

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

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

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

Tuesday, March 15, 2016

5:00 PM

City Council Chamber, 3rd Floor

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 5:09 p.m.

2 **ROLL CALL / CITY COUNCIL**

Council President Gibson McElhaney was noted as participating by phone from the following location: City of Orlando City Hall, Sustainability Conference Room, 400 S. Orange Avenue, Orlando, FL 32801.

The Roll Call was modified to note Councilmember Brooks present at 5:30 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 22 Open Forum speakers.

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

Disruption of the meeting was noted at 6:00 p.m. President Pro Tempore Reid called for a 10 minute recess.

At 6:10 p.m., President Pro Tempore Reid called for order in the Chamber. Once the disruption continued, President Pro Tempore Reid directed that the Chamber be emptied by police.

President Pro Tempore Reid declared that the protesters were too disruptive for police to safely clear from the Chamber. President Pro Tempore Reid adjourned the meeting to a closed room and declared that no public speakers would be permitted.

The City Council reconvened in the Mayor's Conference Room on the 3rd Floor in City Hall at 6:14 p.m.

4.1 Subject: Recognizing Lieutenant Kevin N. Wiley

From: Councilmember Noel Gallo

Recommendation: Adopt A Resolution Recognizing And Honoring Lieutenant Kevin Wiley For 30 Years Of Dedicated Service To The Residents Of Oakland And The Oakland Police Department

15-0529

Attachments: View Report

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 4/5/2016

4.2 Subject: Honoring Winners Of The 37th Annual MLK Jr. Oratorical Fest 2016

From: Vice Mayor Campbell Washington

Recommendation: Adopt A Resolution Recognizing Oakland Unified School District Students For Their Oustanding Performances And First Place Awards In The 37th Annual Martin Luther King Jr. Oratorical Fest 2016

<u>15-0701</u>

Attachments: View Report

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 4/5/2016

4.3 Subject: American Red Cross Month 2016

From: Vice Mayor Campbell Washington

Recommendation: Adopt A Resolution Declaring March 2016 As American Red

Cross Month <u>15-0699</u>

Attachments: View Report

This City Resolution was Continued.to the Meeting of the Oakland City Council to be heard 4/5/2016

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MARCH 1, 2016 AND MARCH 15, 2016

15-0692

Attachments: View Report

View Report

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 Campbell Washington, seconded by Brooks, to approve the Consent Agenda. The motion carried by the following vote:

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

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

<u>15-0704</u>

Attachments: View Report

86035 CMS

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

15-0705

Attachments: View Report

86036 CMS

This City Resolution was Adopted.

7.3 Subject: Oakland Redevelopment Successor Agency (ORSA) Audit Report

From: Finance Department

Recommendation: Receive The Oakland Redevelopment Successor Agency (ORSA)

Audit Report For The Year Ended June 30, 2015

15-0544

Attachments: View Report

This Informational Report was Received and Filed.

7.4 Subject: Comprehensive Annual Financial Report (CAFR) And Management Letter

From: Finance Department

Recommendation: Receive The Comprehensive Annual Financial Report (CAFR)

And The Management Letter For The Year Ended June 30, 2015

15-0553

Attachments: View Report

This Informational Report was Received and Filed.

7.5 Subject: Measure C - Oakland Hotel Tax Audit and Program Status Report

From: Finance Department

Recommendation: Receive The Measure C - Oakland Hotel Tax Audit And Program

Status Report For The Year Ended June 30, 2015

15-0554

Attachments: View Report

This Informational Report was Received and Filed.

7.6 Subject: Measure Y - Violence Prevention and Public Safety Act of 2004 Audit

Report

From: Finance Department

Recommendation: Receive The Measure Y - Violence Prevention And Public Safety

Act Of 2004 Audit Report For The Year Ended June 30, 2015

15-<u>0555</u>

Attachments: View Report

This Informational Report was Received and Filed.

7.7 Subject: Amending The Salary Schedule Of Ordinance No. 12187 C.M.S.

From: Human Resources Management Department

Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classifications Of Housing Development Coordinator I, Housing Development Coordinator II, And Home Management Specialist I; Adjust The Title Of Home Management Counselor II And III To Home Management Specialist II And III, Adjust The Title Of Manager, Cultural Arts, To Manager, Cultural Affairs, And Modify Various Information Technology Classification Titles; Adjust The Title And Salary Rate Of Cable Television Operations Coordinator To Cable Television Production And Operations Manager; Correct The Effective Date Of Environmental Services Analyst, Assistant, And Capital Improvement Project Coordinator, Assistant; And Delete All The Museum Classifications

15-0604

Attachments: View Report

13359 CMS

This Ordinance was Approved for Final Passage.

