



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 Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

Tuesday, December 11, 2018

5:30 PM

City Council Chamber, 3rd Floor

**PURSUANT TO THE BROWN ACT, AT 1:42 A.M. THE CITY COUNCIL CONTINUED THIS
MEETING TO FRIDAY DECEMBER 14, 2018, AT 11:00 A.M.**

**ON DECEMBER 14, COUNCIL WILL CONSIDER ITEMS S7.37, 8, LISTED PUBLIC
HEARINGS, 12, 13, 14 AND 15.**

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

Excused 1 - Desley Brooks

Present 7 - Annie Campbell Washington, Noel Gallo, Lynette McElhaney, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

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

There were 18 speakers on this item

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

*Councilmember Kalb took a point of personal privilege and requested that the
meeting be adjourned in memory of Bernstein Pittman*

- 4.1** Subject: Indigenous People's Day
From: Councilmember Gallo
Recommendation: Adopt A Resolution Establishing Indigenous People's Day In The City
Oakland
[18-1041](#)

Attachments: [View Report](#)
[View Report](#)
[87436 CMS](#)

There were 7 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

- 4.2** Subject: Recognizing Patricia "Pat" Sierra
From: Councilmember Gallo
Recommendation: Adopt A Resolution Remembering And Honoring Administrative Services Manager Patricia "Pat" Sierra For 34 Years Of Dedicated Service To The Residents Of Oakland
[18-1081](#)

Attachments: [View Report](#)

[View Report](#)

[87437 CMS](#)

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

Excused: 1 - Brooks

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

NO VOTE: 0

4.3 The Item Regarding the "Resolution Honoring Martin Tovar" was removed by the December 6, 2018 Rules And Legislation Committee

- S4.4** Subject: Honoring Dr. Bertram Lubin
From: Vice Mayor Campbell Washington And Councilmember McElhaney
Recommendation: Adopt A Resolution Honoring Dr. Bertram Lubin On His Retirement From Children's Hospital Oakland And His Extraordinary Dedication To Oakland's Children
[18-1200](#)

Attachments: [View Report](#)

[87438 CMS](#)

There were 2 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

S4.5 Subject: Resolution Recognizing Katano Kasaine
From: President Reid And Pro Tem Guillen
Recommendation: Adopt A Resolution Recognizing And Honoring Finance Director
Katano Kasaine For Receiving The 2018 Freda Johnson Award For Trailblazing Women
In Public Finance
[18-1191](#)

Attachments: [View Report](#)

[View Report](#)

[87439 CMS](#)

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

Excused: 1 - Brooks

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

NO VOTE: 0

S4.6 Subject: Honoring Brenda Roberts
From: Office Of The Mayor
Recommendation: Adopt A Resolution Honoring Brenda Roberts For Her Four Years Of
Exemplary Service To The People Of Oakland As The Distinguished Auditor Of The City
Of Oakland
[18-1204](#)

Attachments: [View Report](#)

[87440 CMS](#)

There were 6 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

S4.7 Subject: Honoring Councilmember Annie Campbell Washington
From: Office Of The Mayor And Council President Reid
Recommendation: Adopt A Resolution Honoring Councilmember Annie Campbell Washington For Her Four Years Of Exemplary Service To The People Of Oakland As A Distinguished Member Of The Oakland City Council
[18-1195](#)

Attachments: [View Report](#)
[87441 CMS](#)

There were 4 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

S4.8 Subject: Honoring Councilmember Abel Guillén
From: Office Of The Mayor And Council President Reid
Recommendation: Adopt A Resolution Honoring Councilmember Abel Guillen For His Four Years Of Exemplary Service To The People Of Oakland As A Distinguished Member Of The Oakland City Council
[18-1196](#)

Attachments: [View Report](#)
[87442 CMS](#)

There were 8 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

- S4.9** Subject: Honoring Council Member Desley Brooks
From: Council President Reid And Councilmember McElhaney
Recommendation: Adopt A Resolution Honoring Councilmember Desley Brooks For Her
16 Years Of Exemplary Service To The People Of Oakland As A Distinguished Member
Of The Oakland City Council
[18-1201](#)

Attachments: [View Report](#)
[87443 CMS](#)

There were 40 speakers on this item.

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

Excused: 1 - Brooks

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

Absent: 1 - Campbell Washington

NO VOTE: 0

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF NOVEMBER 27,
2018 AND DECEMBER 4, 2018
[18-1170](#)

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

This Report and Recommendation be Approved.

- 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):

*Councilmember Guillen also requested that items 13 and 14 be heard together.
Councilmember Gallo made a motion, seconded by Councilmember Kaplan to
make the following modifications to the agenda.*

There were 27 speakers on this item

Subject: 12th Street Remainder DDA Amendment
From: Economic And Workforce Development Department
Recommendation Adopt An Ordinance To Amend Ordinance 13382 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And The Development Team Composed Of Lakehouse Commons, LLC And Lakehouse Commons Affordable Housing, LP To (1) Extend The Closing Date And Related Outstanding Performance Benchmarks And (2) Increase City Seller Financing To Include Fifty Percent Of The Land Sales Price Attributable To The Market Rate Project [18-1179](#)

Attachments: [View Report](#)
[13514 CMS](#)

moved to the non-consent calendar

This Ordinance be * Withdrawn and Rescheduled.to go before the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council to be heard 12/11/2018

Subject: OPD-US Marshals MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Understanding (MOU) With The United States Marshals Service (USMS) To Allow Oakland Police Department (OPD) Participation In The Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating And Apprehending Fugitives
[18-1119](#)

