



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

Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

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

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

Tuesday, October 21, 2014

5:30 PM

City Council Chamber, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:45 p.m.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Councilmember Gallo present at 5:49 p.m.

The Roll Call was modified to note Councilmember Schaaf present at 6:57 p.m.

Present 8 - Desley Brooks, Noel Gallo, Lynette Gibson McElhaney, Dan Kalb, Rebecca Kaplan, Laurence E. Reid, Libby Schaaf, and Patricia Kernighan

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

There were 14 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

- 4.1 Subject: Recognizing Garfield Neurobehavioral Center
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Garfield Neurobehavioral Center For Exemplary Services Provided To Oakland Residents And For Being A Continuous Community Clean Up Partner
[14-0075](#)

Attachments: [View Report.pdf](#)

[View Supplemental Report.pdf](#)

[85205 C.M.S](#)

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

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

Absent: 1 - Schaaf

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF SEPTEMBER 29, 2014 AND OCTOBER 7, 2014

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

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

Absent: 1 - Schaaf

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS

(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

7. CONSENT CALENDAR (CC) ITEMS:

There were 10 speakers on the Consent Calendar.

- 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
[14-0081](#)

Attachments: [View Report.pdf](#)
[85203 C.M.S](#)

This City Resolution was Approve as Submitted.

- 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
[14-0082](#)

Attachments: [View Report.pdf](#)
[85204 C.M.S.](#)

This City Resolution was Adopted.

- 7.3 Subject: Nuisance Eviction Ordinance Amendments
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending Nuisance Eviction Ordinance (O.M.C. Section 8.23) To: 1) Include Prostitution Related Crimes, Gambling And Illegal Possession Of Ammunition As Grounds To Require A Landlord To Bring An Eviction Action Against A Nuisance Tenant, 2) To Revise Definitions Relating To Drug Nuisance And Weapons, And 3) Authorize The City Attorney, In Addition To The City Administrator, To Issue Notices To Owners To Bring Nuisance Eviction Actions
[13-0748](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13260 C.M.S](#)

This Ordinance was Approved for Final Passage.

- 7.4 Subject: Sale Of Champion Street Site
From: Economic Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator To: 1) Negotiate And Execute A Disposition And Development Agreement For The Sale Of 3455and 3461 Champion Street ("Properties") To Jack Stewart Or A / Legal Entity Affiliated With Jack Stewart And Approved By City Administrator For Development Of A Restaurant On The Following Terms: (1) Purchase Price Not Less Than Three Hundred Eighty Two Thousand Five Hundred Dollars (\$382,500); (2) Credit To Buyer For Fuel Tank Removal Not To Exceed Ten Thousand Dollars (\$10,000); (3) Reservation Of An Easement To The City For A Fiber Optics Hub And Related Uses; 2) Direct Two Hundred Thousand Dollars (\$200,000) Of The Net Sales Proceeds Towards Funding The City's Asset Portfolio Management Plan; And 3) Allocate Seventy Five Thousand Dollars (\$75,000) In Community V Development Block Grant (CDBG) Funds To Developer Exclusively For Facade And Exterior Improvements Of The Properties
[14-0013](#)

Attachments: [View Report.pdf](#)
[13264 C.M.S](#)

This Ordinance was Approved for Final Passage.

- 7.5** Subject: Ordinance Amending Section 12 Of Ordinance 12301 C.M.S.
From: Councilmember Dan Kalb
Recommendation: Adopt An Ordinance Amending Section 12 Of Ordinance 12301 C.M.S. (That Established The Rockridge Business Improvement District, Granted Approval Of The Management Plan For The District, Approved The Assessment District Boundary Description, And Approved The Proposed Assessment To The Affected Businesses), Thereby Modifying The Requirement That The Advisory Board Give Notice Of The Right To Seek Disestablishment Of The District To Once Every Five Years Starting From The Effective Date Of This Ordinance
[14-0009](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13261 C.M.S.](#)

This Ordinance was Approved for Final Passage.

- 7.6** Subject: Amendments To The Oakland Campaign Reform Act
From: Council President Patricia Kernighan
Recommendation: Adopt An Ordinance Amending The Oakland Campaign Reform Act, Oakland Municipal Code Chapter 3.12, To Prohibit The Use Or Transfer Of Funds From Ballot Measure Committees Controlled By Candidates For City Office Or City Officeholders To Support The Candidate's Or Officeholder's Election To City Office
[13-0633](#)

Attachments: [View Report.pdf](#)
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[View Supplemental Report.pdf](#)
[13262 C.M.S.](#)

This Ordinance was Approved for Final Passage.