7.8 Subject: Settlement Agreement - Tillis V. City Of Oakland

From: Office of the City Attorney

Recommnedation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Antonio Tillis V. City Of Oakland, Alameda County Superior Court Case No. RG12645745 City Attorney's File No. 29024, In The Amount Of Four Hundred Fifty Thousand Dollars And No Cents (\$450,000.00) (Oakland Public Works Dangerous Condition)

15-0714

Attachments: View Report

86037 CMS

This City Resolution was Adopted.

7.9 Subject: Settlement Agreement - Douglas V. City Of Oakland

From: Office of the City Attorney

Recommnedation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Trulynia Douglas V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG13691032, City Attorney's File No. 29435, In The Amount Of Sixty Thousand Dollars And Zero Cents (\$60,000.00) (Public Works - Dangerous Condition)

<u>15-0715</u>

Attachments: View Report

86038 CMS

7.10 Subject: Settlement Agreement - Claim Of William Jetter

From: Office of the City Attorney

Recommnedation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of William Jetter, In The Amount Of Nine Thousand Nine Hundred Ninety-Seven Dollars And 00/100 Cents (\$9,997.00) As The Result Of Damages Sustained From A Bicycle Incident Involving A Pothole On May 15, 2015 (Public Works - Dangerous Conditions)

<u>15-0716</u>

Attachments: View Report

86039 CMS

This City Resolution was Adopted.

7.11 Subject: Settlement Agreement - Claim Of Bristol West A/S/O Sofia Alma Martin Del

Campo

From: Office of the City Attorney

Recommnedation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Bristol West As Subrogee Of (A/S/0) Sofia Alma Martin Del Campo In The Amount Of Nine Thousand Six Hundred Seventy-Five Dollars And 16/100 Cents (\$9,675.16) As The Result Of Damages Sustained From An Automobile Collision On May 5, 2015 (Oakland Police Department - Automobile Collision)

15-0717

Attachments: View Report

86040 CMS

This City Resolution was Adopted.

7.12 Subject: Supporting State Efforts To Increase State Supplementary Payments From: Councilmembers Gibson McElhaney, Campbell Washington And Guillen Recommendation: Adopt A Resolution Supporting All Efforts By The State Legislature And Governor To Increase SSP Payments To Meet Or Exceed The Federal Poverty Level For Elderly, Blind Or Disabled Individuals

15-0629

Attachments: View Report

View Supplemental Report
View Supplemental Report

86041 CMS

7.13 Subject: Head Start Advisory Board Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Javay Ross, Md, Christian Curry Batchelder, Iris Brody Lopez, Molly J. Tafoya, And

Michael L. Moore, Sr. To The Head Start Advisory Board

<u>15-0733</u>

Attachments: View Report

86042 CMS

This City Resolution was Adopted.

7.14 Subject: Parks And Recreation Advisory Commission Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ethel

Howze And Coire Reilly To The Parks And Recreation Advisory Commission

15-0734

Attachments: View Report

86043 CMS

This City Resolution was Adopted.

7.15 Subject: Public Art Advisory Committee Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Allison Cummings, Yulia Pinkusevich, And Joyce Gordon As Members Of The Public

Art Advisory Committee

15-0735

Attachments: 86044 CMS

This City Resolution was Adopted.

7.16 Subject: Library Advisory Commission Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Susanna Perkins, Victoria Barbero, Andrew Racle, Rosa Montgomery And Ruby Burnstein As Members Of The Library Advisory Commission

15-0736

Attachments: View Report

86045 CMS

7.17 Subject: ACS/Xerox Contract Extension

From: Finance Department

Recommendation: Adopt A Resolution Waiving The Request For Qualifications ("RFQ"), Competitive Selection Advertising And Competitive Bidding Requirements And Authorizing The City Administrator To Execute A Fourth Amendment To The Agreement With ACS State And Local Solutions Inc. ("ACS/Xerox") To Extend The Term Of The Agreement For A Period Not To Exceed Two-Years, Starting April 2, 2016 And Terminating April 1, 2018 To Provide A Parking Citation Administration And Revenue Reconciliation ("CARR") System And To Compensate ACS/Xerox Under The Current Terms Of The Existing Contract In An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000) Per Year.