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[View Supplemental Report 11-29-2018](#)

This item was withdrawn and rescheduled to the next City Council meeting

This City Resolution be Withdrawn and Rescheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

Subject: Probation and Parole Search Policy
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Regarding Oakland Police Department General Order R-02, Searches Of Individuals On Probation Or Parole
[18-1138](#)

Attachments: [View Report 11-29-2018](#)
[View Supplemental Report 11-29-2018](#)

- 11 Subject: Results Of The November 6, 2018 General Municipal Election
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland
General Municipal Election Held On Tuesday, November 6, 2018
[18-1104](#)

Attachments: [View Report](#)
[87482 CMS](#)

There was a motion by Councilmember Kalb, seconded by Councilmember Gallo to approve the resolution, certifying the results as measure AA as passed with the following amendments:

The final round votes cast for the candidates for the Office of Councilmember, District 4 are as follows:

| | | |
|----------------------|--------|--------|
| Charlie M. Michelson | 0 | 0.00% |
| Joseph E. Simmons | 0 | 0.00% |
| Sheng Thao | 11,736 | 54.09% |
| Pamela Harris | 9,960 | 45.91% |
| Joseph E. Tanios | 0 | 0.00% |
| Nayeli M. Maxson | 0 | 0.00% |
| Francis M. Hummel | 0 | 0.00% |

The final round votes cast for the candidates for the Office of Councilmember, District 6 are as follows:

| | | |
|----------------------------|-------|--------|
| Loren M. Taylor | 9,858 | 64.26% |
| Desley Brooks | 5,483 | 35.74% |
| Natasha Middleton | 0 | 0.00% |
| Maria L. "Mario" Rodriguez | 0 | 0.00% |
| Mya Whitaker | 0 | 0.00% |

Measure V

| | |
|----------------------|------------------|
| For the Measure: | 122,628 (Passed) |
| Against the Measure: | 31,008 |

Measure W

| | |
|---------------------|------------------|
| For the Measure: | 109,504 (Passed) |
| Against the Measure | 46,849 |

Measure X

| | |
|----------------------|------------------|
| For the Measure: | 105,301 (Passed) |
| Against the Measure: | 46,256 |

Measure Z

| | |
|----------------------|------------------|
| For the Measure: | 116,980 (Passed) |
| Against the Measure: | 36,350 |

A motion was made by Dan Kalb, seconded by Noel Gallo, that this matter be

Adopted as Amended. The motion carried by the following vote:

Excused: 1 - Brooks

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

No: 1 - McElhaney

NO VOTE: 0

- 7.11** Subject: Settlement- S.P.W 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 S.P.W. V. City Of Oakland, Et Al, U.S. District Court, Northern District Of California Case No. C-17-6884-Sk, In The Amount Of Sixty Thousand And No Cents (\$60,000.00) As A Result Of A Civil Rights Violation On November 16, 2016 (Oakland Police Department - Civil Rights Violation)
[18-1185](#)

Attachments: [View Report](#)
[87450 CMS](#)

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

Excused: 1 - Brooks

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

Absent: 1 - Reid

NO VOTE: 0

7 CONSENT CALENDAR (CC) ITEMS:

There were 108 speakers on this item

Approval of the Consent Agenda

A motion was made by McElhaney, seconded by Guillén, to approve the Consent Agenda. The motion carried by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

- 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
[18-1171](#)

Attachments: [View Report](#)
[87444 CMS](#)

- 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
[18-1172](#)

Attachments: [View Report](#)
[87445 CMS](#)

This City Resolution was Adopted.

- 7.3 Subject: Ohlone Recognition Resolution
 From: Councilmember Kaplan
 Recommendation: Adopt A Resolution Of The City Of Oakland, Recognizing And
 Supporting The Lisjan Ohlone Tribe, And Urging The State And Federal Government To
 Formally Recognize The Lisjan Ohlone Tribe Of California, The First People To Live In
 Huichin (Oakland)
[18-1006](#)

Attachments: [View Report](#)
[87446 CMS](#)

This City Resolution was Adopted.

- 7.4** Subject: The Oakland Sanctuary City Ordinance
 From: Office Of The City Administrator
 Recommendation: Adopt An Ordinance Amending Resolution Numbers 63950, 80584
 And 86498 In Order To Strengthen The Sanctuary City Policy Of The City Of Oakland Not
 To Cooperate With Or Provide Support For Federal Immigration Agencies, Based Upon
 Resolution 87036
 [18-0972](#)

Attachments: [View Revised Report 10-19-2018](#)

**This Ordinance was Approved On Introduction and Scheduled for Final Passage.
to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency
and the City Council to be heard 12/15/2018**

- 7.5** Subject: (“Salary Ordinance”) To Increase The Salary Of The City Attorney
 From: Human Resource Management Department
 Recommendation: Adopt An Ordinance Amending Ordinance No. 12187 C.M.S. (“Salary
 Ordinance”) To Increase The Salary Of The City Attorney
 [18-1162](#)

Attachments: [View Report](#)
 [13510 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: MOU Between OPOA And OPMA To Amend Salary Schedule Ordinance
 From: Human Resources Management Department
 Recommendation: Adopt The Following Pieces Of Legislation

1) An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S. (The Salary Ordinance) To Provide Wage Increase To Represented Employees In Representation Units PP1 And PT1 Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Officers Association As Follows: Increase Of 0% Effective July 2019; Increase Of 2.5% Effective The First Pay Period In July 2020; An Increase Of 3% Effective The First Pay Period In July 2021; An Increase Of 3.5% Effective The First Pay Period In July 2022; And An Increase Of 3.5% Effective The First Pay Period In July 2023; And
[18-1166](#)