- 7.7 Subject: Sale Of 51st Street And Lawton Ave Site
From: Economic Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The Interim City Administrator To Negotiate And Execute A Purchase And Sales Agreement To Sell Portions Of City-Owned Surplus Real Property Located On 51st Street At (APN 013-1141-046-02) And (APN 013-1141-047-04) To Urban Infill Development, LLC, For Not Less Than Four Thousand Eight Hundred Twenty One Dollars (\$4,821)
[14-0015](#)

Attachments: [View Report.pdf](#)
[13263 C.M.S](#)

This Ordinance was Approved for Final Passage.

- 7.8 Subject: Appointments To National League Of Cities' 2013 Business Meeting
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Designating Council President Patricia Kernighan As The City Of Oakland's Voting Delegate And Council Member Noel Gallo As The City Of Oakland's Alternate Voting Delegate To The National League Of Cities' Annual Business Meeting, Scheduled To Take Place In Austin On November 22, 2013
[14-0074](#)

Attachments: [View Report.pdf](#)
[85206 C.M.S](#)

This City Resolution was Adopted.

- 7.9 Subject: Travel Authorization
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing Council President Patricia Kernighan As Delegate Or In The Alternative Councilmember Noel Gallo As Alternate Delegate To Travel To Austin, Texas To Attend The 2014 National League Of Cities Annual Conference And Expo From November 19-22, 2014
[14-0095](#)

Attachments: [View Report.pdf](#)
[85207 C.M.S.](#)

This City Resolution was Adopted.

- 7.10 Subject: Honoring Ethel Molo
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Honoring Ethel Molo On Her 100th Birthday
For Serving The Oakland Community
[14-0099](#)

Attachments: [View Report.pdf](#)
[85208 C.M.S.](#)

This City Resolution was Adopted.

- 7.11 Subject: Honoring Boys & Girls Clubs Of Oakland Alumni Association
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Honoring Boys & Girls Clubs Of Oakland
Alumni Association On Its 50th Anniversary
[14-0083](#)

Attachments: [85209 C.M.S](#)

This City Resolution was Adopted.

- 7.12 Subject: 20th Anniversary Of The Next Step Learning Center
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Acknowledging The 20th Anniversary Of The
Next Step Learning Center In West Oakland And Recognizing Their Tutoring And
Mentoring Programs Which Have Strengthened Thousands Of Oakland Families
Under The Leadership Of Sister Cynthia Canning And Sister Rosemary Delaney
[14-0107](#)

Attachments: [View Report.pdf](#)
[85210 C.M.S](#)

This City Resolution was Adopted.

- 7.13 Subject: Settlement Agreement - Claim Of Antoinette D. Bailey
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Claim Of Antoinette D. Bailey, In The Amount Of Six
Thousand Eight Hundred Dollars And No Cents (\$6,800.00), Payable To Antoinette D.
Bailey (Oakland Police Department - Auto Collision)
[14-0100](#)

Attachments: [View Report.pdf](#)
[85211C.M.S](#)

This City Resolution was Adopted.

7.14 Subject: Settlement Agreement - CA State Auto Association/Sharon Collier
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of California State Automobile Association, City Attorney's Claim No. C30078, In The Amount Of Seven Thousand Nine Hundred Twenty Dollars And Sixty Cents (\$7,920.60), Payable To California State Automobile Association As Subrogee For Sharon Collier (Public Works Department - Auto Collision)

[14-0101](#)

Attachments: [View Report.pdf](#)

[85212 C.M.S](#)

This City Resolution was Adopted.

7.15 Subject: Settlement Agreement - Claim Of Bryan Hesterman
From: Office Of The City Attorney
Recommendation: Adopt A To Compromise And Settle The Claim Of Bryan Hesterman, City Attorney's Claim No. C30095, In The Amount Of Twenty-Two Thousand Five Hundred Dollars And No Cents (\$22,500.00) (Public Works Department - Tree Division)

[14-0102](#)

Attachments: [View Report.pdf](#)

[85213 C.M.S](#)

This City Resolution was Adopted.

7.16 Subject: Settlement Agreement - Laurie Krane 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 Laurie Krane v. City Of Oakland, Alameda County Superior Court Case No. RG13698248, City Attorney's File No. 29557, In The Amount Of Forty-Five Thousand Dollars (\$45,000.00) (Public Works Department - Dangerous Condition)

[14-0103](#)

Attachments: [View Report.pdf](#)

[85214 C.M.S.](#)

This City Resolution was Adopted.