15-0652

Attachments: View Report

86046 CMS

This City Resolution was Adopted.

7.18 Subject: As-Needed Professional Auditing Services, FY 2016-19

From: Finance Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution By The City Council Of The City Of Oakland Authorizing The City Administrator To Award A Three (3) Year Contract With Macias Gini & O'Connell, LLP (MGO) To Provide As-Needed Professional Auditing Services For Fiscal Years Ending June 30, 2016, June 30, 2017, And June 30, 2018 In An Amount Not To Exceed \$1,853,800 (Of Which \$1,791,550 Will Be Funded By The City And \$62,250 Will Be Funded By The Oakland Redevelopment Successor Agency), With A One (1) Year Option To Extend The Contract For Fiscal Year Ending June 30, 2019; And 15-0658

Attachments: View Report

86047 CMS

2) A Resolution Authorizing The Agency Administrator To Award A Three (3) Year Contract With Macias Gini & O'Connell, LLP (MGO) To Provide As-Needed Professional Auditing Services For Fiscal Years Ending June 30, 2016, June 30, 2017, And June 30, 2018 In An Amount Not To Exceed \$1,853,800 (Of Which \$62,250 Will Be Funded By The Oakland Redevelopment Successor Agency And \$1,791,550 Will Be Funded By The City), With A One (1) Year Option To Extend The Contract For Fiscal Year (Ending June 30, 2019) 15-0667

Attachments: 2016-002 ORSA

This ORSA Resolution was Adopted.

7.19 Subject: Latham Square Streetscape Improvements

From: Oakland Public Works Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Waiving Advertising And Competitive Bidding And Authorizing The Increase Of The Change Order Limit For The Contract With McGuire And Hester, Inc. For Construction Of The Latham Square Streetscape Improvement Project (No. C464560) From Fifteen Percent Or Six Hundred Twenty-Eight Thousand Five Hundred Twenty-Three Dollars (15% Or \$628,523.00) To Forty Percent Or One Million Six Hundred Seventy-Six Thousand Sixty-Two Dollars (40% Or \$1,676,062.00) Of The Original Contract For A Total Contract Amount Not To-Exceed Five Million Eight Hundred Sixty Six Thousand Two Hundred Eighteen Dollars (\$5,866,218.00); And 15-0648

Attachments: View Report

View Supplemental Report

86048 CMS

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute An Amendment To The Reimbursement Agreement With East Bay Municipal Utilities District ("EBMUD"), Increasing The Not To Exceed Reimbursement Amount From Three Hundred Thousand Dollars (\$300,000.00) To Eight Hundred Thousand Dollars (\$800,000.00) And To Accept And Appropriate The Funds For Construction, Professional Service Agreements And City Staff Costs Associated With The Relocation Of The EBMUD Water Main For The Latham Square Streetscape Improvements Project (No. C464560) Without Return To Council; And 15-0665

Attachments: 86049 CMS

3) A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute A Reimbursement Agreement With AT&T, Inc. ("AT&T") In The Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) And To Accept And Appropriate The Funds For Construction, Professional Service Agreements And City Staff Costs Associated With AT&T's Vault Reconstructions For The Latham Square Streetscape Improvements Project (No. C464560) Without Return To Council 15-0666

Attachments: 86050 CMS

This City Resolution was Adopted.

7.20 Subject: Rockridge Library Renovation Construction Award

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Two Hundred Forty-Nine Thousand Dollars (\$249,000.00) In The Open Market For The Rockridge Library Renovation (Project No. C465710) In Accordance With Project Plans And Specifications

15-0649

Attachments: View Report

86051 CMS

This City Resolution was Adopted.

7.21 Subject: 2015-2016 Program For Arterial System Synchronization (PASS) Project

From: Oakland Public Works Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Director Of Public Works To Enter Into An Agreement With The Metropolitan Transportation Commission (MTC) To Implement The 2015-2016 Program For Arterial System Synchronization (PASS) Project And To Reimburse MTC An Amount Not To Exceed Fifty-Five Thousand Dollars (\$55,000.00) As City Of Oakland Local Match To The 2015-2016 PASS Project

15-0650

Attachments: View Report

86052 CMS

7.22 Subject: Head Start-OUSD Sub-Contract For Early Childhood Education Program

From: Human Services Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into A Sub-Contract With Oakland Unified School District To Receive State Funding In An Amount Not To Exceed \$326,040 To Provide California State Preschool Services To Eligible Participants, Ages Three To Five Years Old, Effective December 1, 2015 Through June 30, 2016; And 2) Accept And Appropriate Said Funding 15-0653

Attachments: View Report

86053 CMS

This City Resolution was Adopted.

