



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

Tuesday, July 9, 2019

3:00 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 3:26 P.M.

2 ROLL CALL / CITY COUNCIL

Present 8 - Dan Kalb, Larry Reid, Lynette McElhaney, Noel Gallo, Sheng Thao, Loren Taylor, Nikki Bas, and Rebecca Kaplan

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

35 speakers spoke during Open Forum.

The Roll Call was modified to show Councilmember McElhnaey present at 3:56 p.m.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Councilmember McElhnaey took a point of personal privilege and requested that the meeting be adjourned in memory of Cheryle Lisa Neal Reed

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 10, JUNE 12, JUNE 18, 5:00 P.M. SPECIAL BUDGET AND JUNE 18, 5:30 P.M. CITY COUNCIL AGENDA'S [18-2043](#)

Attachments: [View Report - 6/10/2019](#)
[View Report - 6/12/2019](#)
[View Report - 5:00 p.m. 6/18/2019](#)
[View Report - 5:30 p.m. 6/18/2019](#)

A motion was made by Noel Gallo, seconded by Lynette McElhaney, that this matter be Approved. The motion carried by the following vote:

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

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):

*A Motion was made by President Pro Tempore Kalb to Continue item 9.4 to the
July 16, 2019 City Council Agenda*

*A Motion was made to withdraw and rescheduled items 7.47 and 7.49 to July 16,
2019 City Council Agenda*

7 CONSENT CALENDAR (CC) ITEMS:

Approval of the Consent Agenda

There were 28 speakers on the consent calendar.

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

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 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

Attachments: [View Report](#)
[87763 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

[18-2045](#)

Attachments: [View Report](#)
[87764 CMS](#)

This City Resolution was Adopted.

- 7.3** Subject: Declaration Of A Local Emergency On Homelessness
From: Council President Kaplan
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of The City's Homelessness Crisis
[18-2046](#)

Attachments: [View Report](#)
[87765 CMS](#)

This City Resolution was Adopted.

- 7.4** Subject: Concordia And Patterson Park Mini-Pitch Soccer Gift-In-Place
From: Parks, Recreation & Youth Development Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept A Gift Of In-Kind Services From The United States Soccer Federation Foundation, Inc. For The Concordia And William "Bill" Patterson Park Mini-Pitch Soccer Renovation Valued In An Amount Not To Exceed One Hundred And Twenty Thousand Dollars (\$120,000) And Authorize The City Administrator To Execute A Contract For One Dollar (\$1.00) With Vendors To Be Determined By The United States Soccer Federation Foundation, Inc. To Perform The Services And Authorize The Work On City Property
[18-1952](#)

Attachments: [View Report](#)
[87766 CMS](#)

This City Resolution was Adopted.

- 7.5** Subject: Senior Companion Program/Foster Grandparent Program Grant
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 2019-2020 From The Corporation For National And Community Services (CNCS) In Amounts Not To Exceed \$301,482 For The Senior Companion Program (SCP) And \$30,958 For The Foster Grandparent Program (FGP); (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 Central SERVICES OVERHEAD CHARGES IN AN ESTIMATED AMOUNT OF \$31,493
[18-1954](#)

Attachments: [View Report](#)
[87767 CMS](#)

This City Resolution was Adopted.

- 7.6** Subject: Paratransit Measure B And BB Funds For Fiscal Year 2019-2020
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate Direct Local Program Distribution Funds In The Amount Of \$1,287,604 Measure B And \$1,317,530 Measure BB For Fiscal Year 2019-2020 From The Alameda County Transportation Commission To Provide Paratransit Services; And 2) Execute Agreements For Paratransit Services For Fiscal Year 2019-2020 In Amounts Of: \$600,000 To Friendly Transportation, Inc., \$75,000 To St. Mini Cab Corporation, \$400,000 To Quality Transit, LLC, \$100,000 To Bell Transit Corporation, \$25,000 To One Access Medical Transportation, LLC, \$30,000 To Driver/Owner Leasing Co., Inc. And \$375,000 To Bay Area Charters, Inc.; And 3) Execute A Grant Agreement With The City Of Emeryville In An Amount Not To Exceed \$100,000 For Paratransit Services In The Amount Of \$50,000 For Fiscal Year 2019-2020 And \$50,000 For Fiscal Year 2020-2021; And 4) Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available For Fiscal Year 2019-2020 And Amend The Aforementioned Agreements Within The Terms Without Returning To City Council
[18-1964](#)

Attachments: [View Report](#)
[87768 CMS](#)

This City Resolution was Adopted.

- 7.7** Subject: Multipurpose Senior Service Program (MSSP) FY 2019-2020
From: Human Services Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Apply For And Accept State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number Ms-1920-01 With The State Of California Department Of Aging For The Multipurpose Senior Services Program For Fiscal Year 2019-2020; 2) Authorizing The City Administrator To Accept And Appropriate Additional Grant Funds From The State Of California Department Of Aging Within The Grant Term Without Returning To Council; And 3) Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To The Central Services Overhead Charges Estimated At \$282,973
[18-1968](#)

Attachments: [View Report](#)
[87769 CMS](#)

This City Resolution was Adopted.

