

## City of Oakland

**Meeting Minutes - DRAFT** 

### **Special Concurrent Meeting of the Oakland Redevelopment Successor** Agency / City Council / Geologic Hazard Abatement District Board

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

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

Tuesday, July 19, 2016	5:00 PM	City Council Chamber, 3rd Floor

#### 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 5:17 p.m.

#### 2 **ROLL CALL / CITY COUNCIL**

Councilmember Brooks arrived at 5:30 p.m. Councilmember Gallo arrived at 5:47 p.m.

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

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

#### There were 20 open forum speakers

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

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

> Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of the multiple deaths that have taken place due to gun violence.

Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Antionne Shavers and Nate Thurman

APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OFJUNE 21, 2016, 5 JUNE 27, 2016, AND JULY 5, 2016 15-1167

This Informational Report was Received and Filed.

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

#### 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:

#### Approval of the Consent Agenda

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

- Aye: 8 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Gibson McElhaney, and Reid
- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
   From: Office Of The City Attorney
   Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
   Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
   Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
   Immunodeficiency Syndrome ("AIDS") Epidemic
   <u>15-1168</u>

#### This City Resolution was Adopted.

 7.2 Subject: Declaration Of Medical Cannabis Health Emergency From: Office Of The City Attorney Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland <u>15-1169</u>

#### This City Resolution was Adopted.

- 7.3 Subject: Army Base Real Estate Actions
  - From: Office of City Administrator

Recomendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To A Lease Disposition And Development Agreement (LDDA) With OMSS, LLC, To Delete The City's Obligation To Clear And Rough Grade A Portion Of The OMSS Development Site At The Former Oakland Army Base; And

<u>15-1180</u>

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

2) Ordinance Authorizing The City Administrator To Negotiate And Execute An Easement Agreement With East Bay Municipal Utility District For A 40 Foot-Wide Roadway On The Former Oakland Army Base <u>15-1181</u>

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

7.4 Subject: Pregnancy Information Disclosure and Protection Ordinance.
 From: Vice Mayor Annie Campbell Washington And Councilmembers Rebecca Kaplan, Abel Guillen, And City Attorney Barbara J. Parker
 Recommendation: Adopt An Ordinance Amending Section 5.06 Of The Oakland
 Municipal Code To Prohibit Limited Services Pregnancy Centers From Making False
 Or Misleading Statements To The Public About Pregnancy-Related Services The Centers Offer Or Perform.
 15-1223

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

7.5 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 Approved for Final Passage.

7.6 Subject: Ordinance Amending The OMC Chapter 2.04 Purchasing System Office Of The City Administrator From: Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.04, Purchasing System: 1) Increasing City Administrator Purchasing Authority For Supplies And Services Including Professional Services, From \$100,000,To; \$250,000; 2) ;Eliminating All Lower Purchasing Limits For Certain Purchases; Raising The Dollar Amount To Conduct "Formal" Requests For Proposals/Qualifications (RFP/Q) To \$50,000; 4) Establishing City Administrator Authority To Waive RFPQ Requirements For Professional Services Purchases Up To Fifty Thousand Dollars (\$50,000); 5) Adding A Competitive Process Specific To Purchase Of Combined Projects Ant) Services For Information Technology Systems And: 6) Copying Certain Definitions And Other Clean Up 15-1212

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

#### 7.7 Subject: Recyclers' ENA Extension; Acceptance of ACTC Grant; and Interim Bridge Funding to Complete Public Improvements From: Office of The City Administrator Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute Agreements And Related Documents, To Secure Interim Bridge Funding In An Amount Not To Exceed Fifty-Three Million, Two-Hundred Thousand Dollars (\$53,200,000) To Meet Critical Cash Flow Needs For The Completion Of Construction Of The City's Public Improvement Obligations At The Former Oakland Army Base ("Base"), Which Options Could Include, Among Other Alternatives: (1) Obtaining Loan(S) Secured By Cityowned Land At The Base Or An Assignment Of The City's Right To Receive Rents From Such City-Owned Land; (2) Providing An Option To A Developer To Acquire Development Rights To The North Gateway Area Of The Base If The City And Two West Oakland Recyclers Fail To Close Escrow On Such Property; And (3) Negotiating For An Army Base Ground Lease Tenant(S) To Prepay A Discounted Present Value Of The Tenant(S)' Long Term Ground Lease Rent To The City 15-1221