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

A motion was made by Kaplan, seconded by Kalb, that this matter be Approve as Submitted the oral report from the Office of the City Attorney of 3 final decisions made during Closed Session. The motion carried by the following vote:

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

City Council took a recess from 6:19 p.m. to 6:30 p.m. prior to hearing non-consent items.

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:

Subject: Amending Fire Code Chapter 15.12, Section 114.3

From: Finance Department

Recommendation: Adopt An Ordinance Amending Chapter 15.12, Section 114.3 Of The Oakland Fire Code To Authorize Use Of The Lien Process To Recover Unpaid Administration And Reinspection Fees, Fines, Interest, Penalties, And Collection Fees And Other Costs Associated With Enforcement Of The Fire Code 15-0654

Attachments: View Report

View Supplemental Report
View Supplemental Report

A motion was made by Kaplan, seconded by Kalb, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 4/5/2016. The motion carried by the following vote:

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

9.2 Subject: Amending The Master Fee Schedule

From: Finance Department

Recommendation: Adopt An Ordinance Amending Ordinance 13320 C.M.S. (The FY 2015-16 Master Fee Schedule, Or "MFS"), To Establish, Modify And Delete Fees And Penalties Assessed By Offices, Departments, Bureaus, And Agencies Of The City Of Oakland. Referenced Herein

15-0655

Attachments: View Report

View Supplemental Report
View Supplemental Report
View Supplemental Report

A motion was made by Kaplan, seconded by Kalb, that this matter be Continued to the Meeting of the Oakland City Council, to be heard 4/5/2016. The motion carried by the following vote:

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Locate Unlawful Detainers & Self-Help Center In Oakland Courthouse From: Office Of The City Attorney And Council President Gibson McElhaney Recommendation: Adopt A Resolution Urging The Alameda County Superior Court To Reconsider Its Decision To Relocate All Unlawful Detainer Actions And The Self-Help Center To Hayward And Instead To Locate Oakland Unlawful Detainers And A Self-Help Center In An Oakland Courthouse 15-0718

<u>Attachments:</u> <u>View Report</u> 86054 CMS

A motion was made by Gibson McElhaney, seconded by Kaplan, 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

12 Subject: Purchase Of Mobile Radios

From: Information Technology Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Negotiate And Enter Into An Agreement With Motorola Solutions, Inc. In An Amount Not To Exceed Three Million Eight-Hundred Thousand Dollars (\$3,800,000) For The Purchase Of Nine Hundred (900) Mobile Radios And Associated Equipment, Programming, Testing, Installation And Professional Services In Support Of The Mobile Radios Replacement Project; 2) Reallocate Funds In The Amount Not To Exceed Two Million Dollars (\$2,000,000) Through Previously Allocated Funds As Approved By Council On Resolution No. 85113 C.M.S. July 15, 2014 To Pay For The Radio Fleet Replacement; 3) Reallocate Funds In The Amount Not To Exceed One Million Dollars (\$1,000,000) Through 2008 Bond Fund; 4) Appropriate And Allocate In The Amount Not To Exceed Eight Hundred Thousand Dollars (\$800,000) Through Radio Funds To Pay For The Radio Fleet Replacement; And 5) Waive The City's Advertising, Competitive Bid And Request For Proposal (RFP) Process For Equipment, Products And Professional Services For The Above Described Contract 15-0730

Attachments: View Report

View Supplemental Report

86055 CMS

A motion was made by Brooks, 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 McElhaney

13 Subject: 12th Street Remainder ENA With Urbancore & EBALDC

From: Economic & Workforce Development Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Negotiate And Execute An Exclusive Negotiating Agreement With Urbancore Development, LLC And East Bay Asian Local Development Corporation (Collectively "Developer") For Development Of The 12th Street Remainder Parcel Located At E12th Street And 2nd Avenue

15-0731

Attachments: View Report

86056 CMS

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

Recused: 1 - Kaplan

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

No: 1 - Gallo

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 7:14 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.