



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, July 5, 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 5:32 p.m.

2 ROLL CALL / CITY COUNCIL

President Pro Tem Reid arrived at 5:40p.m.

Excused 1 - Rebecca Kaplan

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

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

There were 10 open forum speakers

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

Vice Mayor Campbell Washington took a point of personal privilege and requested that the meeting be adjourned in memory of Barry Weiss

Vice Mayor Campbell Washington and Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Adele Foley.

Councilmember Kalb and Council President Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Ali Gazelle

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 21, 2016

[15-1136](#)

The approval of the Draft Minutes for the June 21, 2016 Council meeting was rescheduled to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016

- 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:**

Approval of the Consent Agenda

A motion was made by Reid, seconded by Campbell Washington, to approve the Consent Agenda. The motion carried by the following vote:

- 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
[15-1137](#)

This City Resolution was Adopted.

Excused: 1 - Kaplan

- 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
[15-1138](#)

This City Resolution was Adopted.

- 7.3** Subject: Consolidation Of Oakland General Municipal Election With Statewide General Election
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 8, 2016
[15-1045](#)

This Ordinance was Approved for Final Passage.

**7.4 City Of Oakland/PERS Boards Contract Amendment - Sworn Classic
Police**

***Has Been Rescheduled To The July 19, 2016 City Council Meeting By The
June 30, 2016 Rules & Legislation Committee***

- 7.5 Subject: Amending Resolution No. 85344 C.M.S. To Change The Name Of The
Grantee To Xochitl N. Guerrero
From: Vice Mayor Annie Campbell Washington
Recommendation: Adopt A Resolution Amending Resolution No. 85344 C.M.S.,
Which Authorized A Grant Of \$13,600 From Vice Mayor Campbell Washington's
Graffiti Abatement Mural And Green Wall Funds For Two Murals On The Walls Of
King's Coffee Shop At 3000 38th Avenue In Oakland, To Change The Name Of The
Grantee To Xochitl N. Guerrero
[15-1227](#)

This City Resolution was Adopted.

- 7.6 Subject: Police And Fire Retirement Boards - Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing, On The Mayor's
Recommendation, Robert Steven Wilkinson As A Member Of The Police And Fire
Retirement Board
[15-1228](#)

This City Resolution was Adopted.

- 7.7 Subject: Cannabis Regulatory Commission - Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Chang Yi As A
Member Of The Cannabis Regulatory Commission
[15-1229](#)

This City Resolution was Adopted.

- 7.8 Subject: Public Safety And Services Violence Prevention Oversight Commission -
Reappointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Re-Appointing Jody Nunez, Curtis Flemming,
Rebecca Alvarado, Kevin Mcpherson, And Letita Henderson Watts As Members Of
The Public Safety And Services Violence Prevention Oversight Commission
[15-1230](#)

This City Resolution was Adopted.

- 7.9** Subject: 1100 Broadway Project Agreements
From: Economic & Workforce Development Department
Recommendation: Adopt 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 for Final Passage.

- 7.10** Subject: Association of Bay Area Governments Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Reappointing Council President Lynette Gibson McElhaney, Councilmember Abel Guillén And Vice Mayor Annie Campbell Washington To The Executive Board And Reappointing Councilmember Dan Kalb As An Alternate To The Executive Board Of The Association Of Bay Area Governments ("ABAG") For Terms Commencing July 5, 2016 And Ending June 30, 2017; And Reappointing Council President Lynette Gibson McElhaney As General Assembly Delegate And Councilmember Dan Kalb As General Assembly Alternate For A Term Commencing July 5, 2016 And Ending June 30, 2017
[15-1234](#)

This City Resolution was Adopted.

- 7.11** Subject: Alameda County Waste Management Authority Appointments
From: Council President Gibson McElhaney
Recommendation: Adopt A Resolution Reappointing Dan Kalb As A Member Of The Alameda County Waste Management Authority (ACWMA) And Appointing Councilmember Guillén As An Alternate Member Of The ACWMA
[15-1235](#)

This City Resolution was Adopted.

- S-7.12** Subject: Draft Joint Powers Authority Agreement For Proposed East Bay Community Choice Energy JPA
From: Councilmember Dan Kalb
Recommendation: Discuss And Receive Feedback From Councilmembers On Draft Joint Powers Authority Agreement For Proposed East Bay (Alameda County) Community Choice Energy Authority JPA
[15-1202](#)

This Informational Report was Received and Filed.