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

**7.8** Subject: 12th Street Remainder Parcel Disposition And Development Agreement With Urbancore And EBALDC

From: Economic And Workforce Development Recommendation: Adopt An Ordinance: (1) Authorizing 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 Urbancore Development, LLC Or Its Related Entities Or Affiliates ("Urbancore"), And East Bay Asian Local Development Corporation Or Its Related Entities Or Affiliates ("EBALDC"), For (A) Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue ("Property") For No Less Than \$8.0 Million, (B) A Seller Carryback Loan From The City To EBALDC In The Amount Of \$3.3 Million Plus The Cost Of Loan Origination, And (C) Development Of The Property 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, And; (2) Adopting CEQA Exemptions (15183 & 15183.3) And Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR) <u>15-1218</u>

> A motion was made that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Special Meeting of the Oakland City Council, to be heard 7/26/2016. The motion carried by the following vote:

- Recused: 2 Kaplan, and Gibson McElhaney
  - Aye: 5 Brooks, Campbell Washington, Guillén, Kalb, and Reid
    - No: 1 Gallo

 7.9 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) <u>15-1205</u>

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

7.10 Subject: Measures M, N, Q, & Z FY 2016-17 Cost-of-Living Tax Adjustment From: Office Of The City Administrator Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2016-17 Increase In Accordance With The Consumer Price Index, Fixing The Rate Of Property Tax, And Levying A Tax On Real And Personal Property In The City Of Oakland For Fiscal Year 2016-2017 For Voter Approved Measure M (The Emergency Medical Services Retention Act), Measure N (The 1997 Paramedic Services Act), Measure Q (The Library Services And Retention Act), And Measure Z (The Public Safety And Services Act Of 2014) 15-1068

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

7.11 Subject: Community Jobs Oversight Commission - Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Re-Appointment Of
 Andreas Cluver, Josie Camacho, Kate O'hara, Shirley Burnell, Margaret Gordon,
 Brian Beveridge, Megan Morodomi, Jens Hilmer, And The Appointment Of Len
 Turner, Art Shanks And David Lau To The Community Jobs Oversight Commission
 <u>15-1287</u>

#### This City Resolution was Adopted.

 7.12 Subject: Wildfire Prevention And Assessment District Advisory Board From: Office of The Mayor Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Lin Barron, Steven E. Hanson, Martin A. Matarresse And Glen Dahlbacka And The Reappointment Of Douglas Wong As Members Of The Wildfire Prevention And Assessment District Advisory Board <u>15-1288</u>

7.13 Subject: Library Advisory Commission - Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
 Sophia V. Rodriguez And Reappointment Of Lesley Mandros Bell As Members Of The
 Library Advisory Commission
 <u>15-1289</u>

#### This City Resolution was Adopted.

 7.14 Subject: Commission On Persons With Disabilities - Appointments From: Office Of The Mayor Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Olivia De Jimenez, Brandon Young, Preet Anand And Sarah Garner To The Commission On Persons With Disabilities <u>15-1290</u>

#### This City Resolution was Adopted.

7.15 Subject: Community Policing Advisory Board - Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Akiba
 D. Bradford As Members Of The Community Policing Advisory Board
 15-1294

#### This City Resolution was Adopted.

 7.16 Subject: Health And Safety Impacts Of Coal In Oakland From: Councilmember Rebecca Kaplan Recommendation: Adopt An Ordinance (1) Amending The Oakland Municipal Code To Prohibit The Storage And Handling Of Coal And Coke At Bulk Material Facilities Or Terminals Throughout The City Of Oakland And (2) Adopting • California Environmental Quality Act Exemption Findings <u>15-0977</u>

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

 7.17 Subject: Settlement Agreement of David Addams 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 David Addams V. City Of Oakland, Alameda County Superior Court Case No. G15761677, City Attorney's File No. 30202, In The Amount Of One Hundred And Thirty-Five Thousand Dollars And Zero Cents (\$135,000.00) (Public Works - Dangerous Condition <u>15-1283</u>

 7.18 Subject: Claim of Kenneth Meislin From: Office Of The City Attorney Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Kenneth Meislin/ First Class Lodi LLC, Claim No. C30693, In The Amount Of Twenty Five Thousand Dollars And No Cents (\$25,000.00) (Public Works - Dangerous Condition) <u>15-1284</u>

#### This City Resolution was Adopted.

7.19 Subject: East Bay Economic Development Alliance Appointments
 From: Council President Gibson McElhaney
 Recommendation: Adopt A Resolution Reappointing Council President Lynette
 Gibson McElhaney To The Executive Committee Of The East Bay Economic
 Development Alliance For A Term Beginning July 1, 2016 And Ending June 30, 2017,
 And Appointing President Pro Tempore Larry Reid As Alternate Member Of The
 Executive Committee Of The East Bay Economic Development Alliance For A Term
 Beginning July 1, 2016 And Ending June 30, 2017
 15-1300

#### This City Resolution was Adopted.

 7.20 Subject: Reappointment To The Parks And Recreation Advisory Commission From: Office of The Mayor Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Chryl N.E. Corbin To The Parks And Recreation Advisory Commission <u>15-1302</u>

