



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 - FINAL 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, June 7, 2016

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 5:40 p.m.

2 ROLL CALL / CITY COUNCIL

Councilmember Gallo arrived at 6:25 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 15 speakers on this item.

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

President Gibson McElhaneey took a point of personal privilege and requested that the meeting be adjourned in memory of Barbara Carter Burris. Councilmember Brooks requested association with this adjournment.

President Gibson McElhaneey took a point of personal privilege and requested that the meeting be adjourned in memory of Emma Gene Burris. Councilmembers Brooks requested association with this adjournment.

President Gibson McElhaneey took a point of personal privilege and requested that the meeting be adjourned in memory of Muhammad Ali. President Pro Tempore Reid, Councilmember Kalb and Councilmember Guillen requested association with this adjournment.

President Pro Tempore Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Henry Royal Sr. Councilmember Brooks requested association with this adjournment.

Vice Mayor Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Willie Broach. President Gibson McElhaneey requested association with this adjournment.

Councilmember ___ took a point of personal privilege and requested that the meeting be adjourned in memory of Ellis Swiney.

- 4.1** Subject: Celebrating 50 Years Of Woodminster Summer Musicals
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution In Honor Of Producers Associates, Inc.
Celebrating 50 Years Of Woodminster Summer Musicals
[15-0974](#)

There is one speaker on this item.

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

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

- 4.2** Subject: Commending Jaelyn Murry
From: Council President Lynette Gibson McElhaneey
Recommendation: Adopt A Resolution Commending Jaelyn Murry For Her Outstanding Contributions To The Community And For Being Named The 2016 Youth Of The Year By The Boys And Girls Club Of Oakland
[15-1026](#)

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

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

- 4.3** Subject: Celebrating Asian American & Pacific Islander Heritage Month
From: Councilmember Abel Guillén
Recommendation: Adopt A Resolution In Celebration Of Asian American And Pacific Islander Heritage Month Honoring Asian American And Pacific Islanders Whose Service And Leadership In Oakland Contribute To The City's Cultural Diversity And Its Spirit Of Community Service
[15-1033](#)

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

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

- 5** APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF MAY 9, 2016 AND MAY 17, 2016
[15-1034](#)

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

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

- 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 7 speakers on this item.

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

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

Absent: 1 - Reid

Approval of the Consent Agenda

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

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

Absent: 1 - Reid

- 7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[15-1057](#)

This City Resolution was Adopted.

- 7.2 Subject: Declaration Of Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[15-1058](#)

This City Resolution was Adopted.

- 7.3 Subject: Oakland School Police Vehicle Transfer - 2nd Supplemental
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept On Behalf Of The City Of Oakland Six Used Motorcycles Valued At \$64,000 (Sixty-Four Thousand Dollars), One Used Vehicle Trailer Valued At \$5,000 (Five Thousand Dollars), And One Used Panel Van Valued At \$7,500 (Seven Thousand Five Hundred Dollars), From The Oakland Unified School District Police Department (OSPD) To Be Used For Official Oakland Police Department (OPD) Purposes
[15-0404](#)

This City Resolution was Adopted.

- 7.4 Subject: Elder Abuse Awareness Month
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Declaring June 15, 2016 As Elder Abuse Awareness Day And June 2016 As Elder Abuse Awareness Month
[15-1077](#)

There was 1 speaker on this item.

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

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

Absent: 1 - Gallo

- 7.5 Subject: Settlement Agreement - Wright 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 Patricia Wright V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG13-704223, In The Amount Of Eleven Thousand Five Hundred Dollars And No Cents (\$11,500.00) As A Result Of A Trip And Fall Accident On September 5, 2012 (Public Works - Dangerous Condition)
[15-1047](#)

This City Resolution was Adopted.