S-7.13 Subject: Major Encroachment Permit At 701 55th Street
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Robert M. Hamner And Clair F. Hamner To Allow Portions Of The Building At 701 55th Street To Encroach Into The Public Right-Of-Way Along 55th Street And Dover Street
[15-1213](#)

This City Resolution was Adopted.

S-7.14 Subject: Information On On-Demand Carpooling
From: Councilmember Rebecca Kaplan
Recommendation: (1) Receive An Informational Powerpoint Presentation About New Systems That Are Capable Of On-Demand Carpool Matching, And (2) For The Public Works Committee To Recommend To The Council A Resolution Encouraging Carpooling For Trips Both To And From The City Of Oakland Including Through Use Of On-Demand Carpool Matching Technology, And To Include Disseminating Information To City Of Oakland Employees And Potentially Interested Local Employers To Encourage Carpooling
[15-0976](#)

This Report and Recommendation was Accepted.

S-7.15 Subject: Army Base Real Estate Actions
From: Office of City Administrator
Recommendation: Adopt The Following Pieces of Legislation:
(1) Resolution Authorizing The City Administrator To Negotiate And Execute A Second Amendment To An Under-Freeway Easement With Caltrans To Facilitate Potential Development By Two Recyclers At The Former Oakland Army Base ; And
[15-1179](#)

This City Resolution was Adopted.

Subject: Army Base Real Estate Actions
From: Office of City Administrator
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To A Lease Disposition And Development Agreement (LDDA) With OMSS, LLC, To Delete The City's Obligation To Clear And Rough Grade A Portion Of The OMSS Development Site At The Former Oakland Army Base; And
[15-1180](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016

2) Ordinance Authorizing The City Administrator To Negotiate And Execute An Easement Agreement With East Bay Municipal Utility District For A 40 Foot-Wide Roadway On The Former Oakland Army Base

[15-1181](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016

(4) A Resolution Authorizing The City Administrator To Negotiate And Execute A Utility Agreement With The Port Of Oakland In An Amount Not To Exceed \$200,000 For Fiscal Year 2016-17 And \$65,000 Annually Until December 31,2026 For The Provision Of Certain Utility Services At The Former Oakland Army Base

[15-1182](#)

This City Resolution was Adopted.

S-7.16 Subject: MacArthur BART Transit Village Consent to Property Conveyance
From: Economic Workforce And Development
Recommendations: Adopt A Resolution Authorizing The Agency Administrator Or Designee To Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC To A Joint Venture Between Boston Properties LP, Or Related Entity, And McGrath Properties, Inc., Or Related Entity, Of Parcels B-1 And B-2 Of The Macarthur Bart Transit Village For Development Of A Residential Mixed-Use Project, Pursuant To The Terms Of An Owner Participation Agreement Currently Between The Oakland Redevelopment Successor Agency And Macarthur Transit Community Partners, LLC, As Such Conveyance Is Not A Project Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164, 15183,15183.3, And 15168 And 15180

[15-1208](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To (1) Execute A Consent To The Conveyance By Macarthur Transit Community Partners, LLC ("MTCP") To A Joint Venture Between Boston Properties, LP Or Related Entity, And McGrath Properties, Inc., Or Related Entity, Of Parcel B-1 And B-2 Of The Macarthur Bart Transit Village For Development Of One Residential Mixed-Use Project, Pursuant To The Terms Of A Development Agreement ("DA") Between The City Of Oakland And MTCP And (2) Consent To The Partial Assignment Of The DA, As Such Conveyance And Assignment Are Not Projects Under The California Environmental Quality Act ("CEQA"), And Separately And Independently Relying On The Previously Certified 2008 Environmental Impact Report Per CEQA Guidelines Sections 15162-15164,15183, 15183.3, And 15168 And 15180

[15-1209](#)

This City Resolution was Adopted.

S-7.17 Subject: 2100 Telegraph Avenue Assignment
From: Economic Workforce And Development
Recommendation: Adopt A Resolution Authorizing The Assignment Op An Exclusive Negotiation Agreement ("ENA") With Tb2 Retail Complex, LLC Relating To The Development Of City-Owned Property Located At 2100 Telegraph Avenue To W/L Telegraph Owner, LLC, Or A Related Entity; And Authorizing A Six-Month Extension To The Term Of The ENA, And Authorizing Extensions Of Performance Deadlines, Relying On A California Environmental Quality Act ("CEQA") Exemption Pursuant To Sections 15262, 15306 And Section 15061(B)(3) Of The CEQA Guidelines
[15-1210](#)

This City Resolution was Adopted.