#### This City Resolution was Adopted.

7.21 Subject: Mayor's Reappointments to the Board of Port Commissioners
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
 Andreas Ferreira Cluver And Arabella Martinez To The Board Of Port Commissioners
 15-1238

#### This City Resolution was Adopted.

S 7.22 Subject: Classification Exemption - Police Communications Manager
 From: Human Resources Management Department
 Recommendation: Adopt A Resolution Recommending To The Civil Service Board
 The Exemption Of The Classification Of Police Communications Manager From The
 Operation Of Civil Service
 15-1074

S 7.23 Subject: Amendment to the Salary Ordinance
 From: Human Resource Management
 Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S., "The Salary Ordinance," To Clarify The Authority Of The City Administrator In Setting The Compensation And Other Terms And Conditions Of Employment For Department
 Heads And Amending Ordinance No. 12903 C.M.S. And Repealing Ordinance No. 12918 C.M.S.
 15-1241

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the \* Special Meeting of the Oakland City Council

S 7.24 Subject: Professional Services Contract With Centro De La Raza
 From: Contracts and Compliance Division
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A
 Professional Services Agreement To Centro Legal De La Raza In An Amount Not To
 Exceed \$240,000 To Provide Minimum Wage Education, Outreach And Enforcement
 Support Services For Measure FF, Oakland's Minimum Wage Law
 15-1270

#### This City Resolution was Adopted.

**S 7.25** Subject: Citywide Preventive Maintenance Resurfacing

From: Oakland Public Works

Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Bidding Requirements, And Authorizing The City Administrator Or Designee To Negotiate And Execute A Construction Contract With Gallagher & Burk, Inc., In Accordance With Plans And Specifications For The Construction Of Citywide Preventive Maintenance Resurfacing (Project No. C427720) In The Amount Of Three Million Nine Hundred Fifty Thousand Seven Hundred Twenty-Three Dollars And Seventy Cents (\$3,950, 723. 70); And 15-1242

This City Resolution was Adopted.

2) Resolution Allocating Measure BB Local Streets And Roads And Bike Fund (2216) Funds In The Amount Of Eight Hundred Fifty-Three Thousand Dollars(\$853,000.00) For The Paving Of Martin Luther King, Jr. Way From 27th Street To West MacArthur Boulevard; And

<u>15-1243</u>

3) Resolution Authorizing The Removal Of Travel Lanes And The Installation Of Class
 II Bicycle Lanes On Clay Street From 7th Street To 17th Street
 15-1244

#### This City Resolution was Adopted.

- S 7.26 Subject: Upper Broadway Road Diet/Citywide RRFB Project
  - From: Oakland Public Works

Recommendation: Adopt A Resolution: 1) Authorizing The Removal Of Travel Lanes And The Installation Of Class Ii Bicycle Lanes On Broadway From Broadway Terrace To Keith Avenue; 2) Awarding A Construction Contract To Ray's Electric, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Upper Broadway Road Diet And Citywide Rectangular Rapid Flashing Beacon Project (Project No. C369550) And With Contractor's Bid In The Amount Of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars And Seventy Cents (\$1,761,836.70); And 3) Adopting California Environmental Quality Act Exemption Findings

<u>15-1248</u>

#### This City Resolution was Adopted.

 S 7.27 Subject: Status Of Measure "B", Measure "BB" And "Vehicle Registration Fees" From: Councilmember Rebecca Kaplan Recommendation: Receive An Informational Report On The Budget Status Of The Funds In Measure "B", Measure "BB" And "Vehicle Registration Fees," Including Specifically: (1) The June 2016 Fund Balance For Each Of These Three Funds (2) Actual Expenditures And Revenues For The Year "15-'16 For Each, (3) Budgeted Expenditure And Revenue For The Years 15'-16' And '16-'17 For Each, (4) The Remaining Unexpended Fund Balance Now Projected In The Revised Budget For June 2017 And (5) If Any Of The Fund Balance Is Allocated But Not Yet Spent, A List Of Specific Projects To Which The Funds Are Allocated <u>15-1176</u>

This Informational Report was Received and Filed.