Attachments: [View Report](#)
 [13511 CMS](#)

**A motion was made that this matter be Approved for Final Passage. The motion
carried by the following vote:**

Excused: 1 - Brooks

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

No: 1 - Kaplan

NO VOTE: 0

2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Provide Wage Increases To The Salaries Of Certain Sworn Employees Pursuant To The Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association And The Unrepresented Chief Of Police, Assistant, And The Unrepresented Salary Range Of The Chief Of Police; The Wage Increases Shall Be As Follows: Increase Of 0% Effective July 2019; Increase Of 2.5% Effective The First Pay Period In July 2020; Increase Of 3% Effective The First Pay Period In July 2021; Increase Of 3.5% Effective The First Pay Period In July 2022; And Increase Of 3.5% Effective The First Pay Period In July 2023.

[18-1168](#)

Attachments: [View Report](#)

[13512 CMS](#)

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

Excused: 1 - Brooks

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

No: 1 - Kaplan

NO VOTE: 0

7.7 Subject: Rezoning Of Three Vacant Parcels At 601 MacArthur Boulevard
From: Planning And Building Department
Recommendation: Adopt An Ordinance To Rezone Three Vacant Parcels Located At 601 Macarthur Boulevard From RM-3 Mixed Housing Type Residential Zone To RU-2 Urban Residential Zone And To Adopt Related California Environmental Quality Act (CEQA) Findings

[18-1088](#)

Attachments: [View Report](#)

[13513 CMS](#)

This Ordinance was Approved for Final Passage.

- 7.8** Subject: AC-OCAP Annual Report And 2019 CSBG Resolution
 From: Human Services Department
 Recommendation: Adopt The Following Pieces Of Legislation;

1) Receive An Informational Report From The Alameda County-Oakland Community Action Partnership (AC-OCAP) Annual Report; And
[18-1180](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

2) A Resolution: 1. Authorizing The City Administrator To Accept A Renewal Grant In The Amount Of \$1,354,323 In Antipoverty Community Services Block Grant (CSBG) Funds For 2019 From The California Department Of Community Services And Development (CSD), And Amend The Appropriation In The FY2018-19 Amended Midcycle Budget; 2. Authorizing The City Administrator To Accept Additional Grant Funds From CSD For The Same Purpose Within The 2019 Term, Without Returning To Council; And 3. Authorizing A Contribution From The General Purpose Fund In An Amount Equivalent To The Department's Central Services Overhead Charges Estimated At \$98,980
[18-1181](#)

Attachments: [View Report](#)
 [87447 CMS](#)

This City Resolution was Adopted.

- 7.9** Subject: Amending SAMHSA Oakland ReCAST Grant Resolution
 From: Human Services Department
 Recommendation: Adopt A Resolution Amending Resolution No. 86999 C.M.S., Which Authorized The City Administrator Under The Federal Health And Human Services Substance Abuse And Mental Health Administration (SAMHSA) Recast Grant To Enter Into Grants And Professional Service Agreements From September 30, 2017 Through September 29, 2021, To Authorize The City Administrator To Amend The Grant Agreements To Increase Or Adjust The Amounts So Long As The Total Does Not Exceed SAMHSA Recast Grant Funding
[18-1183](#)

Attachments: [View Report](#)
 [87448 CMS](#)

This City Resolution was Adopted.

- 7.10** Subject: Appointment To Lead Poisoning Prevention Board
 From: President Reid
 Recommendation: Adopt A Resolution Appointing Councilmember Lynette Gibson McElhaney To The Board Of Trustees Of The Lead Poisoning Prevention Program Joint Powers Authority And Director William Ghilchrist As The Official Alternate For Councilmember McElhaney For Terms Commencing January 1st, 2019 And Ending December 31st, 2020
[18-1184](#)

Attachments: [View Report](#)
 [87449 CMS](#)

This City Resolution was Adopted.

- 7.12** Subject: Bicyclist And Pedestrian Advisory Commission
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Reginald K. Burnett Jr. And Appointment Of Jesse Jones, Fred "Phoenix" Mangrum, And Zachary Norris To The Bicyclist And Pedestrian Advisory Commission
[18-1186](#)

Attachments: [View Report](#)
 [87451 CMS](#)

This City Resolution was Adopted.

- 7.13** Subject: Head Start Advisory Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Paula Ambrose, Nayeli Bernal, And Mark Friedman To The Head Start Advisory Board
[18-1187](#)

Attachments: [View Report](#)
 [87452 CMS](#)

This City Resolution was Adopted.

- 7.14** Subject: Public Art Advisory Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Charmin Roundtree-Baaqee And Chris Treggiari To The Public Art Advisory Committee
[18-1188](#)

Attachments: [View Report](#)
 [87453 CMS](#)

This City Resolution was Adopted.

- 7.15** Subject: Sugar Sweetened Beverages Community Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Laurie S. Lawson And Justin Watkins As Members Of The Sugar Sweetened Beverage Distribution Tax Community Advisory Board
[18-1189](#)

Attachments: [View Report](#)
[87454 CMS](#)

This City Resolution was Adopted.

- 7.17** Subject: 12th Street Remainder Community Benefits
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The Appropriation And Allocation Of \$300,000 Of The Land Sale Proceeds From The Sale Of The 12th Street Remainder Parcel To Fund A Community Benefits Program
[18-1199](#)

Attachments: [View Report](#)
[87455 CMS](#)

This City Resolution was Adopted.