S-7.18 Subject: Coliseum City Professional Services Contracts
From: Economic And Workforce Development
Recommendation: Adopt A Resolution Amending Resolution No. 85548 C.M.S., Which Authorized A Professional Services Contract With Keyser Marston And Associates, Inc., For The Coliseum City Project, To Extend The Contract For An Additional Year And Increase The Contract By \$350,000 Including Contingency For A New Total Amount Not To Exceed \$650,000
[15-1211](#)

This City Resolution was Adopted.

S-7.19 Subject: 2015-16 Affordable Housing and Sustainable Communities Program: Amended Resolution for Project Invited to Submit Full Application
From: Housing and Community Development Department
Recommendation: Adopt 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 71 St Avenue In An Amount Not To Exceed \$14,883,316 Under The 2015-16 Affordable Housing And Sustainable Communities Program
[15-1219](#)

This City Resolution was Adopted.

- S-7.20** Subject: Pregnancy Information Disclosure and Protection Ordinance.
From: Vice Mayor Annie Campbell Washington And Councilmembers Rebecca Kaplan, Abel Guillen, And City Attorney Barbara J. Parker
Recommendation: Adopt An Ordinance Amending Section 5.06 Of The Oakland Municipal Code To Prohibit Limited Services Pregnancy Centers From Making False Or Misleading Statements To The Public About Pregnancy-Related Services The Centers Offer Or Perform.
[15-1223](#)

This Ordinance was Approved On Introduction and Scheduled for Final Passage.to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board to be heard 7/19/2016

- S-7.21** Subject: Forensic Logic Contract Extension
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator, Or Designee, To Enter Into A One-Year Contract Extension With Forensic Logic, Inc., For The Period Of July 1, 2016 Through June 30, 2017, In An Amount Not To Exceed Two Hundred Twenty Four Thousand Three Hundred Seventy Five Dollars (\$224,375.00), For Use Of Their Leap Network Suite Of Crime Analysis Applications, Licensing, Technical Support, And Consul Ting Services; And 2) Waiving The City's Advertising/ Bidding And Request For Proposal Requirements For The Proposed Purchases
[15-1194](#)

This City Resolution was Adopted.

- S-7.22** Subject: PRIME Maintenance Agreement
From: Information Technology Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1. Enter Into A Premier Maintained Application (PMA) Maintenance Agreement With Microsoft Corporation To Support And Maintain The Second Generation Early Warning System For The Oakland Police Department For A Total Estimated Three-Year Cost Not To Exceed One Million Two Hundred Twenty Thousand Dollars (\$1,220,000) Of Which: A. The First Year Cost Of The PMA Will Be Three Hundred Eighty Four Thousand Six Hundred And Forty-Four Dollars (\$384,644) To Be Appropriated From Already Budgeted Funds, And B. Years Two And Three Cost Of The PMA Will Not Exceed Eight Hundred Thirty Five Thousand Three Hundred Fifty Six Dollars (\$856,356) To Be Funded Via The Oakland Police Department Operations And Maintenance (O&M) Budget To Be Finalized And Brought To The City Council For Approval During The City's 2017-2019 Budget Process 2. Waive The Advertising, Bidding And Request For Proposals/Qualifications ("RFP/Q") Competitive Selection Requirements For This Agreement (Or Agreements, If Three Separate Agreements Are Required)
[15-1216](#)

This City Resolution was Adopted.

S-7.23 Subject: 2015-16 Affordable Housing and Sustainable Communities Program:
Amended Resolution for Project Invited to Submit Full Application
From: Housing and Community Development Department
Recommendation: Adopt 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 71 St Avenue In An Amount Not To
Exceed \$14,883,316 Under The 2015-16 Affordable Housing And Sustainable
Communities Program
[15-1219](#)

This City Resolution was Adopted.

S-7.24 Subject: Overturning Of The "Costa Hawkins" Law By The State Of California.
From: Councilmember Rebecca Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution Urging The State Legislators And Governor To
Repeal Or Modernize The Costa Hawkins Rental Housing Act
[15-1178](#)

This City Resolution was Adopted.

