



City of Oakland

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

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

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

Tuesday, June 30, 2015

5:00 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 5:37 P.M.

2 ROLL CALL / CITY COUNCIL

The Roll Call was modified to note Vice Mayor Kaplan present at 5:40 p.m.

The Roll Call was modified to note Councilmember Brooks absent from 7:10 to 9:10 p.m.

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

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

There were 42 Open forum speakers.

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Gene Raphael, Thelma Lawrence, Cookie Steve Harris and Carlee Zetar.

- 4 Subject: Honoring Deborah Ale Flint
From: Councilmembers Reid And McElhaney
Recommendation: Adopt A Resolution Honoring Ms. Deborah Ale Flint For Her Dedicated Service As The Director Of Aviation For The Oakland International Airport And Her Continued Success As Executive Director Of Los Angeles World Airports
[14-1083](#)

Attachments: [View Report.pdf](#)
[85694 CMS.pdf](#)

This City Resolution was Continued to the Meeting of the Oakland City Council to be heard 7/21/2015 as a Consent Item.

- 5 Subject: Creating The Department Of Race And Equity
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race And Equity By December 2015, That Will Report Directly To The City Administrator; Establishing Definitions And Implementation Steps Related To A Citywide Strategy Of A Fair And Just City [TITLE CHANGE]
[14-0457](#)

Attachments: [View Finance Committee Report.pdf](#)
[View Life Enrichment Committee Report.pdf](#)
[View Finance Supplemental Report.pdf](#)
[View Life Enrichment Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13319 CMS.pdf](#)

There were 14 speakers on this item.

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

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

- 6 Subject: Amending Ordinance 13238 FY 2014-2015 Master Fee Schedule
From: Revenue Management Bureau
Recommendation: Adopt An Ordinance Amending Ordinance 13238 C.M.S. (The FY 2014-15 Master Fee Schedule, Or "MSF"), To Establish, Modify And Delete Fees And Penalties Assessed By All Offices, Departments, Bureaus, And Agencies Of The City Of Oakland
[14-0923](#)

Attachments: [View Report Part A.pdf](#)
[View Report Part B.pdf](#)
[View Report Part C.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[13320 CMS.pdf](#)

There were 2 speakers on this item.

Council also directed staff to bring back directly to Council for review and possible amendment the fees in the following section: Planning & Zoning (pg. P-116): A) APPLICATIONS UNDER THE OAKLAND ZONING REGULATIONS: 12) Appeals.

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

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

- 7 Subject: Council President's Budget Presentation
From: Councilmember Gibson McElhaney
Recommendation: Receive The Council President's Budget Presentation And
Amendments Provided By Additional Councilmembers
[14-1099](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[Gallo Supplemental Report.pdf](#)
[Brooks Supplemental Report.pdf](#)
[Guillen Supplemental report.pdf](#)
[Noel part 2 Supplemental.pdf](#)
[Kaplan Supplemental Report.pdf](#)
[Council President Supplemental Report.pdf](#)
[Kalb Supplemental Report.pdf](#)
[Response To Council Questions Supplemental Report.pdf](#)
[Council President Supplemental Report.pdf](#)
[Assessment Of Councilmember Budgets.pdf](#)
[Council President Validations in Color.pdf](#)

There were 103 speakers on this item.

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

Abstained: 1 - Brooks

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

No: 1 - Gallo

- 8 Subject: Appropriations Limit For Fiscal Years 2015-2016
From: Finance Department
Recommendation: Adopt A Resolution Establishing As Appropriations Limit For Fiscal
Years 2015-2016 Pursuant To Article XIII B Of The California Constitution
[14-0988](#)

Attachments: [View Report.pdf](#)
[85671 CMS.pdf](#)

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

Abstained: 1 - Brooks

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

- 9 Subject: Adoption Of The FY 2015-2017 Biennial Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Fiscal Year ("FY") 2015-2017
Biennial Budget And Appropriating Certain Funds To Provide For The Expenditures
Proposed By Said Budget
[14-0925](#)

Attachments: [View Report.pdf](#)
[View Supplemental Report.pdf](#)
[85672 CMS.pdf](#)

Councilmember Kalb moved, seconded by Vice Mayor Kaplan, to suspend from the budget the Mayor's proposal to reorganize the Revenue Department and bring the item to the Finance & Management Committee and Council for approval. The motion passed with a vote of 7 Ayes, 1 No – Campbell Washington.