- 7.6 Subject: Settlement Agreement - Lewis 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 Larry Lewis V. City Of Oakland, Alameda County Superior Court Case No. RG14750988, City Attorney's File No. 30027, In The Amount Of Thirty-Two Thousand Five Hundred Dollars And Zero Cents (\$32,500.00) (Public Works - Dangerous Condition)
[15-1048](#)

This City Resolution was Adopted.

- 7.7 Subject: Expunge Cannabis Related Convictions And Offenses
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Urging The State Of California To Allow Criminal Records For Cannabis-Related Offenses To Be Expunged And To Remove Restrictions That Exclude Individuals With Cannabis Related Offenses From Participating In The Cannabis Industry And From Other Job Or Business Opportunities
[15-0975](#)

The amendment is to include funding for participants.

This City Resolution was Adopted as Amended.

- 7.8 Subject: Amend Composition And Functions Of The Rent Board
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance Amending Chapter 8.22 (Rent Adjustment Program) Of The Oakland Municipal Code To: (1) Increase The Number Of Alternate Board Members;And (2) Authorize More Cases Be Heard By Board Appeals Panels
[TITLE CHANGE]
[15-0434](#)

This Ordinance was Approved for Final Passage.

- 7.9 Subject: Youth Advisory Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Rachel Dharmapalan, Addison Duchin, Elena Larsen, Ryan Hunt, Gloria Guzman, Malachi Taylor, And Bethania Tadesse As Members Of The Youth Advisory Commission
[15-1086](#)

This City Resolution was Adopted.

- 7.10 Subject: Cannabis Regulatory Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Tsion Lencho As A Member Of The Cannabis Regulatory Commission
[15-1087](#)

This City Resolution was Adopted.

- 7.11 Subject: Travel Authorization - (NALEO) Conference Participation
From: Councilmember Abel Guillén
Recommendation: Adopt A Resolution Authorizing Councilmember Abel Guillén To Travel To Washington, Dc To Attend The 33rd Annual National Association Latino Elected Officials (NALEO) 2016 Conference From June 22-25, 2016
[15-1083](#)

This City Resolution was Adopted.

- 7.12 Subject: Settlement Agreement - Communities For A Better Environment
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Attorneys' Fees Award In The Case Of Communities For A Better Environment V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG13-706245, California Court Of Appeal Action No. A146619, In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00) (Planning Commission Interpretation Of Oakland Planning Code Re Crematoria)
[15-1080](#)

This City Resolution was Adopted.

- 7.13 Subject: Landmarks Preservation Advisory Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Stafford Buckley As A Member Of The Landmarks Preservation Advisory Board
[15-1093](#)

This City Resolution was Adopted.

- 7.14** Subject: Loaned Equity Director For Department Of Race & Equity
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Amended Memorandum Of Understanding With The City Of Portland, Oregon, For The Continued Loan Of An Equity Director To The City Of Oakland For Occasional Training And Technical Consultation Visits, Extending The Time Period Through June 30, 2017 And Increasing The Not-To-Exceed Amount From Sixty-Seven Thousand Dollars (\$67,000) To Ninety-Seven Thousand Dollars (\$97,000)
[15-1017](#)

This City Resolution was Adopted.

- 7.15** Subject: FY 2015-16 Third Quarter Revenue & Expenditure Report
From: Finance Department
Recommendation: Receive An Informational Report On The Projected Fiscal Year (FY) 2015-16 Third Quarter Revenue And Expenditure Results And Year-End Summaries For Six Selected Funds - General Purpose Fund (GPF 1010), Multipurpose Reserve Fund (1750), State Gas Tax Fund (2230), State Gas Tax Proposition 42 Replacement Fund (2231), Landscape & Lighting Assessment District Fund (LLAD 2310), And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
[15-1027](#)

This Informational Report was Received and Filed.

- 7.16** Subject: ACTC Master Programs Funding Agreement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Approving The Master Programs Funding Agreement Between The Alameda County Transportation Commission And The City Of Oakland Effective From July 1, 2016 To June 30, 2026
[15-0988](#)

This City Resolution was Adopted.