- 7.8** Subject: FY 2019-2021 Information & Assistance (I&A) Program Grant
From: Human Services Department
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Accept And Appropriate A Grant In An Amount Not To Exceed \$56,142 Per Year For Fiscal Years (FY) 2019-2020 And 2020-2021 For A Total Amount Of \$112,284 For Two Years From Alameda County Social Services Agency For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2019 Through June 30, 2021; And Accept And Appropriate Any Additional Funds From The Grantor For The I&A Program Within The Grant Term; And (2) Authorizing A Contribution From The General Purpose Fund In The Amount Equivalent To The Central Services Overhead Charges In An Estimated Amount Of \$13,660 For FY 2019-2020 And \$13,934 For FY 2020-2021

[18-1971](#)

Attachments: [View Report](#)

[87770 CMS](#)

This City Resolution was Adopted.

- 7.9** Subject: POST Use Of Force Curriculum Development Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds To The Oakland Police Department (OPD) In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The State Of California Commission On Peace Officer Standards And Training (Post) For The Innovative Grant Program During The Grant Period Of April 1, 2019 Through March 31, 2021, To Fund The Development Of Use Of Force And De-Escalation Curricula And Delivery Of Training To OPD Sworn Staff, And To Authorize The General Purpose Services Fund To Contribute Twenty Seven Thousand Eight Hundred And Twenty Seven Dollars (\$27,827) To Cover The Central Services Overhead Charges

[18-2032](#)

Attachments: [View Report](#)

[87771 CMS](#)

This City Resolution was Adopted.

- 7.10 Subject: Board Of Port Commissioners Reappointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Reappointments Of Joan Story
And Cestra "Ces" Butner To The Board Of Port Commissioners
[18-1939](#)

Attachments: [View Report](#)
[87772 CMS](#)

This City Resolution was Adopted.

- 7.11 Subject: Major Encroachment Permit At 1431 Jefferson Street.
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee
To Grant A Conditional And Revocable Major Encroachment Permit To Jefferson Street
Hotel, LLC, A Delaware Limited Li Abut Y Company, To Allow Portions Of The New
Building Above Grade At 1431 Jefferson Street To Encroach Into The Public
Right-Of-Way On 15th Street And Jefferson Street, Major Encroachment Permit
ENMJ19055
[18-2026](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87773 CMS](#)

This City Resolution was Adopted.

- 7.12 Subject: Caltrans Sustainable Communities Grant Approval
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee
To Accept And Appropriate A Grant From The California Department Of Transportation
(Caltrans), Sustainable Communities Grant Program In An Amount Of Four Hundred Forty
Thousand Dollars (\$440,000.00) To Develop A City Of Oakland Zero Emission Vehicle
Action Plan; And To Commit A Local Match Of Fifty Seven Thousand, Five Hundred
Dollars (\$57,500.00)
[18-2027](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87774 CMS](#)

This City Resolution was Adopted.

- 7.13** Subject: 7th And Campbell Affordable Housing Unsecured Predevelopment Loan
From: Housing And Community Development Department
Recommendation: Adopt Resolution Authorizing An Unsecured Predevelopment Loan In The Amount Of \$650,000 To Oakland And The World Enterprises, Inc. And McCormack Baron Salazar, Or Affiliated Entities, To Support The Development Of Affordable Housing At The 7th & Campbell Project; And Making California Environmental Quality Act Findings For This Action
[18-2028](#)

Attachments: [View Report](#)
[87775 CMS](#)

This City Resolution was Adopted.

- 7.14** Subject: Alcoholic Beverage Control Department OPD Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Allow The Oakland Police Department (OPD) To Accept A Grant Award From The California Department Of Alcoholic Beverage Control (ABC) Alcohol Policing Partnership (App) Program, And Appropriate Ninety-Three Thousand Seven Hundred Dollars (\$93,700) For The Federal Fiscal Year Of 2019-2020 Implementation Of OPD'S Alcohol Control Enforcement Program, And Authorize The General Purpose Services Fund To Contribute Thirteen Thousand Eight Hundred Fifty Three Dollars (\$13,853) To Cover The Associated Central Services Overhead (CSO) Costs
[18-2030](#)

Attachments: [View Report](#)
[87776 CMS](#)

This City Resolution was Adopted.

- 7.15** Subject: Grant For Artists Debra Koppman And Laurie Polster
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Rescinding Resolution No. 86394 And Authorizing A Grant Of \$9,000 From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist Laurie Polster, With The Support Of Artist Debra Koppman, For A Mural On The Outside Of St. Columba Church At 6401 San Pablo Avenue In Oakland In The Golden Gate Neighborhood
[TITLE CHANGE]
[18-2035](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87777 CMS](#)

This City Resolution was Adopted.

- 7.16** Subject: Police Commission Professional Service Providers Contract
From: Councilmembers Taylor And Gallo
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.04, Purchasing System, To Add Section 2.04.022 To Authorize The Police Commission To Purchase Professional Services Necessary To Fulfill Its Duties As Defined In Measure LL, Codified In Section 604 Of The Oakland City Charter
[18-1764](#)

Attachments: [View Report](#)
[View Supplemental Report 6/28/2019](#)
[View Supplemental Report 6/28/2019](#)
[13547 CMS](#)
[Poof Of Publication](#)

This Ordinance was Approved for Final Passage.

- 7.17** Subject: Ordinance Authorizing A Lease For City Property
From: Human Services Department
Recommendation: Adopt An Ordinance (1) Authorizing A Lease Agreement With Bay Area Community Services (BACS) For Lease Of The City-Owned Real Property Located At 641 West Grand Avenue For A Term Of Five Years For Zero Rent In Exchange For In-Kind Services To Provide Housing And Supportive Services To Homeless Individuals; And (2) Finding And Determining That The Lease Of The City- Owned Real Property Located At 641 West Grand Avenue To BACS For Less Than Its Fair Market Value Is In The Best Interest Of The City
[18-1877](#)

Attachments: [View Report](#)
[13548 CMS](#)
[Poof Of Publication](#)

This Ordinance was Approved for Final Passage.