**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:**

There were no public hearings this evening.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

**11 *Police Commission Charter Amendment Measure
Has Been Rescheduled To The July 19, 2016 City Council Meeting By The
June 30, 2016 Rules & Legislation Committee***

**12 *Adoption Of Legislation To Place An Infrastructure Bond On The
November 2016 Ballot
Has Been Rescheduled To The July 19, 2016 City Council Meeting By The
June 30, 2016 Rules & Legislation Committee***

**13 Renter Protection Act of 2016 (Rent and Eviction Ordinance Amendments
Ballot Measure)**

**Has Been Rescheduled To The July 19, 2016 City Council Meeting By The
June 30, 2016 Rules & Legislation Committee**

Pro Tempore Reid was noted out of his seat at 8:14 p.m.

- 14** Subject: Amending Oakland's Preference Policy For Affordable Housing
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt 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, Oakland Worker, Or Displaced
Household Requirement For Participants In The City's First-Time Homebuyer
Mortgage Assistance Program
[15-0886](#)

**A motion was made by Gibson McElhaney, seconded by Kalb, that this matter be
Approved As Amended as to section 15.63.031 (c) to change the language from
"5 years" to read "8 years" on Introduction and Scheduled for Final Passage to
the Concurrent Meeting of the Oakland Redevelopment Successor Agency and
the City Council, to be heard 7/19/2016. The motion carried by the following vote:**

Excused: 1 - Kaplan

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

Absent: 1 - Reid

- S-15** Subject: Ordinance Amending The OMC Chapter 2.04 Purchasing System
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.04, Purchasing System: 1) Increasing City Administrator Purchasing Authority For Supplies And Services Including Professional Services, From \$100,000, To; \$250,000; 2) ;Eliminating All Lower Purchasing Limits For Certain Purchases; Raising The Dollar Amount To Conduct "Formal" Requests For Proposals/Qualifications (RFP/Q) To \$50,000; 4) Establishing City Administrator Authority To Waive RFPQ Requirements For Professional Services Purchases Up To Fifty Thousand Dollars (\$50,000); 5) Adding A Competitive Process Specific To Purchase Of Combined Projects Ant) Services For Information Technology Systems And: 6) Copying Certain Definitions And Other Clean Up
[15-1212](#)

Pro Tempore Reid was noted as present at 8:26 p.m.

A motion was made by Guillén, seconded by Campbell Washington, that this matter be Approved As Amended On Introduction to require staff to contact local businesses 1st and only move to outside agencies when local agencies are non-responsive, and have the notification when waivers are posted online, and Scheduled for Final Passage to the Concurrent Meeting of the City Council/Geological Hazard Abatement District Board, to be heard 7/19/2016. The motion carried by the following vote:

Excused: 1 - Kaplan

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

No: 1 - Gallo

- S-16** Subject: Recyclers' ENA Extension; Acceptance of ACTC Grant; and Interim Bridge Funding to Complete Public Improvements
From: Office of The City Administrator
Recommendation: Adopt The following Pieces of Legislation:

1) A Resolution Authorizing The City Administrator To Negotiate And Execute A Fourth Amendment To The Exclusive Negotiating Agreement By And Between The City Of Oakland, California Waste Solutions, Inc., And Cass, Inc., Regarding Proposed Recycling Facilities On The North Gateway Development Area Of The Former Oakland Army Base Extending The Term Of The ENA Through September 30, 2016, With An Option By The City Administrator To Extend The ENA By Up To An Additional Ninety Days Thereafter; And
[15-1217](#)

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

Excused: 1 - Kaplan

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

No: 1 - Gallo

2) A Resolution Authorizing The City Administrator To Accept And Appropriate An Alameda County Transportation Commission ("ACTC") Measure BB Grant In An Amount Not To Exceed \$46 Million For Roadway Infrastructure Improvements And Truck Parking At The Former Oakland Army Base ; And

[15-1220](#)

This City Resolution was Adopted.