- 7.17** Subject: East Oakland Sports Complex Property Management And Maintenance Contract
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To: (1) Enter Into A Professional Services Agreement With ABM Onsite Services For Property Management And Maintenance Of The East Oakland Sports Complex (EOSC) For A Term Of Two- (2) Years In An Amount Of One Million, Four Thousand, Seven Hundred And Eighty Five Dollars (\$1,004,785), With (A) Two (2) One (1) Year Options To Extend The Agreement In An Amount Of \$553,426 In The Third Year And \$586,632 In The Fourth Year Of The Agreement, And (B) An Option To Extend On A Month-To- Month Basis At The End Of The Term Of The Agreement, Or Any Extensions Thereof, Pending A New Request For Proposals To Secure A New Contractor, And (2) Increase The Current Contract With ABM Onsite Services By An Amount Of Two Hundred Thousand (\$200,000) For Six (6) Months To Pay For Services Incurred From February 2016 Until The New Contract Is Executed
[15-1036](#)

This City Resolution was Adopted.

- 7.18** Subject: 1100 Broadway Project Agreements
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland Redevelopment Successor Agency (ORSA) Resolution Authorizing Assignment Of An Amended And Restated Owner Participation Agreement With SKS Broadway, LLC, For Development At 1100 Broadway From ORSA To The City; And
[15-0983](#)

This ORSA Resolution was Adopted.

2) A City Of Oakland Resolution (1) Accepting Assignment Of An Amended And Restated Owner Participation Agreement ("OPA") Between The Oakland Redevelopment Successor Agency And SKS Broadway, LLC, For Development At 1100 Broadway; And (2) Amending The OPA To Extend Development Deadlines, Add Staffing Charges. And Increase Extension Payments; And
[15-0984](#)

This City Resolution was Adopted.

3) A City Of Oakland Ordinance Authorizing An Amendment To A Purchase And Sale Agreement With SKS Broadway, LLC For Sale Of The Public Parking Garage At 409 - 12th Street To Extend Purchase Deadlines
[15-0985](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage. to the Meeting of the Oakland City Council to be heard 6/21/2016

- 7.19** Subject: Professional Service Agreements For Community Buying Program & Homeowner Legal Services
From: Housing & Community Development Department
Recommendation: Adopt A Resolution: (1) Authorizing A Professional Services Agreement With Hello Housing For Up To \$150,000 To Administer The Community Buying Program; (2) Authorizing A Professional Services Agreement With Housing And Economic Rights Advocates For Up To \$100,000 To Provide Legal Services To Oakland Residents Related To Homeownership, Foreclosure Prevention, And Household Economic Stability; (3) Waiving Advertising, Competitive Bidding, And Request For Proposals/Qualifications Competitive Selection Requirements For These Agreements; And (4) Allocating Program Income From The Community Buying Program To Affordable Housing Activities
[15-1022](#)

This City Resolution was Adopted.

- 7.20** Subject: Senior Companion/Foster Grandparent Program Grants For FY 2016-2017
From: Human Services Department
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Enter Into Grant Agreements To Accept Grant Funds For Fiscal Year 2016-2017 From The Corporation For National And Community Services (CNCS) In Amounts Not To Exceed \$287,126 For The Senior Companion Program And \$29,484 For The Foster Grandparent Program; (2) Authorizing The City Administrator To Accept And Appropriate Additional Grant Funds From CNCS Within The Grant Terms Without Returning To Council; And (3) Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To The Department Central Services Overhead Charges
[15-1020](#)

This City Resolution was Adopted.