7.18 Subject: Sidewalk Repair Ordinances
From: Transportation Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Revising Oakland Municipal Code Title 12, Chapter 12.04 To Add Oakland Municipal Code Title 12, Chapter 12.22 To Establish Property Owner Responsibility And Liability For Sidewalk Safety And Maintenance; And
[18-1912](#)

Attachments: [View Report](#)
[View Supplemental Report 6/7/2019](#)
[13549 CMS](#)
[Poof Of Publication](#)

This Ordinance was Approved for Final Passage.

2) An Ordinance Revising Oakland Municipal Code Title 12, Chapter 12.04 To Add New Regulations Requiring Oakland Property Owners To Inspect And Certify Sidewalks In The Public Right-Of-Way At The Time Of Property Transfer
[18-1913](#)

Attachments: [View Report](#)
[View Supplemental Report 6/7/2019](#)
[13550 CMS](#)
[Poof Of Publication](#)

This Ordinance was Approved for Final Passage.

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

7.20 Subject: Oakland's Race And Gender Disparity Study Update
From: Contracts And Compliance Division
Recommendation: Adopt A Resolution To Amend Resolution Number 86754 C.M.S. Authorizing The City Administrator To Increase The Original Contract Amount For Mason Tillman Associates (MTA) By Ninety-Nine Thousand One Hundred Sixty-One Dollars And Twenty-Five Cents (\$99,161.25) For A Total Contract Amount Not -To-Exceed Five Hundred Ninety Thousand Thirty-Six Dollars And Twenty-Five Cents (\$590,036.25) To Complete The Remainder Of Oakland's Race And Gender Disparity Study
[18-1944](#)

Attachments: [View Report](#)
[87779 CMS](#)

This City Resolution was Adopted.

7.21 Subject: Salary Ordinance Amendment For Various Classifications
From: Human Resources Management Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Manager, Transportation From The Operation Of Civil Service; And [18-1945](#)

Attachments: [View Report](#)
[87780 CMS](#)

This City Resolution was Adopted.

Subject: Amendment To Ordinance No.12187 C.M.S. For Various Classifications
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 Full-Time Classification Of Manager, Transportation; To Add The Full-Time Classification Of Accounting Analyst, Principal; To Add The Full-Time Classification Of Buyer, Senior; To Add The Full-Time Classification Of Courier; To Amend The Title Of The Full-Time Classification Of Reproduction Offset Operator To Reprographic Offset Operator; And To Amend The Title Of The Full-Time Classification Of Reproduction Assistant To Reprographic Assistant
[18-1946](#)

Attachments: [View Report](#)
[13551 CMS](#)

This Ordinance was 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 7/16/2019

7.22 Subject: Rent Adjustment Program Audit Report
From: Office Of The City Auditor
Recommendation: Receive A Presentation From The City Auditor Regarding The Rent Adjustment Program Follow-Up Audit Report
[18-1864](#)

Sponsors: Office Of The City Auditor

Attachments: [View Report](#)

This Informational Report was Received and Filed.

- 7.23** Subject: Mosswood Community Center Project Grant Award
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The Proposition 68 - California Cultural, Community And Natural Resources Grant For The Mosswood Park Community Center Project (No. 1003625) For An Amount Not-To-Exceed Two Million Two Hundred One Thousand One Hundred Dollars (\$2,201,100.00).

[18-1867](#)

Attachments: [View Report](#)

[87781 CMS](#)

This City Resolution was Adopted.

- 7.24** Subject: Revenue Appropriation - Auction Sale Proceeds
 From: Oakland Public Works Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Accept And Appropriate Rebates, Refunds And Other Similar Incentives Obtained During The Vehicle Procurement Process, (2) Allocate Revenue From Said Vehicle Acquisition Rebates, Refunds And Other Similar Incentives For The Purchase Of Vehicles And Related Equipment To Support The City Of Oakland's Fleet, And (3) Direct Oakland Public Works To Prepare And Present To City Council An Annual Report Identifying Revenue From Said Vehicle Acquisition Rebates, Refunds And Other Similar Incentives And Provide Expenditure Details

[18-1865](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)

[87782 CMS](#)

This City Resolution was Adopted.

- 7.25** Subject: Revenue Appropriation - Rebates, Refunds And Other Incentives
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To: (1) Accept And Appropriate Revenue Generated Through The Sale Of Surplus City Of Oakland Vehicles And Related Equipment By Public Auction, (2) Allocate Said Surplus Vehicle And Equipment Auction Sales Revenue For The Purchase Of Vehicles And Related Equipment In Support Of The City Of Oakland's Fleet, And (3) Direct Oakland Public Works To Prepare And Present To City Council An Annual Report Identifying Surplus Vehicle And Equipment Auction Sales Revenue And Provide Expenditure Details [18-1884](#)

Attachments: [View Report](#)
[87783 CMS](#)

This City Resolution was Adopted.

- 7.26** Subject: BAAQMD Grant For Commercial Lawn And Garden Equipment
From: Oakland Public Works
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Apply For, Accept, And Appropriate Grant Funds From The Bay Area Air Quality Management District For The Commercial Lawn And Garden Project In An Amount Not-To-Exceed Ninety-Five Thousand Dollars (\$95,000.00) [18-1866](#)

Sponsors: Oakland Public Works Department

Attachments: [View Report](#)
[87784 CMS](#)

This City Resolution was Adopted.

