



# City of Oakland

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

## Meeting Agenda - 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>

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Tuesday, February 21, 2017

5:30 PM

City Council Chamber, 3rd Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

*COUNCILMEMBERS: Desley Brooks, District 6; Vice Mayor Annie Campbell Washington, District 4; Noel Gallo, District 5; President Pro Tempore Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large; Council President Larry Reid, District 7; Lynette Gibson McElhaney, District 3*

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

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

- 4.1** Subject: Honorarium For Gregory Chan Of EBMUD  
From: President Pro Tem Guillén, Council President Reid, Councilmember Kalb  
And Mayor Schaaf  
Recommendation: Adopt A Resolution Honoring Gregory L. Chan For Exemplary  
Service To The Oakland Community  
[16-0628](#)

**Sponsors:** Guillén, Larry Reid, Dan Kalb and Libby Schaaf

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

**Legislative History**

1/26/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>Councilmember Kalb requested to be added as a sponsor for this item. Council President Reid will also be listed as a sponsor.</i>
2/2/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 4.2** Subject: Honoring The McClymonds High School Warriors  
From: Councilmember Gibson McElhaney  
Recommendation: Adopt A Resolution Honoring The McClymonds High School  
Warriors For Winning The California Interscholastic Federation Division 5A  
Championship  
**16-0685**

**Sponsors:** Gibson McElhaney

**Legislative History**

2/2/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 4.3** Subject: Resolution Honoring The Bishop O'Dowd Football Team (2016 Champions)  
From: Council President Reid  
Recommendation: Adopt A Resolution Honoring And Recognizing The 2016 Bishop  
O'Dowd Boys Football Team For Winning The 2016 California Interscholastic  
Federation (CIF) -State Division 5-AA Championship  
**16-0689**

**Sponsors:** Mr. Reid

**Legislative History**

2/2/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF FEBRUARY 7,  
2017  
**16-0695**

**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:**

**7.1** Subject: Declaration Of 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  
**16-0699**

Sponsors: Office Of The City Attorney

**7.2** Subject: 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  
**16-0700**

Sponsors: Office Of The City Attorney

**7.3** Subject: Plug In Electrical Vehicle Readiness Code Update  
From: Oakland Public Works Department  
Recommendatio: Adopt An Ordinance Adopting Local Amendments To Sections  
4.106.4 And 5.106.5.3 Of The 2016 Edition Of The California Green Building  
Standards Code And Amending Oakland Municipal Code Chapter 15.04 To Include  
New Requirements For Plug-In Electric Vehicle Infrastructure To Comply With  
Changes To State Law And Adopting CEQA Exemption Findings  
[16-0370](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF  
THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 7, 2017; (VOTE).*

**Legislative History**

10/27/16	*Rules & Legislation Committee	Scheduled to the *Special Community & Economic Development Committee
11/15/16	* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community & Economic Development Committee	* Withdrawn and Rescheduled to the * Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community & Economic Development Committee

12/6/16	* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community & Economic Development Committee <i>Councilmember Kaplan arrived at 1:16 p.m.</i>	* Withdrawn and Rescheduled to the *Community & Economic Development Committee
1/12/17	*Rules & Legislation Committee  <i>The agenda item 9.1 on the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council Agenda of 1/17/2017 has been withdrawn and rescheduled to the City Council meeting on 02/07/2017.</i>	* Withdrawn and Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
1/12/17	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
1/24/17	*Community & Economic Development Committee	Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council
2/7/17	Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>One individual spoke on this item.</i>	Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>Councilmember Kalb made a motion, seconded by Council President Reid, to close the Public Hearing, and hearing no objections, the motion passed by X Ayes: Brooks, Campbell Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid</i>	

**7.4** Subject: Contract Agreement For Anne Kirkpatrick As Oakland Police Chief  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For Chief Of Police And The City Administrator  
[16-0661](#)

**Sponsors:** Office Of The City Administrator  
*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.*

*INTRODUCTION (First Reading) WAS PASSED ON FEBRUARY 7, 2017; (VOTE).*

**Legislative History**

1/26/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
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**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:**

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

**10 THIS NUMBER INTENTIONALLY NOT USED**

- 11** Subject: Council President Appointments To Council Committees For 2017-2019  
From: Council President Reid  
Recommendation: Adopt A Resolution Pursuant To The Council's Rules Of Procedure  
(Resolution No. 86034 C.M.S.) To Confirm The City Council President's Appointments  
Of The Members And Chairpersons Of The Public Works, Finance And Management,  
Community And Economic Development, Life Enrichment, Public Safety, Rules And  
Legislation, And Education Partnership Committees Of The City Council  
[16-0600](#)

**Sponsors:** Larry Reid

**Legislative History**

1/12/17	*Rules & Legislation Committee	Scheduled to the *Rules & Legislation Committee
1/26/17	*Rules & Legislation Committee <i>as a scheduling item.</i>	* Withdrawn and Rescheduled to the *Rules & Legislation Committee
2/2/17	*Rules & Legislation Committee	Scheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

- 12** Subject: Informational Report On Unpermitted Residences In Commercial Spaces  
From: Councilmember Gibson McElhaney, Council President Reid, and  
Councilmember Gallo  
Recommendation: Receive An Informational Report From The City Administrator  
Examining The Issue Of Residents Living In Unpermitted Commercial Or Industrial  
Spaces Which Includes Information On Health And Safety Risks, A Review Of  
Potential Policy Responses, And An Analysis Of Options To Create A Pathway To  
Legal Occupancy That Reduces The Risk Of Displacing Current Residents  
[16-0519](#)

**Sponsors:** Gibson McElhaney, Mr. Reid and Gallo

**Legislative History**

12/8/16      \*Rules & Legislation      Scheduled to the Concurrent Meeting of the  
Committee      Oakland Redevelopment Successor  
Agency and the City Council

*This item and item 3 on the dais were discussed together.*

*Councilmember Kalb requested that Councilmember Kaplan be added to his request and to keep their request separate from the request submitted by Council President Gibson McElhaney, President Pro Tempore Reid and Councilmember Gallo.*

- 13**      Subject:      Displacement Prevention And Safe Habitation  
From:      Councilmember Dan Kalb  
Recommendation: Direct The City Administrator To Return To The Council With And Informational Report, Including Options For Budgetary And Policy Actions, On The Following: (1) Examination Of Best Practices From Other Jurisdictions That Prevent Resident Displacement While Addressing Building Safety; (2) Examination Of The Challenges Facing Oakland Based Artists Vis-À-Vis Living And Workspaces And Ways That The City Can Provide Assistance And Prevent Displacement; (3) Volume Of Work And Staffing Needs Relating To Code Enforcement As It Relates To Habitability And Fire Safety; (4) Volume Of Work And Staffing Needs Relating To The Fire Department As It Relates To Responsibilities Of The Fire Marshall, Commercial Fire Inspection Requirements, And Fire Prevention

[16-0522](#)

Legislative History

12/8/16      \*Rules & Legislation      Scheduled to the Concurrent Meeting of the  
Committee      Oakland Redevelopment Successor  
Agency and the City Council

*This item and item 4.5 were discussed together.*

*Councilmember Kalb requested that Councilmember Kaplan be added to his request and to keep their request separate from the request submitted by Council President Gibson McElhaney, President Pro Tempore Reid and Councilmember Gallo.*

**CONTINUATION OF OPEN FORUM**

**ADJOURNMENT OF COUNCIL SESSION**

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

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

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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.