- 7.21** Subject: Paratransit Measure B & BB Funds For Fiscal Year 2016-17
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Amend The Appropriations Of Direct Local Distribution Funds In The Amount Of \$1,079,924 Measure B And \$1,122,690 Measure BB And Accept And Appropriate Up To \$105,680 Measure B Gap Grant Funds For Fiscal Year 2016-2017 From The Alameda County Transportation Commission To Provide Paratransit Services; And Authorizing The City Administrator To Execute Reimbursement Agreements For Fiscal Year 2016-2017 In Amounts Of: 1) \$500,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company And Metro Yellow Cab Company, 2) \$200,000 To St. Mini Cab Corporation DBA Veterans Cab, 3) \$250,000 To Quality Transit, LLC, And 4) \$125,000 To Bay Area Charters, Inc.; And Authorizing The City Administrator To Accept And Appropriate Any Additional Grant Funds That May Become Available For Fiscal Year 2016-2017 And Amend The Fiscal Year 2016-2017 Agreements Without Returning To City Council
[15-1029](#)

This City Resolution was Adopted.

- 7.22** Subject: Multipurpose Senior Service Program Funds For FY 2016-2017
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Apply For And Accept State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number MS-1617-01 With The State Of California Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2016-2017; (2) Accept And Appropriate Additional Grant Funds From The State Of California Within The Grant Term Without Returning To Council; And (3) Enter Into Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2016 Through June 30, 2017 In A Total Amount Not To Exceed \$210,821; And Waiving The Request For Proposal/Qualifications Requirement For The Agreements, And Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To Central Services Overhead Charges
[15-1030](#)

This City Resolution was Adopted.

- 7.23** Subject: Golden State Works Reentry Employment Program Agreement
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Amend The Public Entity Agreement Between The City Of Oakland And The California Department Of Corrections And Rehabilitation And Accept And Appropriate Additional Funding In An Amount Not To Exceed \$3,236,720 To Provide A Golden State Work Transitional Employment And Job Placement Services Program For Oakland Residents On Parole Through June 30, 2017, And 2) Amend The Grant Agreement With The Center For Employment Opportunities (CEO) To Increase The Grant In An Amount Not To Exceed \$3,086,720 To Provide Work Crews, Job Placement, And Job Retention Services From July 1, 2016 Through June 30, 2017
[15-1016](#)

This City Resolution was Adopted.

- 7.24** Subject: Mental Health Counseling Professional Services Contract Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Amend The Current Seventy-Five Thousand Dollars (\$75,000) Per Year Professional Services Agreement With Michael Palmertree For Mental Health Counseling Services By Adding Twenty-Five Thousand Dollars (\$25,000) Per Year, For A Total Of One Hundred Thousand Dollars (\$100,000) Per Year, And A Total Contract Amount Not To Exceed Four Hundred Fifty Thousand Dollars (\$450,000); And 2) Waive The Competitive Request For Proposals/Qualifications (RFQ/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Purchase Of Professional Services
[15-1019](#)

This City Resolution was Adopted.

- S-7.25** Subject: Amending Oakland's Preference Policy For Affordable Housing
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Adopt (1) A Preference Policy For Neighborhood Residents, Oakland Residents And Workers, And Displaced Households In Applying For Multifamily Affordable Housing Funded By The City, And (2) An Oakland Residency Or Worker Requirement For Participants In The City's First-Time Homebuyer Mortgage Assistance Program
[15-0886](#)

This Ordinance was * Withdrawn and Rescheduled.to the Meeting of the Oakland City Council to be heard 6/21/2016

S-7.26 Subject: Amending City Charter Regarding Authority to Lease for 99 Years
From: Economic and Workforce Development
Recommendation: Receive A Report And Recommend Possible Action Directing Staff To Prepare The Proposed Legislation To Place A Charter Amendment For Voter Approval On The November 8, 2016 General Election Ballot To Authorize The City Council To Lease Real Property For A Term Of Up To Ninety-Nine Years
[15-1051](#)

This Informational Report was Received and Filed.