#### S 7.28 Subject: Lakeside Green Streets Project

From: Oakland Public Works

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract To Mcguire And Hester, Inc., The Lowest Responsible, Responsive Bidder In Accordance With Project Plans And Specifications For The Lakeside Green Streets Project (Project No. C393910) And With Contractor's Base Bid In The Amount Of Nine Million Four Hundred Twentyeight Thousand, Six Hundred One Dollars (\$9,428,601.00) And Authorize The City Administrator To Increase The Same Construction Contract By The Amount Of Two Million Two Hundred Two Thousand Six Hundred Thirtytwo Dollars (\$2,202,632.00) For A Total Contract Amount Not-To-Exceed Eleven Million Six Hundred Thirty-One Thousand Two Hundred Thirty-Three Dollars (\$11,631,233.00) As Additional Funds Become Available; And 15-1245

#### This City Resolution was Adopted.

2) A Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing An Amendment To Increase The As-Needed Landscape Architectural Services Agreement With Placeworks (Formerly Design Community And Environment) By An Amount Not-To-Exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), Bringing The Total Contract Amount From Eight Hundred Fifty Thousand Dollars (\$850,000.00) To One Million One Hundred Thousand Dollars (\$1,100,000.00) 15-1247

#### This City Resolution was Adopted.

**S 7.29** Subject: Contract Amendment for Rainbow Recreation Center Expansion & Renovation Project

From: Oakland Public Works Department

Recommendation: Adopt A Resolution (1) Waiving The Competitive Request For Proposal/Qualifcation Process And (2) Authorizing The City Administrator, Or Designee, To Amend The Professional Services Agreement With Byrens Kim Designworks For The Rainbow Recreation Center Expansion And Renovation Project (No. C470910) In The Amount Not To Exceed An Additional Two Hundred Fifty Thousand Dollars (\$250,000.00) For A Total Contract Amount Of Seven Hundred Seventy Five Thousand Dollars (\$775,000,000) 15-1246

**S 7.30** Subject: Alameda County's Plastic Bag Expansion Program From: Councilmember Kalb Recommendation: Receive An Informational Preesentation And Feedback on Proposed Expansion Of Alameda County's Plastic Bag Ban By Stopwaste <u>15-1232</u>

#### This Informational Report was Received and Filed.

**S 7.31** Subject: I-880 Integrated Corridor Management North Alameda Segment Project From: Oakland Public Works Department Recommendation:Adopt A Resolution Authorizing The City Administrator, Or Designee To Execute Three Wireline Crossing Agreements With The Union Pacific Railroad (Uprr), For The Interstate 880 Integrated Corridor Management (1-880 ICM) North Alameda Segment Project <u>15-1249</u>

#### This City Resolution was Adopted.

**S 7.32** Subject: Statement Of Policy On Adopting Regulations For Short Term Residential Rentals

From: Council President Lynette Gibson McElhaney, Vice Mayor Annie Campbell Washington and Councilmembers Abel Guillén And Councilmember Dan Kalb Recommendation: Adopt A Resolution To Issue An Official Statement Of Policy To Implement Regulations Pertaining To Short Term Residential Rental Housing Via Transient Residential Hosting Platforms Pursuant To Future Amendments To Oakland Municipal Code And Oakland Planning Code

### <u>15-1224</u>

#### **S 7.33** Subject: Property BID Annual Reports And Assessment Payment Approval From: Economic Workforce And Development Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution (A) Approving the Fiscal Year 2015-2016 Annual Reports Of The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, The Lake Merritt/Uptown Community Benefit District Of 2008, The Fruitvale Property Business Improvement District Of 2011, The Lakeshore/Lake Park Business (Improvement Management District Of 2012, The Jack London Improvement District, And The Temescal/Telegraph Business Improvement District 2015 Advisory Boards; Confirming The Continuing Annual Assessment For Each Applicable District 2016-2017; And (B) Authorizing Payment Of The City's Cumulative Fiscal Year 2016-2017 Fair Share Assessment In An Approximate Amount Of \$219,120.93 For City-Owned Properties In The Koreatown/ Northgate District, The Downtown Oakland District, And The Temescal/Telegraph District, The Fruitvale District, The Jack London District, And The Temescal/Telegraph District, The Fruitvale Park And The Temescal/Telegraph District, The Jack London District, And The Temescal/Telegraph District, The Fruitvale Park And The Temescal/Telegraph District, The Fruitvale District, The Jack London District, And The Temescal/Telegraph District, The Fruitvale District, The Jack London District, And The Temescal/Telegraph District

#### <u>15-1260</u>

#### This City Resolution was Adopted.

2) A Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2016-2017 Fair Share Assessment In An Approximate Amount Of \$2,973.29 For One Oakland Redevelopment Successor Agency-Owned Property In The Downtown Oakland Community Benefit District Of 2008 15-1262

#### This City Resolution was Adopted.

S 7.34 Subject: Amending City Charter to Increase the Maximum Lease Term to 99 Years From: Economic Workforce Development Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 8, 2016 Statewide General Election A Proposed Amendment To The City Charter To Increase The Maximum Lease Term Of City-Owned Real Property From 66 Years To 99 Years, And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election, As Such Charter Amendment Is Not A Project Under The California Environmental Quality Act ("CEQA"), Including Without Limitation CEDA Guidelines Sections 15061(B)(3) And 15378

