following Pieces Of Legislation:

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

**Attachments:**    [View Report](#)

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

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

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

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

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

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

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

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

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

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

[View Supplemental Report](#)

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

***52 individuals spoke on this item.***

***President Pro Tempore Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney.***

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

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

***2) Restrict spending of impact fees for moderate income housing to 15%, therefore, amending Section 15.62.040 to read as follows: "Funds in the***

---

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

A motion was made by Reid, seconded by Gallo, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 5/3/2016. The motion carried by the following vote:

**Aye:** 7 - Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

**No:** 1 - Brooks

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

**This Ordinance was Approved As Amended On Introduction and Scheduled for Final Passage.to the Meeting of the Oakland City Council to be heard 5/3/2016**

**Aye:** 7 - Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

**No:** 1 - Brooks

- 9.2**      Subject:    1638-47th Avenue Church And School Conversion To Residential Units  
From:          Planning And Building Department  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The  
Following Pieces Of Legislation:

1) A Resolution, As Recommended By The City Planning Commission, To Approve  
Regular Design Review And A Minor Variance For The Church And School  
Conversion Located At 1638-47th Avenue And Adopt CEQA Exemptions Whereas;  
And

[15-0805](#)

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

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at  
8:29 p.m.*

*2 individuals spoke on this item.*

*President Pro Tempore Reid made a motion, seconded by Councilmember Gallo,  
to close the Public Hearing, and hearing no objections, the motion passed by 8  
Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and  
President Gibson McElhaney.*

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

**Aye:**    8 -    Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson  
McElhaney

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

[15-0806](#)

*A motion was made by Reid, seconded by Gallo, that this matter be Approved On  
Introduction and Scheduled for Final Passage to the Meeting of the Oakland City  
Council, to be heard 5/3/2016. The motion carried by the following vote:*

**Aye:**    8 -    Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson  
McElhaney

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

**10          THIS NUMBER INTENTIONALLY NOT USED**

**11      The April 14, 2016 Rules and Legislation meeting rescheduled  
this item to the May 3, 2016 City Council agenda.**

**12**      Subject:    90 Day Status Report  
From:          Race & Equity Department  
Recommendation: Receive An Informational Report On The Activities Of The  
Department Of Race And Equity's First 90 Days  
[15-0863](#)

**Attachments:**   [View Report](#)

*There was one speaker on this item.*

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

**Aye:**    8 -   Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson  
                 McElhaney

**13**      Subject:    Supplement No. 6 To Master Agreement Between Raiders/Coliseum  
Authority  
From:          Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of  
Supplement No. 6 To The Master Agreement And Exhibits To The Master Agreement  
Between The Oakland Raiders And The Oakland-Alameda County Coliseum Authority  
[15-0867](#)

**Attachments:**   [View Report](#)

[View Supplemental Report](#)

*There were 3 speakers on this item.*

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

**Abstained:**    1 -   Brooks

**Aye:**    7 -   Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

**S-14**    Subject:    Establish Policy To Publicize Tax Refunds For Low Income Property Owners  
From:       Council President Lynette Gibson McElhaney  
Recommendation: Adopt A Resolution Establishing A City Council Policy To Widely Publicize The Availability Of Low Income Tax Refunds To The Public  
[15-0787](#)

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

*There were 2 speakers on this item.*

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

**Aye:**    8 -    Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

## **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 Maria Isabel Fuentes, Lloyd Henry Munson, Jr., V. Hap Smith, Cedric Williams, Kathleen McMorroa Walsh and Hilda Newman Stone at 11:12 p.m.*

### **Americans With Disabilities Act**

**If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 5 days prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.**

### **Office of the City Clerk - Agenda Management Unit**

**Phone:    (510) 238-6406**

**Fax:    (510) 238-6699**

**Recorded Agenda: (510) 238-2386**

**Telecommunications Display Device:    (510) 238-3254**

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

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.