- 7.27** Subject: Rehabilitation Of Sanitary Sewers
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Rehabilitation Sub-Basin 83-002 (Project No. 1003231) And With Contractor's Bid In The Amount Of Three Million Two Hundred Forty-Seven Thousand Four Hundred Twenty-Five Dollars (\$3,247,425.00); And [18-1941](#)

Attachments: [View Report](#)
[87785 CMS](#)

This City Resolution was Adopted.

2) A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, In Accordance With Project Specifications For Sanitary Sewer Rehabilitation Sub-Basin 80-022 (Project No. 1001026) And With Contractor's Bid In The Amount Of Two Million One Hundred Seventy Thousand Twenty Dollars (\$2,175,020.00)

[18-1942](#)

Attachments: [View Report](#)
[87786 CMS](#)

This City Resolution was Adopted.

7.28 Subject: Sanitary Sewer Extension Reimbursement Agreement
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into An Agreement Between The City And The Applicant For Reimbursement Of A Proportionate Share Of The Cost Of The Proposed Privately-Funded Sanitary Sewer Extension Project On Skyline Boulevard And Lexford Place Between The Applicant And The Owners Of Other Benefited Parcels Of The Project

[18-1943](#)

Attachments: [View Report](#)
[87787 CMS](#)

This City Resolution was Adopted.

7.29 Subject: Expand Residential Permit Parking Areas "G" and "N"
From: Transportation Department
Recommendation: Adopt A Resolution Expanding Residential Parking Permit Areas "G" And "N" At The Following Street Segments: A. Santa Clara Ave Between Kempton Way And Macarthur Boulevard, East Side; B. West Between 42nd Street And 43rd Street C. 43rd Street Between West And MLK

[18-1948](#)

Attachments: [View Report](#)
[View Supplemental Report - Kalb](#)
[87788 CMS](#)

This City Resolution was Adopted.

- 7.30** Subject: Resolution To Accept And Appropriate Cycle 9 (HSIP9) Grant Funds
From: Transportation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Director Of Transportation Or Designee To Accept And Appropriate Two Highway Safety Improvement Program Cycle 9 (HSIP9) Grants Totaling \$1,345,930 To Implement Safety Improvements For Pedestrians And Motorists At Various Streets And Intersections In The City Of Oakland, And Allocate \$154,070 As Required City Local Match In Measure BB Local Match Funds And Measure KK Infrastructure Bond Fund
[18-1947](#)

Attachments: [View Report](#)
[87789 CMS](#)

This City Resolution was Adopted.

- 7.31** Subject: Miles Avenue Curb Zone Change
From: President Pro Tempore Kalb
Recommendations: Adopt An Ordinance Amending Oakland Municipal Code Section 10.36.140 To Remove A Street Segment On Miles Avenue From The Established Parking Meter Zones
[18-2020](#)

Attachments: [View Report](#)
[View Supplemental Report 6/21/2019](#)
[13552 CMS](#)

This Ordinance was 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 7/16/2019

- 2) A Resolution Approving The Establishment Of Four-Hour Parking Limitations On The South Side Of A Segment Of Miles Avenue Between Presley Way And College Avenue
[18-2021](#)

Attachments: [View Report](#)
[View Supplemental Report 6/21/2019](#)
[87790 CMS](#)

This City Resolution was Adopted.

- 7.32** Subject: Modify Residential Parking Permit Area "C" On Birch Court
From: President Pro Tempore Kalb
Recommendation: Adopt A Resolution Amending Council Resolution No. 83119 C.M.S. To Increase The Restricted Street Parking Limit From Two Hours To Four Hours Maximum For The South Side Of Birch Court From College Avenue To The End Of The Street, Monday Through Friday, Except For Vehicles Displaying RPP Area "C" Permits [18-2034](#)

Attachments: [View Report](#)
[87791 CMS](#)

This City Resolution was Adopted.

- 7.33** Subject: Workforce Development Board FY 2019-20 Budget And Contracts
From: Economic And Workforce Development Department
Recommendation: Adopt A Resolution (1) Adopting The Fiscal Year 2019-2020 Workforce Development Budget; (2) Accepting And Appropriating \$150,000 From The California Workforce Development Board (State Board) And The Employment Development Department And Authorizing A Grant Award Agreement In The Amount Of \$90,000 With The Construction Trades Workforce Initiative To Increase Jobs And Careers In The Building Trades For The Oakland Builders Network; (3) Accepting And Appropriating \$642,966 From The Alameda County Workforce Development Board (ACWDB) And Authorizing Grant Agreements With Lao Family Community Development, Inc. And Building Opportunities For Self-Sufficiency (Boss) To Provide Workforce Services To Justice Involved Individuals In The Total Amount Of \$200,000 Each For Fiscal Years (FY) 2019-2021; (4) Accepting And Appropriating Workforce Innovation And Opportunity Act (WIOA) Title I Formula Funds In The Estimated Amount Of \$3,329,294 And Authorizing Grant Award Agreements With Service Providers Competitively Selected By The Oakland Workforce Development Board To Provide Comprehensive Career Services, Adult Career Services, And Youth Services From WIOA Title I Formula Funds And Other Funds For Fiscal Year 2019-2020; And (5) Authorizing The City Administrator To Apply For, Accept And Appropriate Grants And Contributions For Workforce Development Services Beyond The WIOA Title I Formula Funding And Other Budgeted Funding Sources Up To \$250,000 Per Instance With The Approval Of The Oakland Workforce Development Board Without Returning To Council [18-1958](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87792 CMS](#)