- S7.18** Subject: 2016 Telegraph Avenue
From: Economic And Workforce Development
Recommendation: Adopt An Oakland Redevelopment A Successor Agency Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To (A) The Assignment By W/L Broadway Telegraph Owner VII, LLC To 2016 Telegraph Owner LLC, Or A Related Entity, Of The Assignor's Interest In The Disposition And Development Agreement For Development Of Property Located At 2000-2016 Telegraph Avenue And 490 Thomas L. Berkeley Way, And (B) The Transfer Of All Of The Ownership Interest In 2016 Telegraph Owner LLC, Or A Related Entity, To Nash - Holland 2016 Telegraph Investors, LLC, Or A Related Entity; Relying On The 2004 Uptown Mixed-Use Project Environmental Impact Report And The "2016 Telegraph Avenue Project CEQA Analysis" Addendum Thereto, Finding That The Project Is Exempt From Additional Environmental Review Pursuant To CEQA Sections 15162-15164, 15168, 15180, 15183 And 15183.3, And Adopting Related CEQA Findings
[18-1192](#)

Attachments: [View Report](#)
[2018-015 CMS](#)

This ORSA Resolution was Adopted.

S7.19 Subject: Modification To Resolution No 87403 CMS
From: City Administrators Office
Recommendation: Adopt A Resolution Amending Resolution No. 87403 C.M.S., Which Granted The City Administrator Authority To Implement Several Homeless Programs, To Waive The Competitive Request For Proposals/Qualifications Requirement And Authorize The City Administrator To Enter Into An Agreement With Service Providers To Operate A Community Cabin Shelter Site At 1449 Miller Avenue, And Increase The Appropriation Of The Homeless Emergency Aid Program Grant In The FY2018-19 Amended Midcycle Budget
[18-1194](#)

Attachments: [View Report](#)
[87456 CMS](#)

This City Resolution was Adopted.

S7.20 Subject: License Agreement At 1910 Mountain Boulevard
From: Vice Mayor Campbell Washington
Recommendation: Adopt A Ordinance Authorizing A License Agreement With Andrew Johnstone For Use Of The City-Owned Property At 1910 Mountain Boulevard For An Amount Less Than Fair Market Value For The Installation Of A Graffiti Abatement Mural For A Term Of Five Years
[18-1198](#)

Attachments: [View Report](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/22/2019

S7.21 Subject: Receive An Informational Report From Department Of Finance
From: Vice Mayor Campbell Washington
Recommendation: Receive An Informational Report From Department Of Finance On The Following Questions Regarding Sugar Sweetened Beverage Board: 1) An End Of Fiscal Year Report On Measure HH Funds, Including Total Collection And All Expenses From The Special Measure HH Fund, Covering July 1st 2017 To June 30th 2018; 2) This Fiscal Year's Collection To Date, July 1st 2018 To Most Recent Date; 3) A Comparison Of This Quarter's Current Revenue And Last Year's, With Expected Trends; 4) Regarding Business Owner Notification And Education: A) How Many Stores Received Information On The Implementation Of Measure HH (Formal Letter And Invitation To Day Of Tax Education) B) How Many Business Owners Attended The Day Of Tax Education Presentation Provided By The City Of Oakland? C) What Areas Are These Stores Located? By Zipcode Would Be Helpful. D) Are There Plans For Ongoing Education? If So, Are There Priority Areas For Education? E) What Is The Expected Timeline For Translation Of Business Education Materials Into Other Languages?
[18-1080](#)

Attachments: [View Report](#)

This Informational Report was Received and Filed.

S7.22 Subject: Reallocate Salary Savings For Supplemental Fire Code Plan Review
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending Resolution Number 87041 C.M.S. To Authorize The City Administrator, Or Designee, To Reallocate Salary Savings In The City Of Oakland's Fire Prevention Bureau During Fiscal Year 2018-2019 To Fund The Existing Professional Service Agreements For On-Call Fire Code Plan Review Services With 4leaf, Inc., West Coast Code Consultants, CSG Consultants, Inc., And TRB And Associates, Inc
[18-1178](#)

Attachments: [View Report](#)

[87457 CMS](#)

This City Resolution was Adopted.

- S7.23** Subject: Contract For Upgrades And Repairs Of Fire Apparatus Exhaust Systems
From: Oakland Public Works
Recommendation: Adopt A Resolution Setting Forth Oakland's Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies Resolution Authorizing: (1) The City Administrator Or Designee To Enter Into A One-Year Professional Services Agreement With Beecher Emission Solution Technologies, LLC, (Doing Business As Ward Diesel Filter Systems) For An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000.00) Annually For The Period Of January 1, 2019 Through December 31, 2019 For Upgrades And Repairs Of The Exhaust Systems Of Fire Department Emergency Response Vehicles; With Two One-Year Options To Extend, For A Grand Total Contract Amount Of Forty-Five Thousand Dollars (\$45,000.00), Without Returning To Council, And (2) Waiving The Advertising, Competitive Bidding And Request For Proposal/Qualifications (RFP/Q) Requirements [18-1098](#)

Attachments: [View Report](#)
[87458 CMS](#)

This City Resolution was Adopted.