7.17 Subject: Settlement Agreement-Espinoza v. Community Bank Of The Bay/City
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney
To Compromise And Settle The Case Of Ramona Espinoza v. Community Bank Of
The Bay, City Of Oakland, Alameda County Superior Court Case No. RG13-672502,
In The Amount Of Twenty-One Thousand Dollars And No Cents (\$21,000.00) As A
Result Of A Trip And Fall Accident On Or
About March 22, 2012 (Public Works Agency - Dangerous Condition/Trip & Fall)
[14-0104](#)

Attachments: [View Report.pdf](#)
[85215 C.M.S](#)

This City Resolution was Adopted.

7.18 Subject: Settlement Agreement - Lavetta Pettway 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 Lavetta Pettway v. City Of Oakland,
Alameda County Superior Court Case No. RG14726940, City Attorney's File No.
X04027, In The Amount Of Seventy Thousand Dollars (\$70,000.00) (Public Works
Department - Employment Discrimination)
[14-0105](#)

Attachments: [View Report.pdf](#)
[85216 C.M.S](#)

This City Resolution was Adopted.

7.19 Subject: Settlement Agreement - Jack Johnny Williams, Jr. 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 Jack Johnny Williams, Jr. v. City Of Oakland,
Alameda County Superior Court Case No. RG13708445, City Attorney's File No.
29698, In The Amount Of Two Hundred Ninety-Five Thousand Dollars (\$295,000.00)
(Public Works Department - Dangerous Condition)
[14-0106](#)

Attachments: [View Report.pdf](#)
[85217 C.M.S](#)

This City Resolution was Adopted.

- 7.20** Subject: Legal Protection Of Unaccompanied Children
From: Councilmembers Gallo, Reid And Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Grant In An Amount Up To \$577,231.00 To Centro Legal De La Raza To Be Used To Provide Legal Services To Central American Unaccompanied Children (UAC) In Oakland That Have Fled To The United States To Escape Violent And Other Oppressive Conditions In Their Countries, And Authorizing The City Administrator To Appropriate And/Or Identify Funds For The Grant

[14-0045](#)

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[85218 C.M.S](#)

This City Resolution was Adopted as Amended to include the following: 1. Be it further resolved that the city, through the office of the mayor, will establish a multi- agency work group to provide a coordinated response to the UAM crisis, said UAM working group shall provide monthly reports to the Oakland City council. The multi-agency UAM work group includes representatives of the city, Alameda County office of Ed. &, OUSD; 2. Be it further resolved the council shall agendize a standing item to be heard at the 1st Tuesday of each month; and 3. Have lobbyist draft correspondence to President Obama about expedited deportation of UAM.

- 7.21** Subject: Amending Salary Ordinance To Create Fleet Compliance Coordinator
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of Fleet Compliance Coordinator

[14-0066](#)

Attachments: [View Report.pdf](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the Meeting of the Oakland City Council to be heard 11/5/2014

- 7.22** Subject: Amending Salary Ordinance To Create Fire Fighter Paramedic Trainee
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Create The Classification Of Fire Fighter Paramedic Trainee

[14-0067](#)

Attachments: [View Report.pdf](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the Meeting of the Oakland City Council to be heard 11/5/2014

7.23 Subject: 1701 Martin Luther King Jr. Way Major Encroachment
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To 1701 MLK LP To Allow A Subsurface Electrical Transformer, Irrigation Pipes And Four New Tree Wells For The Building Located At 1701 Martin Luther King Jr. Way To Encroach Into The Public Right-Of-Way Along The Building's Frontage On 17th Street And Martin Luther King Jr. Way
[14-0039](#)

Attachments: [View Report.pdf](#)
[85219 C.M.S.](#)

This City Resolution was Adopted.

7.24 Subject: Exclusive Negotiating Agreement For 2101 Telegraph Avenue
From: Economic & Workforce Development Department
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With TB2 Retail Complex, LLC Or A Related Entity, For Development Of A Mixed-Use Project On City owned Property Located At 2100 Telegraph Avenue; And Authorizing An Exclusive Negotiating Period Of Two Years And One Optional Six-Month Administrative Extension
[14-0070](#)

Attachments: [View Report.pdf](#)
[85220 C.M.S.](#)

This City Resolution was Adopted.

7.25 Subject: OPD Implementation Of OPD IPAS2
From: Information Technology Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Enter Into An Agreement With Sierra-Cedar, Inc. (Formerly Sierra Systems, Inc.) In The Amount Of Five Hundred Forty Thousand Dollars (\$540,000) For Phase 2 As-Needed Technical And Project Management Services For A Second Generation Early Warning System For The Oakland Police Department (The "IPAS2 Project"); And
[14-0064](#)

Attachments: [View Report.pdf](#)
[85221 C.M.S.](#)

This City Resolution was Adopted.