Vice Mayor Kaplan, seconded by Councilmember Brooks, to relocate KTOP/Public Access to under the City Clerk. The motion passed with a vote of 6 Ayes, 1 Abstain – Kalb, 1 No - Campbell Washington.

Vice Mayor Kaplan, seconded by President Pro Tempore Reid, to adopt the Council President's 2015-2017 Policy Directives as amended as follows:

- 1. Tracking Budget Implementation: Require a quarterly budget implementation tracking report with a line-item matrix to come to the Finance & Management Committee. This report should commence in September 2015 and end only when agreed upon by the Committee or when all items have been implemented.*
- 2. Code Enforcement: This department is critical to the health and safety of our tenants, the quality of life in our neighborhoods, and the safety of all residents. This entity of the Department of Building and Planning was provided 4 FTE's in the 2013-2015 budget, however, performance levels and revenues from fines have decreased over the last two years. According to Budget Questions #5 - Question #14, fines and penalties collected by Code Enforcement have decreased significantly, though blight is worsening. It is unclear how many Notices of Violation have been sent, if inspections are scheduled for follow up after issues are reported, and whether fines are collected or issues are ever abated.*

City Administration will assist the Code Enforcement Office to develop administrative systems to streamline reporting, noticing, re-inspection, and fine collection. Such systems will send a clear message to property owners, who are responsible to keep their properties safe and blight-free. An informational report on these changes should be provided during the Quarterly Report of the Code Enforcement Office to the Public Works Committee. (*Beginning October 2015, Code Enforcement will provide quarterly reports to the Community and Economic Development Committee, as approved by the Rules Committee in June 2015.)*

The Code Enforcement Department altered their responses to question #14 (In the Budget Responses #5), stating that there had been inaccuracies in their accounting. They provided this chart to show corrected revenues. While this news is positive, it is critical that the City Administrator ensure that Code Enforcement has streamlined systems to deter blight.

- 3. City-Wide "Paper Form Free" Policy: In 2016, the City Council seeks*

an updated management plan from the City Administrator on her plan to maximize efficiency, reduce redundancies, and enhance customer service in every City agency. The Council believes that the inefficiencies can be reduced through the elimination of paper forms for simple transactions that our businesses and residents must make with the City of Oakland. Internally, the City relies on paper forms for many processes, including payroll. The City Administration will bring an informational report to the Finance Committee by March 2016 with proposed changes and will work with Council offices to promote new and improved City services to their constituents.

4. Master Fee Schedule noticing: Master Fee Schedule must be noticed at least one month prior to consideration at committee, AND be presented to Council for adoption in March of each year when there are proposed changes. (This gives the Council more time to consider fees prior to budget adoption.)

5. Addressing Gaps in Revenue Collection: City Councilmembers have expressed concerns at many meetings about the lack of collections, particularly in Business License Tax and Rental Property Tax, and the lack of tracking systems to monitor this revenue. The City Administration will evaluate these concerns in their Quarterly Revenue and Expenditure Reports at the Finance and Management Committee, including but not limited to specific, department level information on revenue tracking systems, revenue projections and actuals by department, etc.

6. City-Wide Delinquent Revenue Collections:

a. 8A. Require all departments and bureaus that do not have a Council-approved delinquent revenue collections program shall refer all delinquent revenues to Revenue Management Bureau after 120 days. Effective as soon as possible.

b. 8B. The Administration shall provide an informational report to Council about prompt implementation of this centralized delinquent revenue tracking and collection program, beginning October 2015.

c. Add language regarding the Controller's role in collections.

7. Fine/fee waiver policies: All departments, divisions, bureaus, etc. in the City of Oakland who have fine or fee waiver policies must post such policies online as a permanent City practice. All City waivers, reductions, refunds, or reversal of issued fines/fees must be documented in writing in records maintained by the appropriate Department, which shall issue a report about them semiannually to the City Administrator. Effective as soon as possible.