- S7.24** Subject: Rainbow Recreation Center Construction Contract Change Order Increase
From: Oakland Public Works
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing The City Administrator, Or Designee, To Increase The Construction Contract Change Order Amount For The Rainbow Recreation Center Renovation And Expansion Project (Project No. 1000854) With JUV, Inc., From Ten Percent (10%) To Fifteen Percent (15%) Of The Original Contract Amount Of Ten Million One Hundred Fifty Thousand (\$10,150,000) For A Total Contract Amount Not-To-Exceed Eleven Million Six Hundred Seventy-Two Thousand Five Hundred Dollars (\$11,672,500.00) [18-1103](#)

Attachments: [View Report](#)
[87459 CMS](#)

This City Resolution was Adopted.

S7.25 Subject: On-Call Geotechnical Engineering Services (Non-Federal)
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator Or Designee To Enter Into A Professional Services Agreement For On-Call Geotechnical Engineering Services, In The Amount Of Two Hundred Fifty Thousand Dollars (\$250,000) With Parikh Consultants, Inc.; And

[18-1100](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87460 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To Enter Into A Total Of Seven (7) Professional Services Agreements For On-Call Geotechnical Engineering Services, Tier II, In The Amount Of Seven Hundred Fifty Thousand Dollars (\$750,000) Each With: 1) AGS Inc., 2) Arup, 3) Cal Engineering And Geology, 4) Fugro, 5) Langan Engineering And Environmental Services, Inc., 6) Ninyo And Moore, And 7) Terraphase Engineering Inc.

[18-1101](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87461 CMS](#)

This City Resolution was Adopted.

S7.26 Subject: On-Call Civil Engineering Services (Non-Federal)
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Civil Engineering Services (Non-Federal) In The Amount Of Five Hundred Thousand Dollars (\$500,000) Each With: 1) Aliquot Associate Inc., And 2) Kimley Horn; And

[18-1105](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87462 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Civil Engineering Services (Non-Federal) In The Amount Of Two Million And Five Hundred Thousand Dollars (\$2,500,000) Each With: 1) AGS Inc., 2) Alta Planning + Design, 3) BKF Engineering Group, 4) Diablo Engineering Group, 5) Urban Design Consulting Engineers, 6) WHM Corporation, And 7) Wood Rodgers Inc.

[18-1106](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87463 CMS](#)

This City Resolution was Adopted.

S7.27 Subject: On-Call Structural Engineering Professional Services Agreements (Federal)
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Structural Engineering Services Supporting Federal Projects With Three Firms For Two Million Dollars (\$2,000,000.00) Each To Biggs Cardosa Associates, Inc.; COWINorth America, Inc.; And ARUP

[18-1108](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87464 CMS](#)

This City Resolution was Adopted.

S7.28 Subject: On-Call Civil Engineering Professional Services Agreements (Federal)
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute Professional Services Agreements For On-Call Civil Engineering Services Supporting Federal Projects With Six (6) Firms For Three Million Dollars (\$3,000,000) Each To Harrison Engineering, Inc.; Kimley-Horn & Associates; Mark Thomas & Company, Inc.; NV5; Parsons; And Wood Rodgers

[18-1112](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87465 CMS](#)

This City Resolution was Adopted.

- S7.29** Subject: Amendment To Centro Legal De La Raza Professional Services Agreement
From: Housing And Community Development Department
Recommendation: Adopt A Resolution Authorizing A First Amendment To The Professional Services Agreement For Anti-Displacement Services With Centro Legal De La Raza Expanding The Scope To Include Six Months Of Continuation Legal Services To Low-Income Tenants Related To The Rent Adjustment Ordinance And Tenant Protection Ordinance And Increasing The Agreement Amount To Cover The Expanded Services By \$118,405 From The Rent Adjustment Program Fund (2413) Increasing The Current Two-Year Agreement Amount Of \$2,200,000 Funded From The Affordable Housing Trust Fund (1870) To A Total Amount Of \$2,318,405; And Authorizing The Advance Payment Of \$40,000 From The Affordable Housing Trust Fund (1870) For A Grant Pool To Enable The Emergency Financial Assistance Grants Specified In Agreement To Be Provided To Eligible Recipients In A Timeframe That Addresses Emergency Needs.

[18-1111](#)

Attachments: [View Report](#)

[87466 CMS](#)

This City Resolution was Adopted.

- S7.30** Subject: Wood Street - Affordable Housing ENA
From: Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into An Exclusive Negotiating Agreement With MIDPEN Housing Corporation And Habitat For Humanity East Bay/Silicon Valley, Or Their Affiliated Entities, For The Negotiation Of A Lease Disposition And Development Agreement ("LDDA") And Related Documents For Development Of Affordable Rental And Homeownership Housing At 1707 Wood Street (Between 18TH And 20TH Streets) In Oakland, Subject To The Completion Of A CEQA And NEPA Determination, If Applicable

[18-1114](#)

Attachments: [View Report](#)

[87467 CMS](#)

This City Resolution was Adopted.

S7.31 Subject: ENA Development At 3823-3829 & 3801-3807 Martin Luther King Jr Way
From: Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into An Exclusive Negotiating Agreement With The Resources For Community Development, Or Its Affiliate, For The Negotiation Of A Lease Disposition And Development Agreement ("LDDA") And Related Documents For Development Of Low Income Multifamily Affordable Rental Housing At 3823-3829 Martin Luther King Jr. Way And 3801-3807 Martin Luther King Jr. Way In Oakland, To Be Known As Longfellow Corner, Subject To The Completion Of A CEQA And NEPA Determination, If Applicable.
[18-1113](#)

Attachments: [View Report](#)
[87468 CMS](#)

This City Resolution was Adopted.