2) A Resolution: 1. Awarding A Contract To Microsoft Corporation In An Amount Of Two Million Two Hundred Thousand Dollars (\$2,200,000) For The Design, Development, And Implementation Of The Oakland Police Department's Second Generation Early Warning System And Technology Platform ("IPAS2 ") Project, And 2. Authorizing: (A) The City Administrator To Award Contracts Up To A Total Amount Of One Million, Forty-Five Thousand Dollars (\$1,045,000) To Purchase Hardware, Software And Professional Services To Build The IPAS2 Project Infrastructure Without Return To Council, Contingent On Council Authorization Of The Appropriation Described Below; And (B) The Appropriation Of An Additional Amount Of Eight Hundred And Eighty Seven Thousand Five Hundred Dollars (\$887,500) To Be Used To Purchase Hardware, Software And Professional Services For The IPAS2 V Project; And (C) Waiving The City's Advertising, Bid And Request For Proposal (RFP) Requirements For The Above Purchases, Provided That Prior To Expenditure Of Any Funds Staff Will Award Contracts And Establish Contract Amounts For The Controller's Bureau

[14-0064-1](#)

Attachments: [85222 C.M.S](#)

This City Resolution was Adopted.

7.26 Subject: OPD 2014 DNA Backlog Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Ninety One Thousand And Thirty-Four Dollars (\$491,034) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2014 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department; And 2) Waive The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Training, DNA Typing Supplies And Evidence Temperature Monitored Freezers In The Amount Of Forty-Two Thousand Four Hundred And Two Dollars (\$42,402) From VWR/ Fisher/ USA Scientific/ Aurora Biomed, The Amount Of Forty Thousand Six Hundred Dollars (\$40,600) From Life Technologies (A.K.A. Thermo Fisher), Twenty-Four Thousand Two Hundred Twenty Five Dollars (\$24,225) From QIAgen, Four Thousand Nine Hundred Fifty Dollars (\$4,950) From University Of Florida / McCrone, And Sixty Eight Thousand One Dollars (\$68,001) From Promega

[14-0063](#)

Attachments: [View Report.pdf](#)

[85223 C.M.S](#)

This City Resolution was Adopted.

- 7.27** Subject: Accountability & Transparency In High-Stakes Negotiations Act
From: Councilmember Libby Schaaf And The Office Of The City Attorney
Recommendation: Adopt The Accountability And Transparency In High Stakes Negotiations Policy Resolution Amending Rule 25 Of The Council's Rules Of Procedure, Resolution No. 82580 C.M.S. And Resolution No. 84758 C.M.S., To Require City Councilmembers Appointed To Serve On Boards, Commissions, Agencies, Joint Powers Authorities, ("Representatives") To: (1) Notify The City Council As Soon As High-Stakes Negotiations Commence; (2) Provide Real-Time Reports On High-Stakes Negotiations And Annual Reports On General Business; And (3) Participate In Training Regarding Their Duties And Obligations Of Representation Within 30 Days Of Appointment
[13-0744](#)

Attachments: [View Report.pdf](#)
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[85256 CMS.pdf](#)

Vice Mayor Reid moved, seconded by Councilmember Brooks, to Continue this item to the Meeting of the Oakland City Council to be heard 11/5/2014.

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

A motion was made by Reid, seconded by Kaplan, that the oral report from the Office of the City Attorney of one final decision made during Closed Session be Approved as Submitted. The motion carried by the following vote:

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

Absent: 1 - Schaaf

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: Agricultural Regulations & Other Planning Regulation Changes
From: Councilmembers Kaplan, Kalb And Gibson McElhaney
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Update The City's Agricultural Regulations; And Make Other Miscellaneous Planning Code Text, Map, And Height Area Amendments, Including But Not Limited To: 1) Clarifying The Process And Exceptions To The Maximum Yard Requirements; 2) Standardizing Design Review Procedure Language; 3) Clarifying The Definitions Of "Live/Work" And "Work/Live"; 4) Streamlining The Process For Allowing Alcoholic Beverage Manufacturers To Sell Their Products On Site; 5) Modifying The Cup Findings For Hotels; 6) Adding "Taxi And Light-Based Fleet Services" To The Activity Chart For The CIX-1, CIX-2, IG, And LO Zones; 7) Modifying The Minimum Lot Frontage And Width Requirements In The CIX-IC And CIX-ID Zones; 8) Clarifying The Application Of The S-19 Combining Zone; 9) Adding Height Area Designations To Certain CC Zoned Parcels In West Oakland; 10) Changing The Zoning From CIX-IA To CIX-IB For Certain Properties In The 3rd And 7th Street Corridors In West Oakland; 11) Adding The T Overlay To Two Blocks Between 3rd And 5th, Market And Brush Streets; 12) Adjusting The Boundary Between The CC-2 And RM-2 Zones Near The Intersection Of 7th And Peralta Streets; 13) Modifying The Regulation Of Pharmacies In The D-BV Zones; 14) Amending The Wood Street Zoning District Development Standards In Support Of Redevelopment Of The 16th Street Train Station; And 15) Making Other Minor Zoning Text Changes To Improve The Clarity Of The Planning Code, And Make Appropriate California Environmental Quality Act Determinations [13-0328](#)