### <u>15-1263</u>

S 7.36 Subject: On-Call Plan Check Services
 From: Planning And Building
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or
 Designee To Enter Into Professional Services Agreements For On-Call Building Plan
 Check Services In An Amount Not-To-Exceed One Million Dollars
 (\$1,000,000) Each, For A Total Not-To-Exceed Amount Of Two Million Dollars
 (\$2,000,000), For A Two-Year Term, With Three One-Year Options To Extend, With
 (1) CSG Consultants, Inc., And (2) TRB+ Associates, Inc.
 <u>15-1255</u>

#### This City Resolution was Adopted.

**S 7.37** Subject: Pilot Project to Modify Library Fines & Fees for Oakland Youth From: Oakland Public Library Recommendation: Adopt An Ordinance Authorizing The City Administrator And Director Of Library Services, As Part Of A One Year Pilot Project, To Modify The Oakland Public Library Fines And Fees Affecting Youth (18 Years-Old And Under) In Order To Reduce A Substantial Barrier To Library Use By Oakland Students <u>15-1264</u>

## This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the \* Special Meeting of the Oakland City Council

- **S 7.38** Subject: 2016-2017 Tandem Partners Book Bag Program
  - From: Human Services Department

Recommendation: Adopt A Resolution Waiving Advertising, Bidding, And Request For Proposals/Qualifications Requirements For An Agreement With Tandem Partners In Early Learning To Provide Books, Learning Materials, And Ongoing Training And Technical Support For A Book Bag Rotation Program For The Head Start/Early Head Start Program In An Amount Not To Exceed \$5,000 For The Program Year 2016-2017 Contingent Upon Adoption And Fund Availability Of Fiscal Year 2016-2017 Head Start Grant Funds.

<u>15-1268</u>

#### **S 7.39** Subject: 2016-2017 Head Start/Early Head Start Program

Human Services Department From: Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1. Accept And Appropriate Head Start Basic And Training And Technical Assistance, Early Head Start Basic And Training And Technical Assistance Grants For A Five-Year Period From 2016 Through 2021 From The U.S. Department Of Health And Human Services, Administration For Children And Families, Office Of Head Start, With The First Installment (For FY 2016- 2017) In An Estimated Amount Of \$16,702,952; And 2. Enter Into Grant Agreements With The Following Partners To Fund Comprehensive Child Development Services From July 1, 2016 To June 30, 2017 In Amounts Not To Exceed: Unity Council \$4,488,924; Brighter Beginnings \$720,000; St. Vincent's Day Home \$214,800; Peralta Community College District-Laney College Children's Center (Laney College) \$48,000; Oakland Unified School District \$120,000; University Of California San Francisco (USCF) Benioff Children's Hospital Oakland \$9,000; And 3. Accept And Appropriate Additional Federal Grant Funding If It Becomes Available During The Same Grant Term And Amend The Grant Agreements With Unity Council, Brighter Beginnings, St. Vincent's Day Home, Laney College, Oakland Unified School District, And USCF Benioff Children's Hospital Oakland, Without Returning To Council 15-1267

#### This City Resolution was Adopted.

**S 7.40** Subject: Innovative Interfaces Contract Renewal

From: Oakland Public Library

Recommendation: Adopt A Resolution Waiving Advertising, Bidding And Request For Proposals/Qualifications Requirements, And Authorizing The City Administrator To Execute An Agreement With Innovative Interfaces, Inc. For The Upgrade Of The Integrated Library System, Including New Computer Hardware And Software In An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000), And For Maintenance Services For A Five Year Term In An Amount Not To Exceed Seven Hundred Thousand Dollars (\$700,000), For A Grand Total Contract Amount Of One Million Fifty Thousand Dollars (\$1,050,000) 15-1266

 S 7.41 Subject: Child and Adult Care Food Program (CACFP) for Fiscal Year 2016-2017 From: Human Services Department Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education In An Estimated Amount Of \$545,000, Included In The Fiscal Year (FY) 2015-2017 Adopted Budget To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start/Early Head Start Program From July 1, 2016 Through June 30, 2017 <u>15-1269</u>

#### This City Resolution was Adopted.

- **S 7.42** Subject: Graffiti Abatement Funds Allocation
  - From: President Pro Tem Larry Reid

Recommendation: Adopt A Resolution Authorizing The Use Of Graffiti Abatement Mural And Green Walls Funds In The Amount Of \$25,000 Out Of Council District 7 Grafitti Abatement Funds, As Established And Commonly Referred As The "Grafitti Abatement Mural And Green Walls Fund", Which Has An Allocation Of \$400,000 For Councilmembers To Award At Their Discretion, Subject To Council Approval, To Deter Illegal Grafitti In Their Respective Districts, For Additional Effective Abatement And Deterrence Methods To Deter Illegal Graffiti 15-1272