S7.32 Subject: Affordable Housing Development Fund Appropriations and Allocations
From: Housing And Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation;

1) A Resolution Appropriating \$97,464 From Fund Balance In The Affordable Housing Trust Fund, \$1,680,671.34 From Fund Balance In The Hud Home Investment Partnership Program Fund, \$2,463,805 From Fund Balance Of The Jobs/Housing Impact Fee Deposited Into The Affordable Housing Trust Fund And \$4,894,717 From Fund Balance Of Affordable Housing Impact Fee Deposited Into The Affordable Housing Trust Fund, And Appropriating Future Jobs/Housing Impact Fees, Affordable Housing Impact Fees And Development Loan Repayments From The Aforementioned Funds Through June 30, 2023 And Allocating Such Funds To Housing Development Activities.; And
[18-1123](#)

Attachments: [View Report](#)
[87469 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing Affordable Housing Development Loans As Funds Become Available In A Total Amount Not To Exceed \$13.1 Million Dollars, Without Returning To Council, For The Following Projects: 285 12th Street, 95th And International, Friendship Senior Rental Housing, Fruitvale Studios, Oak Hill/Nova, And West Grand And Brush.; And
[18-1124](#)

Attachments: [View Report](#)
[87470 CMS](#)

This City Resolution was Adopted.

3) A Resolution Authorizing The Appropriation Of An Additional \$1,000,000 From The Low And Moderate Income Housing Asset Fund To The Site Acquisition, Rehabilitation And Naturally Occurring Affordable Housing (NOAH) Preservation Program.; And
[18-1125](#)

Attachments: [View Report](#)
[87471 CMS](#)

This City Resolution was Adopted.

4) A Resolution Appropriating An Additional \$400,000 Dollars From The Jobs/Housing Impact Fees Deposited Into The Affordable Housing Trust Fund To The Housing Predevelopment Revolving Loan And Grant Program.
[18-1126](#)

Attachments: [View Report](#)
[87472 CMS](#)

This City Resolution was Adopted.

S7.33 Subject: Sexual Assault Task Force (SAFE) MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Memorandum (MOU) Between The Alameda County Sexual Assault Felony Enforcement (SAFE) Task Force And The Oakland Police Department (OPD) To Allow OPD Personnel To Collaborate In Criminal Investigations Of Sexual Predators, Between July 1, 2018 And June 30, 2019
[18-1107](#)

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[87473 CMS](#)

This City Resolution was Adopted.

S7.34 Subject: OPD ATF MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Understanding (MOU) With The Bureau Of Alcohol, Tobacco, Firearms, And Explosives (ATF) And The Oakland Police Department (OPD) For The Purpose Of Reimbursement Of Overtime Salary And Other Costs Related To OPD Participation In The ATF Taskforce, For The Period Of July 27, 2016 Through September 30, 2021
[18-1110](#)

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[View Supplemental Report 11-29-2018](#)
[87474 CMS](#)

This City Resolution was Adopted.

S7.35 Subject: OPD DEA Task Force MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Understanding (MOU) With The United States Department Of Justice, Drug Enforcement Administration (DEA) To Form The Oakland Police Department (OPD) DEA Task Force Group (Task Force) To Collaborate On Information Sharing And Focused Operations To Disrupt Illegal Drug Activity Occurring In The City Of Oakland, From October 1, 2018 Through September 30, 2019
[18-1118](#)

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[View Supplemental Report 11-29-2018](#)
[87475 CMS](#)

This City Resolution was Adopted.

- S7.36** Subject: OPD-US Marshals MOU
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Understanding (MOU) With The United States Marshals Service (USMS) To Allow Oakland Police Department (OPD) Participation In The Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating And Apprehending Fugitives
[18-1119](#)

Attachments: [View Report](#)
[View Supplemental Report 11-27-2018](#)
[View Supplemental Report 11-29-2018](#)

This City Resolution was Withdrawn and Rescheduled. to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/22/2019

- S7.37** Subject: Probation and Parole Search Policy
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Regarding Oakland Police Department General Order R-02, Searches Of Individuals On Probation Or Parole
[18-1138](#)

Attachments: [View Report 11-29-2018](#)
[View Supplemental Report 11-29-2018](#)

This City Resolution was Adopted.

- S7.38** Subject: Police Commission Standing Committees
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Of Oakland's Police Commission To Establish A Personnel Standing Committee And A Community Outreach Standing Committee That Will Meet On An As-Needed Basis
[18-1117](#)

Attachments: [View Report](#)
[87476 CMS](#)

This City Resolution was Adopted.

- S7.39** Subject: Oakland Unite Violence Prevention Services Spending Plan
From: Human Services Department
Recommendation: Adopt A Resolution Approving Violence Prevention Program Strategies, Funding Amounts, And The Request For Proposal Process For Programs Funded By The 2014 Oakland Public Safety And Services Violence Prevention Act For The Funding Cycle From July 2019 Through Fiscal Year 2021-2022

[18-1120](#)

Attachments: [View Report](#)

[View Supplemental Report 12/6/2018](#)

[87477 CMS](#)

This City Resolution was Adopted.

- S7.40** Subject: Board Of Port Commissioners
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Barbara Leslie To The Board Of Port Commissioners

[18-1169](#)

Attachments: [View Report](#)

[View Supplemental Report 11/30/2018](#)

[View Supplemental Report 12/7/2018](#)

[87478 CMS](#)

This City Resolution was Adopted.