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[View Supplemental Report.pdf](#)

This Ordinance was Continued to the Meeting of the Oakland City Council to be heard 11/5/2014

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 10** Subject: Oakland Head Start WestEd Training & Technical Assistance
From: Human Services Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Execute A Professional Services Agreement With WestEd For Specialized Training & Technical Assistance For Head Start Staff On The Social And Emotional Foundations Of Early Learning In An Amount Not To Exceed \$7,500 For Program Year 2014-2015, And 2) Waiving The Competitive Request For Proposal/Qualifications Process [14-0071](#)

Attachments: [View Report.pdf](#)
[85224 C.M.S](#)

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

Aye: 8 - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and Kernighan

- 10.1** Subject: Oakland Head Start Raising A Reader Program
From: Human Services Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Execute A Professional Services Agreement With Raising A Reader To Provide Ongoing Training & Technical Support For Head Start Program, In An Amount Not To Exceed \$15,000 For The Program Year 2014-2015, And 2) Waiving The Competitive Request For Proposal/Qualifications Process
[14-0072](#)

Attachments: [View Report.pdf](#)
[85225 C.M.S](#)

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

Aye: 8 - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and Kernighan

- 11** Subject: Amend CalPERS Contract To Increase Fire Safety Employees Contribution
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 1 % Employees Cost Sharing Of Additional Benefits For Tier Three City Of Oakland Sworn Fire Department Employees Pursuant To California Government Code Section 20516, As Approved By The City Council In The July 1, 2014 Memorandum Of Understanding With The International Association Of Fire Fighters (IAFF) Local 55
[14-0108](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
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A motion was made by Kaplan, seconded by Schaaf, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 11/18/2014. The motion carried by the following vote:

Aye: 8 - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and Kernighan

2) A Resolution Of Intention To Amend The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To Include A 1% Employees Cost Sharing Of Additional Benefits For Tier Three Local Fire Members (California Government Code Section 20516) As Approved In The 2014 Memorandum Of Understanding Between International Association Of Fire Fighters (IAFF) Local 55 And The City Of Oakland
[14-0108-1](#)

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

Aye: 8 - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and Kernighan

12 Subject: Street Pavement Prioritization Plan
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Establishing A Prioritization Plan For The City Of Oakland's Street Pavement Rehabilitation Program
[14-0069](#)

Attachments: [View Report.pdf](#)
[85227 C.M.S](#)

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

Aye: 8 - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and Kernighan

13 Subject: Tenant Protection Ordinance
From: Councilmember Dan Kalb
Recommendation: Adopt An Ordinance Prohibiting Various Harassing Behaviors By Landlords Against Tenants And Providing Civil Remedies For Violations [TITLE CHANGE]
[14-0043](#)

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The Council adopted the legislation as amended to delete "person or entity" and replace with "aggravated Tenant" in subsection 8.22.670.D.

A motion was made by Kalb, seconded by Gallo, that this matter be Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard 11/5/2014. The motion carried by the following vote:

Abstained: 3 - Brooks, Reid, and Kernighan

Aye: 5 - Gallo, Gibson McElhaney, Kalb, Kaplan, and Schaaf

- 14** Subject: Establish 1% For Public Art In Private Development Projects
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt Chapter 15.70 Public Art Requirements, Which Establishes A New Requirement Of .5% For Residential Or 1% For Nonresidential Of Private Development Project Costs For Public Art And Codifies An Existing Requirement Of 1.5% Of The City's Capital Improvement Project Costs For Public Art, Adopted By The City Council Through Ordinance No. 11086 C.M.S.
[14-0036](#)

Attachments: [View Report.pdf](#)

Vice Mayor Reid moved, seconded by Councilmember Gibson McElhaney, to Continue this item to the Meeting of the Oakland City Council to be heard 11/5/2014.

CONTINUATION OF OPEN FORUM

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Eric Harris and Bill McCanno at 10:08 p.m.

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 238-3254

[ITD](#)

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

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