S-7.27 Subject: Amended And Re-Stated Resolution 86094 C.M.S. Adopted May 5, 2016 As Required By The Affordable Housing And Sustainable Communities Program Application Per The California Department Of Housing And Community Development
From: Housing and Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

(1) A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Putting Down Routes: Connecting East Oakland (AKA Redwood Hill) Located At 4856, 4862, 4868 Calaveras Avenue In An Amount Not To Exceed \$6,205,125 Under The 2015-16 Affordable Housing And Sustainable Communities Program; And
[15-1052](#)

This City Resolution was Adopted.

(2) A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For The Uptown Oakland Housing And Transportation Collaborative (Aka Embark Apartments) Located At 2126 Martin Luther King Jr. Way In An Amount Not To Exceed \$15,982,964 Under The 2015-16 Affordable Housing And Sustainable Communities Program; And
[15-1053](#)

This City Resolution was Adopted.

(3) A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Emphyrean & Harrison Hotel Housing And Transportation Improvements, A Scattered Site Development, Located At 1300 Webster Street And 1415 Harrison Street In An Amount Not To Exceed \$16,860,191 Under The 2015-16 Affordable Housing And Sustainable Communities Program; And
[15-1054](#)

This City Resolution was Adopted.

(4) A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Lakehouse Connections Located At E12th Street And Lake Merritt Blvd In An Amount Not To Exceed \$18,127,203 Under The 2015-16 Affordable Housing And Sustainable Communities Program; And
[15-1055](#)

This City Resolution was Adopted.

(5) A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development For Coliseum Connections Located At 801-844 71st Avenue In An Amount Not To Exceed \$14,883,316 Under The 2015-16 Affordable Housing And Sustainable Communities Program; And
[15-1056](#)

This City Resolution was Adopted.

S-7.28 Subject: Support For AB 2707 - Stop Consumer Racial Profiling Act
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2707 (Ridley-Thomas) That Would Prohibit Businesses From Profiling Or Targeting A Person That Results In Differential Treatment Based On Race Or Ethnicity And A Denial Or Degredation Of The Product Or Service Offered To Customers
[15-1046](#)

This City Resolution was Adopted.

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

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

9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

- 9.1** Subject: FY 2016-17 Landscaping And Lighting Assessment District Confirmation
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year (FY) 2016-17 And The Levying Of Assessments
[15-1059](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 8:54 p.m.

Councilmember Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 8-0 vote.

Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhane

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

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

- 9.2** Subject: Foothill Seminary Point Construction Gap Loan & Line Of Credit
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing A \$2,000,000 Loan And A \$1,500,000 Line Of Credit To Sunfield Development LLC, Seminary Point LLC, And/Or COCRF Seminary Point, LLC, Or Affiliated Entities, To Be Used For Development Of The Foothill Seminary Point Neighborhood Commercial Retail Center Project
[15-1021](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:58 p.m.

1 individual spoke on this item.

Councilmember Kalb made a motion, seconded by President Pro Tempore Reid to close the Public Hearing, and hearing no objections, the motion passed by 8-0 vote.

Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhane

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

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

- 9.3** Subject: Oakland 2016-2021 Local Hazard Mitigation Plan
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution, As Recommended By The City Planning Commission, Adopting The
2016-2021 Oakland Local Hazard Mitigation Plan As An Amendment To The Safety
Element Of The Oakland General Plan
[15-1024](#)

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

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

- 9.4** Subject: Head Royce School Appeal
From: Planning and Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A
Resolution Denying Appeal #REV13003-A01 And Upholding The Decision Of The City
Planning Commission To 1) Legalize The School's Current Student Enrollment; 2)
Revise Previously Approved Condition Of Approval #39 To Allow The Final Student
Enrollment Increase Before January 4, 2021; 3) Revise The Previously Approved
Conditions Of Approval; 4) Approve The Transportation Demand Management
Program; And Affirm The Environmental Determination Pursuant To CEQA Guidelines
Section 15314, Minor Additions To Schools; Section 15183, Projects Consistent With
A Community Plan, General Plan Or Zoning, And Reliance On The Mitigated Negative
Declaration Adopted By The Planning Commission On January 4, 2006
[15-1050](#)

This City Resolution was Withdrawn with No New Date.