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

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 7.34** Subject: Purchase Of 2327 San Pablo Avenue SRO For Transitional Housing
Form: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing The Purchase Of A 24-Unit Single Room Occupancy Residential Hotel Located At 2327 San Pablo Avenue For A Maximum Of \$3,100,000 For Use As Transitional Housing, And Allocating An Additional Amount Not To Exceed \$50,000 For Associated Closing Costs And Fees, And Making California Environmental Quality Act Findings

[18-1963](#)

Attachments: [View Report](#)
[13553 CMS.pdf](#)

This Ordinance was 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 7/16/2019

- 7.35** Subject Resolutions Amending Affordable Housing Agreements
From: Housing And Community Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Amend A Regulatory Agreement Between The City Of Oakland And Fruitvale Development Corporation, Inc. Updating Certain Reserve Requirement Obligations To Be Consistent With The City's Current Reserve Requirements; And

[18-1972](#)

Attachments: [View Report](#)
[View Color Attachment B](#)
[87793 CMS](#)

This City Resolution was Adopted.

2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into A Second Amended And Restated Regulatory Agreement Between The City Of Oakland And RHC-OAK2, LP, Reducing The Number Of Three-Bedroom Units And Increasing The Number Of Four-Bedroom Units At E.C. Reems Garden Apartments To Better Accommodate Large Families; And

[18-1973](#)

Attachments: [View Report](#)
[87794 CMS](#)

This City Resolution was Adopted.

3) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into An Exclusive Negotiation Agreement With Midpen Housing Corporation And Habitat For Humanity East Bay/Silicon Valley Or Their Affiliated Entities, For The Negotiation Of One Or More Lease Disposition And Development Agreements (“LDDAS”) And/Or Disposition And Development Agreements (“DDAS”) And Related Documents For Development Of Affordable Rental And Homeownership Housing At 1707 Wood Street (Between 18th And 20th Streets) In Oakland, Subject To The Completion Of A California Environmental Quality Act (“CEQA”) And National Environmental Policy Act (“NEPA”) Determination, If Applicable; And

[18-1974](#)

Attachments: [View Report](#)
[87795 CMS](#)

This City Resolution was Adopted.

4) A Resolution Authorizing The City Administrator, Or Her Designee, To Amend A Regulatory Agreement Between The City Of Oakland And Civic Center 14 L.P. To Increase The Number Of Restricted One Bedroom Units By One (1) Unit, And Decreasing The Number Of Restricted Three Bedroom Units By One (1) Unit; And In The Event Of Foreclosure Or Loss Of Operating Subsidy, Allowing (I) Income Limits To Rise To 60 Percent Of Ami And Rents To Rise To 30 Percent Of 60 Percent Of Ami For All Restricted Units And (II) After The First Four Years Of Project Operation, Not Enforcing The Project’s Homeless And Special Needs Requirement Following An Event Of Foreclosure Or Loss Of Operating Subsidy During The Period Of Loss

[18-1975](#)

Attachments: [View Reports](#)
[87796 CMS](#)

This City Resolution was Adopted.

- 7.36** Subject: Extension Agreement With The Oakland Museum Of California
From: Councilmember Bas
Recommendation: Adopt An Ordinance Amending Ordinance No. 13709 C.M.S., Which Authorized A Thirty Year Lease Between The City Of Oakland And The Oakland Museum Of California Of Two Buildings And Improvements On City Property Located At 1000 Oak Street And 450 Lancaster Street, To (A) Extend The Lease Under The Same Terms And Conditions For A Period Of Twenty Years Until June 30, 2061 To Facilitate Funding For Extensive Improvements To The Museum Entrances, Gardens And The Museum Cafe And (B) Amend The Lease To Allow Tenant To Pursue The Improvements
[TITLE CHANGE]
[18-1926](#)

Attachments: [View Report](#)
[View Supplemental Report 6/14/2019](#)
[View Supplemental Report 7/3/2019](#)
[13554 CMS](#)

This Ordinance was 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 7/16/2019

- 7.37** Subject: Authorize An Allocation Of \$20 Million In New Markets Tax Credits
From: Economic Workforce Development Department
Recommendation: Adopt A Resolution Approving An Allocation Of Up To \$20 Million Of New Markets Tax Credits By Oakland Renaissance NMTC, Inc., To ORNMTC 2, LLC, And ORNMTC 4, LLC, Sub-Community Development Entities Affiliated With Oakland Renaissance NMTC, Inc., And To Allocate Said Tax Credits To Orton Development, Inc., And The Oakland Museum Of California, Or Their Respective Affiliates, For The Rehabilitation And Adaptive Reuse Of The Historic Henry J. Kaiser Convention Center And For Accessibility Upgrades And Garden Improvements To The Oakland Museum Of California Campus, And Authorizing The City Administrator To Facilitate Said Allocation(S) Without Returning To Council
[18-1966](#)

Attachments: [View Report](#)
[87597 CMS](#)

This City Resolution was Adopted.