- S7.41** Subject: City Administrator Employment Agreement
From: Office Of The Mayor
Recommendation: Adopt A Resolution Approving An Employment Agreement With City Administrator Sabrina Landreth And Authorizing The Mayor, On Behalf Of The City, To Execute Such Employment Agreement For The Four-Year Period Commencing On July 1, 2019 And Ending At Midnight On June 30, 2023

[18-1202](#)

Attachments: [View Report](#)

[87479 CMS](#)

This City Resolution was Adopted.

Councilmember McElhaney made a motion, seconded Councilmember Kaplan and carried to extend the meeting past 12:00 a.m.

- 7.16** Subject: 12th Street Remainder DDA Amendment
From: Economic And Workforce Development Department
Recommendation Adopt An Ordinance To Amend Ordinance 13382 C.M.S. To Authorize A First Amendment To The Disposition And Development Agreement Between The City Of Oakland And The Development Team Composed Of Lakehouse Commons, LLC And Lakehouse Commons Affordable Housing, LP To (1) Extend The Closing Date And Related Outstanding Performance Benchmarks And (2) Increase City Seller Financing To Include Fifty Percent Of The Land Sales Price Attributable To The Market Rate Project [18-1179](#)

Attachments: [View Report](#)
[13514 CMS](#)

This Ordinance was Approved for Final Passage.

At 1:42 a.m. a motion was made by councilmember McElhaney, seconded by councilmember Reid to continue the meeting to Friday, December 14, 2018 at 11am

At 11:10 a.m. a motion was made by councilmember Gallo, seconded by councilmember Guillen to reconvene the continued meeting from Tuesday December 11, 2018.

Excused 1 - Desley Brooks

Present 7 - Annie Campbell Washington, Noel Gallo, Lynette McElhaney, Abel J. Guillén, Dan Kalb, Rebecca Kaplan, and Laurence E. Reid

- 7.37** Subject: Probation and Parole Search Policy
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Regarding Oakland Police Department General Order R-02, Searches Of Individuals On Probation Or Parole
[18-1138](#)

Attachments: [View Report 11-29-2018](#)
[View Supplemental Report 11-29-2018](#)

Councilmember Kaplan made a motion, seconded by Councilmember McElhaney to reject both both parole and probation search policies for now, but rather, send the issue, including both versions, back to the police commission, for their further deliberation and feedback to the council. Thus, we are also now rejecting both versions and directing that when this item returns to council that it will include a formal presentation to the council from the Police commission.

A motion was made by Rebecca Kaplan, seconded by Lynette McElhaney, that this matter be Not Adopted. The motion carried by the following vote:

Excused: 1 - Brooks

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

NO VOTE: 0

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

There were 2 speakers on this item

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

Excused: 1 - Brooks

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

NO VOTE: 0

**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: Montclair BID Annual Report And FY 2019-2020 Levy Approval
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Confirming The Annual Report Of The Montclair Business Improvement District Advisory
Board And Levying The Annual Assessment For The Montclair Business Improvement
District For Fiscal Year 2019-2020
[18-1116](#)

Attachments: [View Report](#)
[87480 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 12:09 p.m.

5 individuals spoke on this item

Councilmember McElhaney made a motion, seconded by Councilmember Kalb to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, McElhaney and President Reid and 1 Excused Brooks

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

Excused: 1 - Brooks

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

NO VOTE: 0

- 9.2** Subject: Rockridge BID Annual Report And FY 2019-2020 Levy Approval
 From: Office Of The City Administrator
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
 Confirming The Annual Report Of The Rockridge Business Improvement District Advisory
 Board And Levying The Annual Assessment For The Rockridge Business Improvement
 District For Fiscal Year 2019-2020

[18-1115](#)

Attachments: [View Report](#)

[87481 CMS](#)

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at
12:14 p.m.*

1 individuals spoke on this item

*Councilmember Kalb made a motion, seconded by Councilmember Gallo to close
the Public Hearing, and hearing no objections, the motion passed by 7 Ayes:
Campbell Washington, Gallo, Guillén, Kalb, Kaplan, McElhaney and President Reid
and 1 Excused: Brooks*

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

Excused: 1 - Brooks

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

NO VOTE: 0

9.3 The Item Regarding the "Planning Code Amendments" Was removed by the December 6, 2018 Rules And Legislation Committee

S9.4 Subject: Mandatory Seismic Retrofit For Soft Story Residential Buildings
From: Councilmember Kalb And Mayor Schaaf
Recommendation: Adopt An Ordinance, As Recommended, In Part, By The Planning Commission, Amending The Oakland Municipal Code To: (1) Add Building And Construction Code Chapter 15.27 Entitled Mandatory Seismic Evaluation And Retrofit Of Certain Multi-Unit Residential Buildings, (2) Add Planning Code Section 17.102.250 To Create Special Exceptions To Buildings Undergoing Permitted Retrofit Work In Compliance With Chapter 15.27, (3) Make Conforming Changes To Sections 1.08.020 And 15.26.230. And (4) Make Clarifying Amendments Relating To Capital Improvements In Chapter 8.22, Article I (Residential Rent Adjustment); And Directing The Rent Board To Modify Its Capital Improvement Amortization Schedule For Work In Compliance With Chapter 15.27; And Adopting CEQA Exemptions

[18-1062](#)

Attachments: [View Report](#)

[View Supplemental Report 11-9-2018](#)

[View Supplemental Report 11-30-2018](#)

[View Supplemental Report 12/6/2018](#)

[View Supplemental Letter 12/6/2018](#)

[View Supplemental Report 1-11-2019](#)

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 12:17 p.m.

