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 / City Council / Geologic Hazard Abatement District Board

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

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

Tuesday, June 21, 2016 **5:30 PM** **City Council Chamber, 3rd Floor**

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council/GHAD was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:34 p.m.

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 38 open forum speakers. 15 spoke at the beginning of the meeting

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

President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Regina Jefferies and Council Memeber Guillen requested association with this adjournment.

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of John Ivey. Council President Gibson McElhaney and Council Memeber Brooks requested association with this adjournment.

Councilmember Gallo took a point of personal privilege and requested that the meeting be adjourned in memory of Esther Kui Lan Caspino

Councilmember Reid was noted absent at 6:28 pm

4.1 Subject: Honoring Rev. Dr. Jasper Lowery, Jr.
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Commending Rev. Dr. Jasper Lowery Jr. On His Twenty Years Of Service And Thanking Him For His Dedication To The Community
15-1028

There were 2 speakers on this item

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

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

Absent: 1 - Reid

4.2 Subject: Older Americans Month
From: Councilmember Gallo
Recommendation: Adopt A Resolution Declaring May 2016 As National Older Americans Month
15-1049

Councilmember Reid was noted present at 6:33 pm

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

4.3 Subject: Honoring The Lives Lost In The Orlando Mass Shooting
From: Councilmembers Kaplan, Guillen And Vice Mayor Campbell Washington
Recommendation: Honoring The Lives That Were Lost In The Mass Shooting in Orlando, Florida On June 12, 2016
15-1225

Councilmember Kaplan made a motion seconded by Councilmember Guillen to approve the urgency finding on item 4.3 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.

A motion was made by Kaplan, seconded by Guillén, that this matter be Accepted. 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 JUNE 7, 2016

15-1111

A motion was made by Kaplan, seconded by Campbell Washington, 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):**

The Council President announced the need to take non consent items in the following order: 17, 13, 15, 16, 9.2, 9.3, .9.4, 9.5, 9.6, 9.1 and item 8 heard at the end of the meeting.

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

AT THIS TIME, THE MEETING OF THE OAKLAND AREA/LEONA QUARRY GHAD SHALL BE CONVENED

At 7:11pm, the Meeting of the Geological Hazard Abatement District was convened.

7.1 Subject: Adoption Of The Leona Quarry GHAD Budget
From: Outside Agency
Recommendation: Adopt A Resolution Approving The 2016/2017 Annual Budget For The GHAD
15-1196

A motion was made by Reid, seconded by Kaplan, 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

AT THIS TIME, THE MEETING OF THE OAKLAND AREA/LEONA QUARRY GHAD WILL BE ADJOURNED

At 7:12 pm the meeting of the Geological Hazard Abatement District adjourned.

7.2 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
15-1112

7.3 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
15-1113

7.4 Subject: Consolidation Of Oakland General Municipal Election With Statewide General Election
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 8, 2016
15-1045

7.5 Subject: Privacy Advisory Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming Appointing Lou Katz, Brian M. Hofer, Will T. Devries, Reem Suleiman, Clint M. Johnson, Saied R. Karamooz And Raymundo Jacquez III As Members Of The Privacy Advisory Commission
15-1206

This City Resolution was Adopted.

S7.6 Subject: City's Single Audit For Fiscal Year 2014-15
From: Finance Department - Office of the Controller
Recommendation: Receive An Informational Report On The City's Single Audit For Fiscal Year (FY) 2014-15 As Issued By Macias Gini & O'Connell LLP ("MGO"), The City's External Auditor
15-1070

S7.7 Subject: ShoreTel Telephone System Upgrade
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: (1) Procure Hardware, Software, And Professional Services To Replace Existing ShoreTel Handsets And Install Shoretel Telephone Systems In The Oakland Main Library And Police Administration Building For An Amount Not To Exceed One Million Three Hundred Twenty-Five Thousand Dollars ($1,325,000) From The Telephone Equipment And Software Internal Service Fund Balance; (2) Annually/Biennially Appropriate From The Telephone Equipment Internal Service Fund Balance Through The Budget Process, For The Purchase Of Equipment, Maintenance, Professional Services, And Costs Associated With The City's Telephone, Network And Telecommunication Services; And (3) Waive The Competitive Bidding, Advertising And Request For Proposals/Qualification Process, And Negotiate Agreement(s) With Authorized Vendors For The Above Products And Services For A Period Not To Exceed 5 Years
15-1149

S7.8 Subject: Fiscal Year 2016-17 Investment Policy And Treasury Designation For ORSA
From: Finance Department - Treasury Bureau
Recommendation: Adopt A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2016-2017
15-1078

(2) A Resolution Pursuant To Government Code Section 53607 Delegating Investment Authority Of The Oakland Redevelopment Successor Agency To The Agency Treasurer For Fiscal Year 2016-2017
15-1183