- 7.38** Subject: Equitable Access To Low-Income ("Equal") Housing Ordinance
From: City Attorney Parker, Pro Tempore Kalb, And Councilmember Bas
Recommendation: Adopt An Ordinance Adding A New Article To O.M.C. Chapter 8.22
To Increase Access To Housing For Low-Income Tenants Dependent On Housing
Assistance And To Provide Remedies For Violations
[18-2041](#)

Attachments: [View Report](#)
[View Supplemental Report](#)
[View Supplemental Report 7/3/2019](#)
[13559 CMS](#)

**This Ordinance was 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 7/16/2019**

- 7.39** Subject: Ordinance Amending The Duties Of The Library Advisory Commission
From: Oakland Public Library Department
Recommendation: Adopt An Ordinance Amending Ordinance Nos. 8064 C.M.S., 11730
C.M.S., 12879 C.M.S. And 13174 C.M.S. To Amend The Duties Of The Library Advisory
Commission To Include Oversight Of The 2018 Oakland Public Library Preservation Act
And The Library Services Retention And Enhancement Act Of 1994 As Amended, And
To Clarify The Appointment Process
[18-1965](#)

Attachments: [View Report](#)
[13560 CMS](#)

**This Ordinance was 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 7/16/2019**

- 7.40** Subject: Re-Establishing The Cultural Affairs Commission
From: Economic And Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending And Restating Ordinances Nos. 11323 C.M.S. And 11778
C.M.S. To Redefine Duties, Modify Membership And Quorum And Clarify The
Appointment Process Of The Cultural Affairs Commission; And
[18-1955](#)

Attachments: [View Report](#)
[13561 CMS](#)

**This Ordinance was 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 7/16/2019**

2) An Ordinance Amending And Restating The Percent For Public Art Ordinance No. 11086 C.M.S. To Clarify The Duties, Membership, And Appointment Of The Public Art Advisory Committee And Its Relationship To The Cultural Affairs Commission, Formerly Known As The Oakland Art Council

[18-1956](#)

Attachments: [View Report](#)
[13562 CMS](#)

This Ordinance was 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 7/16/2019

7.41 Subject: Senior Center Trust Funds
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept, Appropriate, And Expend Revenue Received In City Established Trust Accounts For Senior Center Events And Activities

[18-1969](#)

Attachments: [View Report](#)
[87798 CMS](#)

This City Resolution was Adopted.

7.42 Subject: Encampment Management Policy And Program
From: Councilmember Bas
Recommendation: Approve A Report And Recommendation From The City Administrator
On The Encampment Management Policy And Program Due To The Homelessness
Crisis Emergency And Multiple Legal Actions Against The City
[18-1669](#)

Attachments: [View Report - Councilmember Bas](#)
[View Report - City Administrator](#)
[View Supplemental Report 5/24/2019](#)
[View Supplemental Report 6/21/2019](#)

The Council approved recommendations as amended to include the following additions to read as follows;

Action: Include the following language into the "General Encampment Management Policies and Procedures" that the City Administration has been tasked with returning a report on no later than December 3rd, 20119

Collaboration with Surrounding Communities

1) In considering Encampment Management Operations and Procedures and the location of self-governed or sanctioned to city supported encampment, the City will include measures to conduct regular community engagement with surrounding residents and businesses and support that a cross section of stakeholder is included to improve community cohesion, garner support for environmental, and reduce environmental and public health harms as much as possible

This Report and Recommendation be Approve with the following amendments.

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 7.43** Subject: Amendments To The Police Commission Enabling Ordinance
 From: Office Of The City Attorney
 Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 2.45, The Enabling Ordinance For The Oakland Police Commission And Community Police Review Agency, To Establish Authorization And Compliance Requirements For The Police Commission To Purchase Professional Services Necessary To Fulfill Their Duties As Defined In Charter Section 604 In Compliance With The Provisions Of Oakland Municipal Code Section 2.04.022 And Other Purchasing Requirements As Specified Therein
 [18-2018](#)

Attachments: [View Report](#)
 [View Supplemental Report](#)
 [13555 CMS](#)

A motion was made by Noel Gallo, seconded by Dan Kalb, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2019. The motion carried by the following vote:

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 7.44** Subject: Settlement Agreement - Susanna Oto & Mary Kate Hallock 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 Susanna Oto And Mary Kate Hallock V. The City Of Oakland, Alameda County Superior Court Case No. RG18895256, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) To Each Plaintiff As A Result Of Alleged Employment Discrimination And Retaliation. (Parks, Recreation, And Youth Development Department - Employment)
 [18-2063](#)

Attachments: [View Report](#)
 [87799 CMS](#)

This City Resolution was Adopted.

- 7.45** Subject: Naming Parks At Brooklyn Basin
From: Parks, Recreation & Youth Development, Councilmember Bas And McElhaney
Recommendation: Adopt A Resolution Naming Four (4) Parks At The Brooklyn Basin
Development Township Commons, Brooklyn Plaza, Mayhew Park, And SII Tka Park
[18-1951](#)

Attachments: [View Report](#)
[View Color Attachment A](#)
[87800 CMS](#)

This City Resolution was Adopted.