Subject: Head Royce School Appeal - Attachments
[15-1091](#)

This City Resolution was Withdrawn with No New Date.

Subject: Head Royce School Appeal - Attachments
[15-1092](#)

This City Resolution was Withdrawn with No New Date.

Subject: Head Royce School Appeals - Attachments
[15-1094](#)

This City Resolution was Withdrawn with No New Date.

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

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 9:16 p.m.

1 individual spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember President Pro Tempore Reid to close the Public Hearing, and hearing no objections, the motion passed by X

Ayes: Brooks, Campbell Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the Meeting of the Oakland City Council to be heard 6/21/2016

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

No: 1 - Guillén

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11** Subject: Council To Direct Staff To Prepare A Report Regarding Circulating Ballot Measure
From: Office Of The City Administrator
Recommendation: Direct Staff To Prepare A Report By June 21, 2016 Analyzing The Circulating Ballot Measure Concerning Renter Protections Under The Provisions Of Elections Code Section 9212 And Specifically Including Consistency With The City's Charter And Other Ordinances
[15-1090](#)

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

Recused: 2 - Brooks, and Guillén

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

12 The Informational Report regarding Protect Oakland Renters Act Ballot Measure heard at the May 24, 2016 Community and Economic Development Committee has been removed from this agenda and will be heard at the June 21, 2016 City Council Meeting

13 Subject: BRT Project Final Design Phase Actions
From: Oakland Public Works Department
Recommendation: 1) Receive A Bus Rapid Transit (BRT) Project Update From AC Transit; And
[15-0970](#)

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

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

2) Adopt A Resolution Approving The Alameda - Contra Costa County (AC) Transit District's Construction Impact Mitigation Plan For The East Bay Bus Rapid Transit (BRT) Project Phase II: Infrastructure And Station Platform Construction Program (Bid Package #3) Dated January 13, 2016, As Appended To Include: BRT Corridor - Beneficial Use And Interim Operations Plan (Appendix F), AC Transit Business Technical Assistance Program Description (Appendix G), And BRT Neighborhood Traffic Management Program Description (Appendix H), All Dated March 10, 2016; And
[15-0971](#)

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

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

3) Adopt A Resolution Adopting The' Oakland Parking Analysis Dated February 29, 2016 As The Parking Impact Mitigation Plan For The Alameda - Contra Costa County (AC) Transit District's East Bay BRT Project Phase II Construction Program, Adopting The Recommendations Contained Therein, And Authorizing The City Administrator To Reallocate Up To \$300,000 In FY 2015-16 Measure B Funds To Develop A Supplemental BRT Corridor Parking Management Plan
[15-0972](#)

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

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

- 14 Subject: Linked Banking Services Ordinance Amendment
From: Housing And Community Development Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 12066 C.M.S.
Establishing The Linked Banking Services Program To Add Reporting Requirements,
And Codifying The Linked Banking Services Ordinance Into The Oakland Municipal
Code
[15-0981](#)

Council asked staff to provide information regarding small banks and address the proposed amendments by Councilmember Kalb (which the Council did not act on) as follows:

Section 4.52.040 Reporting ... Such information must be provided at the census tract level, and, for information on lending to individuals or businesses, must be broken down by the race or ethnicity and income category of the borrower or business owner, to the extent the depository collects such information. SUCH INFORMATION SHALL ALSO BE PROVIDED IN A SEARCHABLE, ELECTRONIC SPREADSHEET OR DATABASE FORMAT. Depositories meeting the definition of a small bank contained in the federal Community Reinvestment Act may elect to submit information annually on one or more reporting areas to demonstrate that it has met its Fair Share Goal of providing community credit.