29 individuals spoke on this item

Councilmember Kalb made a motion, seconded by Councilmember Gallo to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Campbell Washington, Gallo, Guillén, Kalb, Kaplan, McElhaney and President Reid and 1 Excused Brooks

*A motion was made by Dan Kalb, seconded by Noel Gallo, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council. The motion carried by the following vote:*

Excused: 1 - Brooks

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

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 12** Subject: 2019 Legislative Schedule
 From: Council President Reid
 Recommendation: Approve A Report And Recommendation For The Proposed 2019
 Schedule Of City Council And Council Committee Meetings And An Associated Agenda
 And Report Distribution Schedule
 [18-1079](#)

Attachments: [View Report](#)

[View Supplemental Report 11-29-2018](#)

Councilmember Kalb made a motion, seconded by councilmember Kaplan to approve the original calendar, with the addition of a special meeting on January 9th at 4pm or anytime in the afternoon to establish the council committees.

There were 4 speakers on this item

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

Excused: 1 - Brooks

Aye: 4 - Campbell Washington, Guillén, Kalb, and Kaplan

No: 3 - Gallo, McElhaney, and Reid

NO VOTE: 0

- 13** Subject: Receive A Report On The Public Lands Policy Process And Analysis
 From: Councilmember Guillén And Kaplan
 Recommendation: Approve A Report And Recommendation On The Public Lands Policy
 Process And Analysis To Inform Council Direction To Prepare Legislation To Implement
 A City Public Lands Policy And/Or Strategy
 [18-0522](#)

Attachments: [View Report Guillen And Kaplan Report](#)

[View Report](#)

[View Report Attachments A-G](#)

[View Supplemental Report 6-15-2018](#)

[View Supplemental Report Attachments A - B](#)

[View Supplemental Report 6-22-2018](#)

[View Supplemental Presentation 6-22-2018](#)

[View Supplemental Report 7-13-2018](#)

***Councilmember McElhaney made a substitute motion, seconded by council
President Reid to approve the recommendations as amended as follows:***

***To exclude the high value sites of 1911 Telegraph Avenue and 1800 San Pablo
Avenue in District 3 from item 14 in the staff report, and allow 100% of the sale
proceeds of those properties to fund construction of affordable housing units
currently in the City's pipeline.***

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

Excused: 1 - Brooks

Aye: 5 - Campbell Washington, Gallo, McElhaney, Kalb, and Reid

No: 2 - Guillén, and Kaplan

NO VOTE: 0

- 14 Subject: Resolution Setting Forth Oakland's Public Lands Policy Framework
From: President Pro Tem Guillén And Councilmember Kaplan
Recommendation: Adopt A Resolution Setting Forth Oakland's Public Lands Policy Framework And Directing Staff To Return To Council With An Ordinance To Codify These Policies
[18-1137](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[87483 CMS](#)

Councilmember McElhaney made a substitute motion, seconded by council President Reid to amend the Resolution to:

1) All projects on City property sold or leased for development shall be subject to the Project Labor Agreements (PLA) policy listed below after the negotiation of a strong community benefits package that provides apprentice, journey level and related training services in Oakland for Oaklanders that addresses the challenges of Black workers;

2) include express language in the ordinance that allows the Council by formal action, to waive the applicability of such ordinance to any particular or proposed transaction; and

3) to only be applicable to properties owned by the city that are larger than 10,000 square feet to also be part of the ordinance.

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

Excused: 1 - Brooks

Aye: 5 - Campbell Washington, Gallo, McElhaney, Kalb, and Reid

No: 2 - Guillén, and Kaplan

NO VOTE: 0

- S15** Subject: Conversion Of Travel Lanes (Telegraph Avenue)
 From: Transportation Department
 Recommendation: Adopt A Resolution: 1) Authorizing The Removal Of Travel Lanes And
 The Installation Of Class Ii Bicycle Lanes On Telegraph Avenue From 42nd Street To
 52nd Street And 2) Adopting California Environmental Quality Act Exemption Findings
 [18-1102](#)

Attachments: [View Report](#)

[View Supplemental Report 12/7/2018](#)

[View Supplemental Report - Map](#)

[View Supplemental Report - Map 2](#)

[View Supplemental Report - Map 3](#)

[87484 CMS](#)

Councilmember Kaplan made a motion, seconded by councilmember Kalb to approve the staff recommendation with the following amendments:

1. Correct The First Point Of The Resolution To State Authorize The Removal Of Travel Lanes And The Installation Of Class (Roman Numeral) IV As Opposed To Roman Numeral II Bicycle Lanes On Telegraph Avenue From 42nd Street To 52nd Street

2. With The Condition That Staff Shall Return To Public Works With An Informational Report On The

Final Design After Consulting With The Stakeholders and Merchants Who Have Raised Concerns. And Prior To Starting A Project, Staff Shall Bring A Plan to Public Works For Approval To Fix The Identified Problems We've Been Discussing In The Cono Area.

This City Resolution be Adopted as Amended.

Excused: 1 - Brooks

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

NO VOTE: 0

- S16** Subject: Updates to the Conflict of Interest Code
 From: Office of The City Clerk
 Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of
 Interest Code (Ordinance Number 13142 C.M.S., Adopted January 22, 2013, Codified
 As Oakland Municipal Code Chapter 3.16) To Update The Designation Of Positions
 Covered By The Code
 [18-1203](#)

Attachments: [View Report](#)

This Ordinance be * Withdrawn and Rescheduled.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 1/15/2019

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 Special Meeting of the ORSA/Oakland City Council adjourned on December 14, 2018 at 4:39 p.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.