- 7.46** Subject: Redistricting Selection Panel Regulations
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving Regulations Establishing Minimum
Standards For Outreach Efforts To Recruit A Robust Pool Of Applicants For The
Screening Panel For The Independent Redistricting Commission
[18-2012](#)

Attachments: [View Report](#)
[View Supplemental Report 7/3/2019](#)
[87801 CMS](#)

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

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- S7.47** Subject: Oakland Housing Authority Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Anne E.
Griffith, Lynette Jung Lee, And Mark J. Tortorich For Four-Year Terms, And Barbara
Montgomery And Betty Lou-Wright For Two-Year Tenant Terms To The Oakland Housing
Authority Board
[18-2082](#)

Attachments: [View Report](#)
[View Supplemental Report 7/12/2019](#)
[87822 CMS](#)

**This City Resolution be Withdrawn and Rescheduled.to go before the *
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the
City Council to be heard 7/16/2019**

S7.48 Subject: Landmarks Preservation Advisory Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Klara Komorous-Towey; And Christopher Andrews As Members Of The Landmarks Preservation Advisory Board
[18-2083](#)

Attachments: [View Report](#)
[87802 CMS](#)

This City Resolution was Adopted.

S7.49 Subject: Cannabis Regulatory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Claudia Mercado And Joshua Chase, And The Reappointment Of Lanese Martin, Chang Yi, Zachary Knox, Frank Tucker, And Stephanie Floyd-Johnson As Members Of The Cannabis Regulatory Commission
[TITLE CHANGE]
[18-2084](#)

Attachments: [View Report](#)
[View Revised Supplemental Report 7/12/2019](#)
[87821 CMS](#)

**This City Resolution be Withdrawn and Rescheduled to go before the *
Concurrent Meeting of the Oakland Redevelopment Successor Agency and the
City Council to be heard 7/16/2019**

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

There were 2 speaker on this item

The oral report from the Office of the City Attorney of XXX final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision.

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

The Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / recessed at 6:11 p.m.

The Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / reconvened at 6:38 p.m.

**9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

- 9.3** Subject: The California State Historic Preservation Officer Agreements
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Programmatic Agreement, Pursuant To Section 106 Of The National Historic Preservation Act, With The California State Historic Preservation Officer Regarding The Avoidance Of Any Adverse Effects On Buried Archaeological Historic Properties As A Result Of The 34th And San Pablo Affordable Housing Project Located At 3419-3431 San Pablo Avenue, Oakland, California, Without Returning To The City Council; And [18-1879](#)

Attachments: [View Report](#)
[87803 CMS](#)

The Agenda was modified to show item 9.3 heard at the first Public Hearing

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:39 p.m.

2 individuals spoke on this item.

Councilmember McElhaney made a motion as amended, seconded by Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Gibson McElhaney, Reid and President Kaplan,

The Council directed staff to return to Community And Economic Development Committee with in 1 year of establishing a framework for the Programmatic Agreement

A motion was made by Lynette McElhaney, seconded by Larry Reid, that this matter be Adopted as Amended. The motion carried by the following vote:

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

Subject: The California State Historic Preservation Officer Agreements
From: Planning And Building Department
Recommendation: Adopt An Ordinance Authorizing The City Administrator Or Designee To Negotiate And Execute Future Required Programmatic Agreements For Affordable Housing Projects With The California State Historic Preservation Officer If An Environmental Assessment Or Environmental Impact Statement Will Be Prepared
[18-1880](#)

Attachments: [View Report](#)
[13557 CMS](#)

The Agenda was modified to show item 9.3 heard at the first Public Hearing

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:39 p.m.

2 individuals spoke on this item.

Councilmember McElhaney made a motion as amended, seconded by Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Gibson McElhaney, Reid and President Kaplan,

The Council directed staff to return to Community And Economic Development Committee after the execution of the Programmatic Agreement with updates

*This Ordinance be Approved As Amended On Introduction and Scheduled for Final Passage.to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council to be heard 7/16/2019*

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 12** Subject: Probation And Parole Search Policy
From: Oakland Police Department And The Oakland Police Commission
Recommendation: Adopt One Of The Following Two Pieces Of Legislation:

1) A Resolution Adopting Oakland Police Department General Order R-02, Searches Of Individuals On Supervised Release As Recommended By The Oakland Police Department; Or

[18-2013](#)

Attachments: [View Report - OPD](#)

The Agenda was modified to show item 12 being heard after item 9.3

There were 12 speaker on this item

A motion was made by Noel Gallo, seconded by Rebecca Kaplan, that this matter be No Action Taken. The motion carried by the following vote:

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

2) A Resolution Adopting Oakland Police Department General Order R-02, Searches Of Individuals On Supervised Release, As Recommended By The Oakland Police Commission

[18-2067](#)

Attachments: [View Report - Police Commission](#)

[87804 CMS](#)

The Council Approved As Amended Option 2 with the following change:

1) Attachment A Section B3, second sentence, strike the first "as" and replace with "by".

2) Page 2 of 4, Footnote 5, add K-3 (II)(B)

This City Resolution be Adopted as Amended.

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

9.5 Subject: Hayes Street Transitional Housing Project
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The Re-Appropriation Of \$200,000 In Community Development Block Grant Funds To Be Used By The Oakland Community Land Trust For The Acquisition And Rehabilitation Of Property Located At 5940 Hayes Street In Oakland As A Transitional Housing Facility

[18-1959](#)

Attachments: [View Report](#)

[View Supplemental Report 7/3/209](#)

[87805 CMS](#)

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:52 p.m.

There were 3 speakers on this item.

Councilmember Taylor made a motion, seconded by Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Reid, Gibson McElhaney and President Kaplan

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

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 9.6** Subject: Authorization Of A DDA For The Sale Of 2100 Telegraph Avenue
From: Economic Workforce And Development
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate
And Execute A Disposition And Development Agreement ("DDA") And Related
Documents Between The City Of Oakland And W/L Telegraph Owner, LLC Or A Related
Entity Or Affiliate ("Developer") In A Form And Content Substantially In Conformance With
The Terms Described In The Agenda Packet
[18-1962](#)

Attachments: [View Report](#)

[View Supplemental Report 7/3/2019](#)

[13558 CMS](#)

Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 8:07 p.m.