Excused: 1 - Kaplan

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

No: 1 - Gallo

Subject: Recyclers' ENA Extension; Acceptance of ACTC Grant; and Interim Bridge Funding to Complete Public Improvements

From: Office of The City Administrator

Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute Agreements And Related Documents, To Secure Interim Bridge Funding In An Amount Not To Exceed Fifty-Three Million, Two-Hundred Thousand Dollars (\$53,200,000) To Meet Critical Cash Flow Needs For The Completion Of Construction Of The City's Public Improvement Obligations At The Former Oakland Army Base ("Base"), Which Options Could Include, Among Other Alternatives: (1) Obtaining Loan(S) Secured By Cityowned Land At The Base Or An Assignment Of The City's Right To Receive Rents From Such City-Owned Land; (2) Providing An Option To A Developer To Acquire Development Rights To The North Gateway Area Of The Base If The City And Two West Oakland Recyclers Fail To Close Escrow On Such Property; And (3) Negotiating For An Army Base Ground Lease Tenant(S) To Prepay A Discounted Present Value Of The Tenant(S)' Long Term Ground Lease Rent To The City

[15-1221](#)

A motion was made by Reid, seconded by Guillén, that this matter be 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 7/19/2016. The motion carried by the following vote:

Excused: 1 - Kaplan

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

No: 1 - Gallo

S-17 Subject: 12th Street Remainder Parcel Disposition And Development Agreement With Urbancore And EBALDC
From: Economic And Workforce Development
Recommendation: Adopt An Ordinance: (1) Authorizing The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Disposition And Development Agreement And Related Documents Between The City Of Oakland And Urbancore Development, LLC Or Its Related Entities Or Affiliates ("Urbancore"), And East Bay Asian Local Development Corporation Or Its Related Entities Or Affiliates ("EBALDC"), For (A) Sale Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue ("Property") For No Less Than \$8.0 Million, (B) A Seller Carryback Loan From The City To EBALDC In The Amount Of \$3.3 Million Plus The Cost Of Loan Origination, And (C) Development Of The Property As A Residential Mixed-Use Project, All Of The Foregoing Documents To Be In A Form And Content Substantially In Conformance With The Term Sheet Attached As Exhibit A, And; (2) Adopting CEQA Exemptions (15183 & 15183.3) And Addendum (Relying On The Previously Certified 2014 Lake Merritt Station Area Plan EIR)
[15-1218](#)

A motion was made that this matter be Approved As Amended On Introduction to include section 9 term sheet as part of the building permit application process, require the developer to closely work with OUSD to create a construction mitigation plan, and as a friendly amendment as offered by Councilmember Kalb and accepted by the mover and seconder, to perform community outreach, to be Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/19/2016. The motion carried by the following vote:

Excused: 1 - Kaplan

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

No: 1 - Gallo

S-18 Subject: RAP Fee Increase
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance: (1) Amending Ordinance No. 13320 C.M.S. (The 2015-16 Master Fee Schedule) To Increase The Rent Program Service Fee From \$30 Per Unit To Up To \$104 Per Unit; And (2) Amending Chapter 8.22 (Rent Adjustment Program) Of The Oakland Municipal Code To Provide That Tenants May Choose Whether To Pay Their Portion Of The Rent Program Service Fee In A Lump Sum Or In Monthly Installments
[15-1222](#)

There were 17 speakers on this item.

A motion was made by Campbell Washington, seconded by Guillén, that this matter be Adopted as Amended to set the fee at \$70.00 and within that allocation include hiring of an attorney, striking the provision providing for tenant payments in monthly installments, and delete the referenced language stating the need for a public hearing. The motion failed by the following vote:

Excused: 1 - Kaplan

Abstained: 2 - Brooks, and Reid

Aye: 4 - Campbell Washington, Guillén, Kalb, and Gibson McElhane

No: 1 - Gallo

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

This was Approve as Submitted the report of the City Attorney of 2 final decisions made during closed session as follows:

1) Kenneth Meislin for a settlement of \$24,000 for the damages caused to the sidewalk in front of his home made by City trees, moved by Reid, seconded by Kalb with a vote of 5 Ayes, 1 Abstain - Brooks, 1 Absent - Gallo, 1 Excused - Kaplan

2) David Addams vs. City of Oakland, et. al, for a settlement of \$75,000 for physical injuries caused during a bike ride and hitting a crack in the City's sidewalk, moved by Reid, seconded by Campbell Washington, with a vote of 7 Ayes, 1 - Excused Kaplan

Excused: 1 - Kaplan

Aye: 7 - Brooks, Campbell Washington, Gallo, Guillén, Kalb, Reid, and Gibson McElhane

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 Adele Foley, Barry Weiss, Ali Gazelle, and
Brandon C. Bell at 10:34 p.m.*

Americans With Disabilities Act

**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.**

Office of the City Clerk - Agenda Management Unit

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**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.**