S7.9 Subject: Circleup Education For Diversity and Inclusion Training - Contract Extension
From: Human Resources Management Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Extend The Contract With Circleup Education For Diversity And Inclusion Training And Facilitation Services From July 1, 2016 To June 30, 2017, At A Cost Of $51,000 For A Total Contract Amount Not To Exceed $150,000, And Waiving The Competitive Request For Proposals/Qualification Process For The Additional Services
15-1069

S7.10 Subject: 1611 Telegraph Avenue - Major Encroachment Permit
From: Department of Public Works
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To CREFII-RCI Telegraph, LLC, To Allow Portions Of The Building At 1611 Telegraph Avenue To Encroach Into The Public Right-Of-Way Along 16th Street And Along Telegraph Avenue
15-1071

S7.11 Subject: Contract Award for Highway Safety Improvement Program Cycle 5 (HSIP5)
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction, The Lowest, Responsible, Responsive Bidder, For Highway Safety Improvement Program Cycle 5 (HSIP5): 98th Avenue, Project No. C468220 In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Ninety Thousand Two Hundred Fifteen Dollars ($590,215.00)
15-1079

S7.12 Subject: Bay Construction Contract Award - Pump Station Improvements
From: Public Works Department
Recommendation: Adopt A Resolution Awarding A Construction Contract To Bay Construction Co., The Lowest Responsive, Responsible Bidder, For Pump Station Improvements (Project No. C267630) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Two Million Twenty-Three Thousand Two Hundred Thirty-Two Dollars ($2,023,232.00)
15-1081

S7.13 Subject: CivicCorps School Contract
From: Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Three-Year Agreement With Civicorps Schools For An Amount Of Two Hundred Twenty-Five Thousand Dollars ($225,000), To Assist With Used Oil Recycling Activities, Perform Bicycle Locker And Sign Cleaning, And Provide Interns To Assist The City's Recycling Hotline And Community Outreach, And Waiving Advertising And The Competitive Request For Proposal/Qualification Selection Requirements
15-1082

S7.14 Subject: West Oakland Job Resource Center Fiscal Contract
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution Authorizing The City Administraftor To: 1) Waive The Advertising, Competitive Bid, And Request For Proposals/Qualifications Process; And 2) Amend The Contract With Urban Strategies Council To Act As The Fiscal Agent For The West Oakland Job Resource Center To Increase The Contract Amount From $155,000 To $212,936 (Previously Amended By Resolutions 85251 C.M.S. And 85661c.M.S.) And To Extend The Termination Date To June 30, 2017
15-1144

S7.15 Subject: OPD-BHCS Crisis Response MOU Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, or Designee, To Enter Into An Intergovernmental Memorandum of Understanding (MOU) Between The Alameda County Health Care Services Agency, Behavorial Health Care Services (BHCS) And The Oakland Police Department (OPD) To Continue To Implement The Mobile Evaluation Team (MET) Program
15-1084

S7.16 Subject: Alameda Safe Drug Collection and Disposal Agreements
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Enter Into A Kiosk Services Agreement and Take-Back Services Agreement With The Alameda MED-Project LLC To Implement The Safe Drug Disposal Kiosk Collection Program
15-1085

S7.17 Subject: Resolution In Support Of AB 2818 - Property Taxation: Community Land Trust
From: Councilmember Kalb
Recommendation: Adopt A Resolution In Support Of AB 2818 (Chiu) That Would Require County Tax Assessors To Consider When Valuing Property For Property Taxation Purposes Recorded Affordability Restrictions On Low And Moderate Income Housing Including Community Land Trusts
15-1088

COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:

S17 Subject: Workforce Development Board FY 2016-17 Budget And Contracts
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution (1) Adopting The Fiscal Year 2016-2017 Workforce Investment Budget; (2) Accepting And Appropriating Workforce Innovation And Opportunity Act (WIOA) Title I Formula Funds For Adult, Dislocated Worker, Youth And Rapid Response Services; (3) Authorizing Contracts With Service Providers Competitively Selected By The Oakland Workforce Development Board To Provide Comprehensive, Sector Access, Business Engagement And Youth Services From WIOA Title I Formula Funds For Fiscal Year 2016-2017; (4) Accepting Grant Funds For Fiscal Year 2016-17 From The Bay Area Rapid Transit District For Workforce Development Services In The Amount $43,500; (5) Authorizing The City To Apply For, Accept And Appropriate Grants And Contributions For Workforce Development Services Beyond The WIOA Title I Formula Funding Up To $200,000 With The Approval Of The Oakland Workforce Development Board Without Returning To Council; And (6) Authorizing A Contract With CiviCorps To Provide Youth Services Using Unencumbered Funds From Fiscal Year 2015-16 In The Amount Of $106,864
15-1145