#### This City Resolution was Adopted.

 S 7.43 Subject: California State Preschool Program (CSPP) for Fiscal Year 2016-2017 From: Human Services Department Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept The California State Preschool Program Expansion Grant From The California Department Of Education (CDE) In An Amount Of \$1,031,308 To Fund Prekindergarten And Family Literacy Services In Accord With Said Grant From July 1, 2016 To June 30, 2017 15-1275

#### This City Resolution was Adopted.

- **S 7.44** Subject: OUSD Use of City Hall Agreement
  - From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Oakland Unified School District For Use Of City Hall Facilities For Purposes Of Conducting Twice-Monthly Board Meetings For A One Year Period

<u>15-1278</u>

This City Resolution was Withdrawn and Rescheduled.to the \* Special Meeting of the Oakland City Council

**S 7.45** Subject: OUSD Use Of City Hall Agreement From: Office Of The City Administrator Recommendation: Adopt An Ordinance Waiving Facility Rental Fees For Oakland Unified School District Use Of City Hall Facilities For Purposes Of Conducting Twice-Monthly Board Meetings For A One Year Period <u>15-1308</u>

This City Resolution was Withdrawn and Rescheduled.to the \* Special Meeting of the Oakland City Council

 S 7.46 Subject: Abode Services Grant Agreement 2016-2017
 From: Department Of Human Services
 Recommendation: Adopt Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Abode Services In An Amount Not To Exceed \$116,000 For Housing Case Management Services From August 1, 2016 To June 30, 2017 With A One Year Option To Renew
 15-1236

#### This City Resolution was Adopted.

**S 7.47** Subject: Employer Engagement and Training and Technical Assistance Consultant Contracts for Oakland Unite Violence Prevention and Intervention Provider Network 2016-2017

From: Human Services Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With: (1) Urban Strategies Council, In An Amount Not To Exceed \$100,000, To Provide Employer And Training Partner Engagement Services To Support The Hiring Of Oakland Unite Participants From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$200,000; (2) Pathways Consultants, In An Amount Not To Exceed \$30,000, To Provide Employer Engagement Services To Support The Hiring Of Oakland Unite Participants From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$50,000; And (3) Bright Research Group, In An Amount Not To Exceed \$250,000, To Plan And Deliver Training And Technical Assistance To Oakland Unite Grantees, From July 1, 2016 To June 30, 2017 With A One-Year Option To Renew For A Total Amount Not To Exceed \$500,000

<u>15-1237</u>

#### **S 7.48** Subject: Vegetation Management Plan Consulting Contract

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into A Professional Services Agreement With Horizon Water And Environment, LLC, For Three Years In An Amount Not To Exceed Six Hundred And Fifty Thousand Dollars (\$650,000.00) For Services Relating To The Development Of A Vegetation Management Plan And Accompanying California Environmental Quality Act (CEQA) Documentation For The Oakland High Fire-Severity Zone/Wild Land Urban Interface ("WUI") Areas, With The Option To Increase The Contract Amount For Additional Services, Without Return To Council, Based On Availability Of Project Funds

<u>15-1240</u>

#### This City Resolution was Adopted.

- **S 7.49** Subject: 2016 Ceasefire Evaluation Contract
  - From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: 1) Enter Into A Professional Services Agreement With Northeastern University, And Its Sub-consultant Yale University, For The Period Of August 1,2016 Through July 31, 2018 In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000), For A Process And Impact Evaluation Of The Oakland Police Department's (OPD) Ceasefire Strategy; And 2) Waive The Local And Small Business Enterprise Programs (L/SLB) Provisions For The Purchase Of Professional Services <u>15-1257</u>

#### This City Resolution was Adopted.

- **S 7.50** Subject: Citizens Options for Safety Grant FY 2015-16
  - From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate The FY 2015-16 State Of California Citizens Options For Public Safety Grant (State Cops Grant XVIII) In The Amount Of Six Hundred Forty-One Thousand Eight Hundred Twelve Dollars (\$641,812) To Fund Equipment, Human Trafficking Operations And Ceasefire Operations For The Oakland Police Department (OPD) In Accordance With The State Cops XVIII Spending Plan

<u>15-1258</u>

 S 7.51 Subject: OPD Oak Knoll Access Agreement From: Oakland Police Department Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Revocable Right Of Entry Agreement With Suncal Oak Knoll, LLC And Oak Knoll Acquisitions Venture, LLC, For Oakland Police Department (OPD) Personnel Training Purposes <u>15-1256</u>