In addition, depositories that provide the City with Banking Services or that propose to provide the City with Banking Services must provide the following Information, to the extent such information is collected, in a format provided by the City Administrator, AND ON ANNUAL BASIS OF PROVIDING BANKING SERVICES TO THE CITY:

F. Information on any felony convictions of the depository and any civil or regulatory fines or penalties exceeding \$10 million imposed on the depository within the past TEN years.

H. A list of names and locations of payday lending companies doing business In Oakland that are affiliated with the depository OR THAT HAVE AN OUTSTANDING LOAN OR CREDIT FACILITY WITH THE DEPOSITORY.

I. THE NUMBER AND AMOUNT OF LOANS TO SMALL BUSINESSES IN OAKLAND BY YEAR OVER THE PAST FIVE YEARS.

For the information required under subsections A through D above, the information must be provided IN A SEARCHABLE, ELECTRONIC SPREADSHEET OR DATABASE FORMAT AND at the census tract level, and must include demographic information on borrowers or applicants, including their race or ethnicity and income category specified by the City, to the extent such information is collected by the depository.

This Ordinance was Referred to the *Rules & Legislation Committee to be heard 6/9/2016

- 15** Subject: Creation Of New Department Of Transportation
From: Office Of The City Administrator
Recommendation: (1) Receive An Information Report Providing An Update On The Status Of Creating A New Department Of Transportation (DOT) And Recruitment Of A Director Of DOT; And (2) Adopt A Resolution (A) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Nelson\Nygaard Consulting Associates In An Amount Not To Exceed \$300,000, For The Purpose Of Assisting The City In Establishing The Department Of Transportation; And (B) Waiving The Competitive Bidding And Request For Proposals/Qualifications Process [TITLE CHANGE]
[15-1031](#)

There were 2 speakers on this item.

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

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

- 16** Subject : OFCY Grant Awards For Fiscal Year 2016-2017
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth In An Amount Not To Exceed \$14,836,101 For Fiscal Year 2016-2017, With An Option To Approve One-Year Grant Renewals In Fiscal Years 2017-2018 And 2018-2019 Pending Council Approval
[15-1025](#)

There were 25 speakers on this item.

Council requested that the City Administration find additional funding of \$175,000 per year for three years to fund Youth Together, outside of OFCY, and additionally that the City Administration return to Council on June 21, 2016 with a report of the source of this additional funding.

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

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

- 17 Subject: Astro Tot Lot Capital Improvement Project
From: Oakland Parks & Recreation Department
Recommendation: Adopt A Resolution To Authorize The City Administrator To Accept A Gift Of Funds And In-Kind Services Valued In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From Kaboom! And Private Donors Through The Oakland Parks And Recreation Foundation For Improvements At The Astro Tot Lot; And To Appropriate An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) To The Astro Tot Lot Capital Improvement Project
[15-1023](#)

**A motion was made by Guillén, 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

- 18 Subject: FY 2016-2017 Midcycle Budget Amendments
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The City Of Oakland's Fiscal Year 2015-17 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 85672 C.M.S. On June 30, 2015, To Make Adjustments: (1) Increasing The Fiscal Year 2016-17 Revenue Projection In The General Purpose Fund (GPF); (2) Appropriating Additional Fiscal Year 2016-17 GPF Expenditures; And (3) Increasing Fiscal Year 2016-17 Revenues And Appropriations In Other Non-GPF Funds; And
[15-1066](#)

There are 9 speakers on this item.

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 6/21/2016

2) A Resolution Authorizing The Use Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues For Purposes Other Than Those Denoted In The City's Consolidated Fiscal Policy Adopting A Finding Of Necessity, And Describing Prospective Steps To Be Taken To Return To The Prescribed Uses Of Said Revenues
[15-1067](#)

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 6/21/2016

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 Barbara Carter Burris, Emma Gene Burris,
Muhammad Ali, Henry Royal Sr., Willie Broach and Ellis Swiney at 11:57 p.m.*

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