A motion was made by Campbell Washington, 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

13 Subject: The Analysis Of The Circulating Ballot Measure
From: Office Of The City Administrator
Recommendation: Receive The Analysis Of The Circulating Ballot Measure Concerning Renter Protections Under The Provisions Of Elections Code Section 9212 And Specifically Including Consistency With the City's Charter And Other Ordinances
15-1198

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

Recused: 2 - Brooks, and Guillén

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

15 Subject: Protect Oakland Renters Act Ballot Measure
From: Members Of The Public
Recommendation: Receive An Informational Report And Give Staff Direction On Next Steps About A Proposed Ordinance (The "Protect Oakland Renters Act") That Would Establish The Composition And Functions Of The Rent Board; Establish Rent Adjustments For Certain Units; And Establish Procedures For Governance Of Rental Units In The City Of Oakland [TITLE CHANGE]
15-0827

A motion was made that this matter be Received and Filed. The motion carried by the following vote:

Recused: 2 - Brooks, and Guillén

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

16 Subject: Renter Protection Act of 2016 (Rent and Eviction Ordinance Amendments Ballot Measure)
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 8, 2016 Statewide General Election Proposed Amendments To The Rent Adjustment Ordinance (O.M.C. Chapter 8, Article I (8.22.100, Et Seq.) (1) To Require Owners Petition For Rent Increases In Excess Of An Annual Allowance; And Proposed Amendments To The Just Cause For Eviction Ordinance (Measure EE (2002), (O.M.C. Chapter 8, Article Ii (8.22.300, Et Seq.) To (2) Modify The New Construction Exemption To Apply To Units Constructed After January 1, 2002, (3) To Require Relocation Payments For Owner-Occupancy Evictions, (4) To Permit The City Council Limited Authority To Modify The Ordinances, And (5) Amending O.M.C. Chapter 8.22 (Rent And Evictions) To Increase Transparency, Including Regular Reports From The Rent Program To The City Council And (6) Removing The Requirement For Council Approval Of Regulations, And Directing The City Clerk To Fix The Date For
Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election
15-1197

A motion was made that this matter be Continued to the Meeting of the Oakland City Council, to be heard 7/5/2016. The motion carried by the following vote:

Recused: 2 - Brooks, and Guillén

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

9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

9.2 Subject: Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System - Sworn Classic Police
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution On Intention To Approve An Amendment To Contract Between The Board Of Administration California Public Employees' Retirement System And The City Council City Of Oakland
15-1203

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 11:18 p.m.

0 individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Campbell Washington, Gallo, Kalb, Kaplan, Reid and President Gibson McElhaney

Absent 2 - Brooks and Campbell Washington

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

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

Absent: 2 - Brooks, and Campbell Washington

Subject: City Of Oakland/PERS Boards Contract Amendment - Sworn Classic Police
From: Finance Department
Recommendation: Adopt An Ordinance Of the City Of Oakland To Approve An Amendment To The Contract Between The City of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CALPERS) To Include A 2% Employees Cost Sharing Of Additional Benefits For Tier I And Tier II Classic Police Members (California Government Code Section 20516)
15-1205

A motion was made that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 7/5/2016. The motion carried by the following vote:

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

Absent: 2 - Brooks, and Campbell Washington

9.3 Subject: Assessment of Liens for Delinquent Business Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:
1)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
15-1185

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 11:59 p.m.

Councilmember Brooks was noted as present and Vice Mayor Anne Campbell Washington absent at 11:59 p.m.

0 individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney

1 Absent Campbell Washington

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

Aye: 7 - Brooks, Gallo, Guillén, Kalb, Kaplan, Reid, and Gibson McElhaney

Absent: 1 - Campbell Washington

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
15-1186

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
15-1187

This City Resolution was Not Adopted.

9.4 Subject: Assessment Of Liens - Delinquent Transient Occupancy Taxes
From: Finance Department
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:
1)The 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.
15-1188

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 12:01 a.m.

0 individuals spoke on this item.

Councilmember Campbell Washington was noted in her seat at 12:01 a.m.

Councilmember Kaplan 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 . The motion carried by the following vote:

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

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
15-1189

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
15-1190

This City Resolution was Not Adopted.

9.5 Subject: Assessment Of Liens - Real Estate Property Transfer Taxes
From: Finance Department
Recommendation: Conduct A Public Hearing 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
15-1191

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 12:03 a.m.

0 individuals spoke on this item.

Councilmember Kaplan 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 . The motion carried by the following vote:

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

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Estate 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
15-1192

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 Estate 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
15-1193

This City Resolution was Not Adopted.