#### This City Resolution was Adopted.

 S 7.52 Subject: Oakland Public Library-Oakland Unified School District Joint Memo of Understanding for Student ID/Library Card From: Oakland Public Library Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding With The Oakland Unified School District To Develop An Infrastructure That Will Allow OUSD Students To Easily Access And Use The Oakland Public Library's Electronic And Print Resources Freely Through The Use Of A Joint Student ID/Library Card Known As The Oakland Promise Card 15-1265

#### This City Resolution was Adopted.

 S 7.53 Subject: FY15-16 Cultural Funding Grants Amendment From: Economic And Workforce Development Recommendation: Adopt A Resolution Amending Resolution No. 85820 C.M.S. Which Authorized Fiscal Year 2015-2016 Cultural Services Grants, To Correct The Name Of Art-In-The-Schools Grantee From Arc Associates To Unity Schools <u>15-1277</u>

#### This City Resolution was Adopted.

 S 7.54 Subject: Glenview Elementary Reconstruction Crossing Guard Funding Grant From: Oakland Police Department Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate A Grant From The Oakland Unified School District (OUSD), In An Amount Not To Exceed Two Hundred Thousand Five Hundred Twenty Nine Dollars (\$201,532), To Fund Four Oakland Police Department (OPD) Crossing Guards, To Support Pedestrian Safety At Glenview Elementary School And Edna Brewer Middle School From August 1, 2016 To August 30, 2018 During The Reconstruction Project 15-1271

 S 7.55 Subject: Appointments- Privacy Advisory Commission.
 From: Office Of The Mayor Recommendation: Adopt A Resolution Confirming The Appointment Of Yaman Sahali As A Member Of The Privacy Advisory Commission.
 <u>15-1309</u>

#### This City Resolution was Adopted.

S 7.56 Subject: Appointments-The Commission On Aging
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
 Martha B. Scott And Michael B. Coleman As Members Of The Commission On Aging
 <u>15-1311</u>

#### This City Resolution was Adopted.

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

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

#### 9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

 9.1 Subject: Fruitvale Transit Village 2A - Removal of Development Partner From: Economic And Workforce Development Recommendation: Adopt An Emergency Ordinance Pursuant To Charter Section 213 Amending Ordinance No. 13346 C.M.S. And Approving (1) The Removal Of L & M Development Partners, Inc. From The Development Team Of The Fruitvale Transit Village Phase IIA, A Mixed Income Housing Project ("Project"), And As A Party To All Related Documents And (2) Retaining The Spanish Speaking Unity Council Of Alameda County, Inc. And The East Bay Asian Local Development Corporation, Or Any Related Entity, As The Development Team Of The Project And As Parties To All Related Documents And Authorizing The City Administrator Or Designee To Negotiate, Amend And Execute All Necessary Documents, And Adopting CEQA Exemptions

<u>15-1293</u>

#### A motion was made by Gallo, seconded by Reid, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

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

### AT THIS TIME, THE MEETING OF THE OAKLAND/LEONA QUARRY GHAD SHALL BE CONVENED 6:42 p.m.

10 Subject: Resolution To Approve Revised Oakland Area GHAD Plan Of Control For The Siena Hill Development (No. 10) From: Geologic Hazard Abatement District (GHAD) Recommendation: Adopt A Resolution To Approve The Revised Oakland Area GHAD Plan Of Control For The Siena Hill Development (No. 10) Declare The GHAD's Intent To Order A Revised Assessment For The Siena Hill Development And Set A Date For A Public Hearing To Consider The Proposed Assessment And Any Protests Thereto (No. 11). <u>15-1295</u>

#### This City Resolution be Adopted.

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

### AT THIS TIME, THE MEETING OF THE OAKLAND AREA/LEONA QUARRY GHAD WILL BE ADJOURNED 6:48

Police Commission Charter Amendment Measure 11 Subject: From: Councilmembers Noel Gallo And Dan Kalb Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 8, 2016 Statewide General Election 1) A Proposed Amendment To The City Charter To Create The Oakland Police Commission, The Community Police Review Agency, And A Process For Police Discipline And 2) A Proposed Enabling Ordinance Relating To The Oakland Police Commission And The Community Police Review Agency, And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election 15-1035

> This City Resolution was Continued.to the \* Special Meeting of the Oakland City Council to be heard 7/26/2016

12 Subject: Ordinance Amending Chapter 8.22, Article I (Rent Adjustment) Councilmembers Kalb, Gibson McElhaney and Guillen From: Recommendation: Adopt An Ordinance Amending Chapter 8.22, Article I (Rent Ajustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Substantially Rehabilitated Properties; (2) Require That Owners File Petitions For Rent Increases In Excess Of The Annual Consumer Price Index Increase (3) Change The Amortization Period For Capital Improvements To That Of The Useful Life Of The Improvement; (4) Clarify That Certain Types Of Work Are Not Capital Improvements; (5) Amend Timelines For Filing Petitions: (6) Require Owners To Pay Interest On Security Deposits; And (7) Amending Chapter 8.22, Article Iv To Permit Tenants To Choose To Pay Their Portion Of The Program Fee Either In A Lump Sum Or In Six Monthly Installments 15-1226