9. Transparency & Accountability recommendations of Budget Advisory Committee: City Administration must follow up on Transparency & Accountability recommendations from Budget Advisory Committee and report back to Council during FY 15-16 on plans for implementation or reasons why a particular recommendation should not be implemented.

10. Implement Text-To-911: Text capabilities provide residents an additional way by which to report emergencies. The Oakland Police Department will bring a report to Public Safety Committee in October 2015 with:

a. A thorough description of text features, needed staff training, and analysis of how it changes responsibilities for dispatch personnel

b. Potential options for implementation with costs

c. An implementation plan with timeline for such potential options

11. Process Improvement for Small Grants: City Administration will work with Cultural Arts Department, the City Attorney's Office, Risk Management, and Contract Compliance to determine new methods for processing Cultural Arts and other small grant programs, such as reducing demands unnecessary for such grants and re-creating grant management processes that are online and paperless in order to maximize efficiency. The City Administration will provide an

informational report on the changes by January 2016.

12. Tree services, maintenance, and plantings: In September 2015. Staff will report to the Public Works Committee about the City of Oakland's Cal Fire Grant Application, including background information about existing and needed tree services, proposed use of grant funds, and status of grant application. (Grant applicants are expected to be Notified in July 2015). The City of Oakland should apply for grants which provide funding for tree planting and tree maintenance.

13. Protecting Permitted Cannabis Facilities: Impose a ban on the use of City resources from being used to raid or assist in raids of permitted cannabis facilities. When the Federal government raided Oakland-permitted dispensaries, including Oaksterdam facilities, OPD was asked (at the last minute) to provide numerous additional police officers to help with the raid and the related logistics. This diverted crucial law enforcement resources away from vital safety needs. This should not be allowed to happen again.

14. Regulation and Taxation of Medical Cannabis Production, as approved by voters in 2010: Implement the system for taxing and regulating medical cannabis production, included in mid-cycle adjustment. This implements a tax which has already been authorized by Oakland voters (Measure V of 2010), and is already on the books, (which is 5% of gross receipts). It requires an implementation system and management by the City Administrator's office. The goal is to create that system during the first year, and incorporate the revenue in the second year of the budget.

15. Increasing Retention and Enhancing Recruitment for the Oakland Police Department: The City Administrator will send an informational memo in September 2015 on the formation of the Ad-Hoc Committee on Police Recruitment (as approved in April 2015).

16. Expand and improve business license tax collection effectiveness, including from those not currently paying. Pursue options for expanding collections from new technology industries such as transportation network companies, and the creation of an option to collect from those who do not declare a business category by authorizing collection at a the top rate for "undeclared" businesses, report back to Council by January 2016 on these efforts.

17. The Administration shall conduct a review of the tax payment status of all residential properties which have changed hands since 2007 and which do not have a homeowner exemption filed with the county. Any property which in prior years claimed no income due to renovations to be re-inquired. Property owners shall be informed of the various tax obligations and payment methods and requirements, and create follow-up system to ensure tax payments are not being improperly avoided. This will allow for a more robust and accurate collection of tax revenue to fill public service needs such as public safety, libraries, senior centers, etc.

18. Launch the previously Council-authorized online business tax payment system, and take action to insure that all aspects of revenue data tracking systems are functioning properly. (See Supplemental with Q&A regarding revenue for details on current problems with revenue computer system). Making revenue collection more customer friendly will enhance the City's ability to capture much needed revenue and provide a faster and less cumbersome process for residents. Report back to Council by October 2015 on progress on this issue.

The motion passed with a vote of 7 Ayes, 1 Abstain - Brooks.

A motion was made by Reid, seconded by Campbell Washington, that the

Mayor's proposed budget, as amended by the Council President's proposed budget which was further amended by adding the words "code enforcement" to Line #16, be Adopted as Amended. The motion carried by the following vote:

Abstained: 1 - Brooks

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

No: 1 - Gallo

10. ORAL REPORT OF FINAL DECISIONS MADE IN CLOSED SESSION.

A motion was made by Reid, seconded by Kalb, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of 2 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

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

Absent: 2 - Brooks, and Kaplan

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 Gene Raphael, Thelma Lawrence, Cookie Steve Harris and Carlee Zetar at 10:39 p.m.

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8:30 A.M. TO 5:00 P.M.**