9.6 Subject: Mandatory Garbage Delinquent Fees and Special Assessment Charges
From: Finance Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Accepting And Confirming Reports Of The City Administrator For Delinquent Garbage Service Fees With Administrative And Special Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Special Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
15-1199

Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 12:03 a.m.

0 individuals spoke on this item.

Councilmember Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Reid and President Gibson McElhaney

1 No Kaplan

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

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

No: 1 - Kaplan

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
15-1200

This City Resolution was Not Adopted.

(3) Adopt 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
15-1201

This City Resolution was Not Adopted.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

14 Subject: Amending Oakland's Preference Policy For Affordable Housing
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt Ordinance Amending The Oakland Municipal Code To Adopt (1) A Preference Policy For Neighborhood Residents, Oakland Residents And Workers, And Displaced Households In Applying For Multifamily Affordable Housing Funded By The City, And (2) An Oakland Residency, Oakland Worker, Or Displaced Household Requirement For Participants In The City's First-Time Homebuyer Mortgage Assistance Program
15-0886

This Ordinance was * Withdrawn and Rescheduled.to the Meeting of the Oakland City Council to be heard 6/5/2016

9.1 Subject: 2400 Valdez Street Appeal
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying An Appeal By Oakland Residents For Responsible Development And Thus Upholding The Planning Commission's Approval Of A Proposal To Construct 225 Dwelling Units Over Approximately 23,000 Square Feet Of Retail Located At 2400 Valdez Street, Oakland CA (Project Case No. PLN 15-336), Including Adopting CEQA Exemptions And An Addendum (Relying On The Previously Certified 2014 Broadway Valdez District Specific Plan EIR)
15-1146

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 12:15 a.m.6 individuals spoke on this item.

Councilmember Reid made a motion, seconded by Councilmember Kalb, 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

The council added the amendment that the applicant have community meetings to discuss the construction management plan prior to submitting plan to the City of Oakland.

There were 6 speaker on this item.

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

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

11 Subject: FY 2016-2017 Midcycle Budget Amendments
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The City Of Oakland's Fiscal Year 2015-17 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015, To Make Adjustments: (1) Increasing The Fiscal Year 2016-17 Revenue Projection In The General Purpose Fund (GPF); (2) Appropriating Additional Fiscal Year 2016-17 GPF Expenditures; And (3) Increasing Fiscal Year 2016-17 Revenues And Appropriations In Other Non-GPF Funds; And
15-1066

This resolution was adopted as amended to include the following:

Reductions
D28 Reduce Police Commission by $500,000

Additions:
D24 Add $90,000 for Homeless Pilot program
D29 Add $100,000 for Central Oakland Neighborhood Job Center (Unity Council)
D30 Add $100,000 for increased outreach and services for commercially sexually exploited minors
D31 Add $80,000 for City council Finance And Budget Analyst
D32 Add $80,000 for Laney college Tiny Homes Project
D33 Add 450,000 for Oakland Parks and Recreation Foundation Grant Administrative support

A substitute motion was made by Councilmembers Brooks, seconded by Councilmember Kaplan to adopt the budget as amended as to the modified proposal of Brooks and Kaplan in the packet, and upon call of the roll the motion tied by Ayes - 4, Noes - 4 Camplbell Washington, Guillén, Kalb, and Reid.

Pursuant to Charter Section 200 which requires the Mayor to cast the tie breaking vote on any matters in which the Council is divided, Mayor Schaaf appeared and cast a No vote, resulting in a final vote of Ayes - 4, Noes - 5 Campbell Washington, Guillén, Kalb, Reid, and Mayor Schaaf. The substitute motion failed.

A motion was made by Campbell Washington, seconded by Guillén, that this matter be Adopted as amended to the recommendations of staff. The motion carried by the following vote: Ayes 6, Noes - 2, Brooks and Kaplan

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

No: 2 - Brooks, and Kaplan

2) A Resolution Authorizing The Use Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues For Purposes Other Than Those Denoted In The City's Consolidated Fiscal Policy Adopting A Finding Of Necessity, And Describing Prospective Steps To Be Taken To Return To The Prescribed Uses Of Said Revenues
15-1067

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

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

No: 2 - Brooks, and Kaplan

12 Subject: Appropriation Limits For FY 2016-2017
From: Office Of The Controller
Recommendation: Adopt A Resolution Establishing An Appropriations Limit For Fiscal Year 2016-2017 Pursuant To Article XIIIB Of The California Consititution
15-1204

A motion was made by Gallo, seconded by Reid, 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

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

This matter was Approve as Submitted the report of the City Attorney that no final decisions were made during closed session.

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 at Regina Jeffries, John Ivey, and Esther Kui Lan Caspino at 1:32 a.m.

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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.

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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.