> The council approved the ordinance upon introduction with the following amendments: 1) Change the staff to rent board on page 4 2) Page 8 8.22.060 2/1/2017 3) Page 14 Section 4 2/1/2017

This item did not meet the all noticing requirements to be heard at the Special Council Meeting of July 26, 2016 and was scheduled for final passage at the Septmeber 20, 2016 City Council Meeting.

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

Abstained: 1 - Brooks

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

13 Subject: Renter Protection Act of 2016 (Rent and Eviction Ordinance Amendments Ballot Measure) From: Councilmember Rebecca Kaplan Recommendation: 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 li (8.22.300, Et Seq.) To (2) Modify The New Construction Exemption To Apply To Units Constructed After January 1, 1995, (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 Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 8, 2016 Statewide General Election

#### <u>15-1197</u>

The council amendments included the following:
1) Units after 12/31/1995 page 5, section 9
2) Revise the ballot question
3) Revise the resolution ballot title

This City Resolution be Adopted as Amended.

**14** Subject: Adoption Of Legislation To Place An Infrastructure Bond On The November 2016 Ballot

From: Office of City Administrator

Recommendation: 1) Adopt A Resolution On The City Council's Own Motion Submitting To The November 8, 2016 Statewide General Election, A Proposed Ordinance To Authorize Issuance Of \$600 Million General Obligation Bonds To Fund Various City Infrastructure And Affordable Housing Projects; 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; Action Taken In Reliance On Previously Certified Environmental Impact Reports And CEQA Exemptions Without Limitation, CEQA Guidelines 15162,15183,15183.3 And 15378 [TITLE CHANGE]

<u>15-1174</u>

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

- Aye: 7 Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Gibson McElhaney, and Reid
- No: 1 Brooks

2) Recommendation: Direct The City Administrator To Expedite The Analysis Required By Article 14.16 Of The SEIU Local 1021 Memorandum of Agreement (Reviewing the Capital Improvement Plan To Identify Work That May Be Completed By Represented Employees In Lieu Of Contracting Out Such Work), Focusing First On The Types Of Work Anticipated To Be Funded By The Infrastructure Bond And Complete That Element Of The Analysis By October 14, 2016. **15-1312** 

#### This Report and Recommendation be Accepted.

 3) Direct The City Administrator To Prepare The Affordable Housing Bond Law Ordinance, Consistent With The Anti-Displacement And Affordable Housing Framework, For Adoption By City Council
 15-1313

#### This Report and Recommendation be Accepted as Amended.

**15** Subject: RAP Fee Increase

From: Council President Gibson McElhaney, President Pro Tem Reid and Vice Mayor Campbell Washington

Recommendation: Adopt An Ordinance Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule) To Increase The Rent Program Service Fee From \$30 Per Unit To \$68 Per Unit

<u>15-1299</u>

The item was approved as amended to include the \$68 increase, with an assessment of where we need to be in the future

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

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

No: 2 - Gallo, and Kaplan

#### S 16 Subject: BRT Business Assistance Fund Guidelines-Supplemental Report From: Housing And Community Development Recommendation: Adopt A A Resolution To 1) Approve Eligibility Criteria And Disbursement Guidelines For The Business Assistance And Sustainability Fund And To Authorize The City Administrator, Without Returning To City Council, To Disburse Said Funds In The Form Of Grants Not-To-Exceed \$100,000 Per Eligible Business Based Upon The Approved Eligibility Criteria And Disbursement Guidelines; And 2) To Renegotiate The Terms And Allocation Of A \$2,000,000 Business Technical Assistance Grant From Ac Transit 15-1259

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

- Aye: 8 Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Gibson McElhaney, and Reid
- Subject: Resolution Urging Bay Area Air Quality Management District (BAAQMD) Board Of Directors To Adopt The Refinery Emission Limits
   From: Councilmembers Kalb And Kaplan
   Recommendation: Adopt A Resolution Urging Bay Area Air Quality Management
   District (Baaqmd) Board Of Directors To Adopt The Refinery Emission Limits Detailed
   In The Community-Worker Alternative To Rule 12-16 To Ensure Community And
   Refinery Worker's Health And Safety
   <u>15-1306</u>

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

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

#### CONTINUATION OF OPEN FORUM

#### ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Council adjourned the meeting at 1:47 a.m

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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.