43 individuals spoke on this item.

Councilmember McElhaney made a motion, seconded by Vice Mayor Reid, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Taylor, Thao, Gallo, Kalb, Reid, Gibson McElhaney and 2 Abstained Bas and President Kaplan

*A motion was made by Lynette McElhaney, seconded by Larry Reid, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2019. The motion carried by the following vote:*

Abstained: 2 - Bas, and Kaplan

Aye: 6 - Kalb, Reid, McElhaney, Gallo, Thao, and Taylor

NO VOTE: 0

- 9.7** Subject: 2019/20 Annual Action Plan For HUD Entitlement Formula Grants
From: Housing And Community Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A Resolution: 1) Amending Resolution No. 87729 C.M.S., Which (1) Authorized The City To Submit An Annual Action Plan To The U.S. Department Of Housing And Urban Development The Fiscal Year 2019-2020 Consolidated Annual Action Plan, 2) Accepted And Appropriated Anticipated U.S. Department Of Housing & Urban Development Grant Funds, (3) Authorized The City To Enter Into Development Block Grant Agreements, Appropriated Revolving Fund Program Income, And (4) Authorized The Use Of General Purpose Funds To Pay Central Service Overhead Charges For The Administration Of Specified Grant Funds, To Correct The Amount Of Grant Funds Allocated To The Oakland Public Works Capital Improvement Projects At Allendale Park, Redwood Heights Recreation Center And Carmen Flores At Josie De La Cruz Park; And 2) Authorizing The City Administrator To Submit An Amended Fiscal Year 2019-2020 Consolidated Annual Action Plan To The United States Department Of Housing And Urban Development; And

[18-2022](#)

Attachments: [View Report](#)

[87806 CMS](#)

Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 9:31 p.m.

Councilmember Gallo made a motion, seconded by Councilmember McElhaney to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Reid, Gibson McElhaney and President Kaplan

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

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

2) A Resolution Authorizing Amending Resolution No. 87730 C.M.S., Which (1) Authorized The Use Of Surplus Community Development Block Grants Funds And Revolving Loan Program Income For Fiscal Year 2019-2020 And Fiscal Year 2020-2021 Programs, (2) Authorized The Use Of Surplus Housing Opportunities For Persons With Aids Grant Funds To Increase Existing Grant Agreement With Contra Costa County, (3) Reinstated Previously Approved Community Development Block Grant Funds For The Bus Rapid Transit/Business Mitigations Assistance Program, (4) Allocated Economic Development Initiative Funds To The City's Commercial Lending Program, To Correct The Amount Of Grant Funds Allocated To The Oakland Public Works Capital Improvement Projects At Allendale Park, Redwood Heights Recreation Center And Carmen Flores At Josie De La Cruz Park

[18-2023](#)

Attachments: [View Report](#)

[87807 CMS](#)

Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 9:31 p.m.

Councilmember Taylor made a motion, seconded by Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by 8 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Reid, Gibson McElhaney and President Kaplan

This City Resolution be Adopted.

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 9.8** Subject: Let's Bike Oakland 2019 Bicycle Plan Update
From: Transportation Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution, As Recommended By The City Planning Commission, Adopting The Let's Bike Oakland 2019 Bicycle Plan, Relying On The 2019 Addendum To The 2007 Environmental Impact Report, Finding That No Additional Environmental Review Is Needed Pursuant To California Environmental Quality Act (CEQA) Guidelines Sections 15162-15164, And Adopting Related CEQA Findings
[18-1949](#)

Attachments: [View Report](#)
[87808 CMS](#)

The Roll Call was modified to show Vice Mayor Reid out his seat at 9:38 p.m.

Upon the reading of Item 9.8 by the City Clerk, the Public Hearing was opened at 9:35 p.m.

6 individuals spoke on this item.

President Pro Temporal Kalb made a motion, seconded by Councilmember Bas, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Taylor, Thao, Gallo, Bas, Kalb, Gibson McElhaney, President Kaplan and 1 Excused-Reid

The Council directed staff to return with the following:

- 1) Implement Public Access for bike repair*
- 2) Continued coordination with AC Transit*
- 3) Tracking Police Disparity on Black or Brown Bike Stops*

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

Excused: 1 - Reid

Aye: 7 - Kalb, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 9.9** Subject: 3732 - 3746 39th Avenue Appeal Of Environmental Determination
From: Planning And Building Bureau
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Three Options:

1) A Resolution Denying The Appeal By Lawrence Ellis And Thus Upholding The
Planning Commission's Determination That The Approval Of Community Assembly Civic
Activities At 3732 - 3746 39th Avenue Is Exempt From The California Environmental
Quality Act (CEQA); Or

[18-2057](#)

Attachments: [View Report](#)
[87809 CMS](#)

*Upon the reading of Item 9.9 by the City Clerk, the Public Hearing was opened at
10:03 p.m.*

40 individuals spoke on this item.

*Councilmember Thao made a motion, seconded by Councilmember McElhaney to
deny the appeal with conditions:*

- at least 1, up to 3, sweat events tested by a third party consultant, chosen by staff,
paid by the applicant as reasonable, not excluding non-profits*
- report back within 3 months*

*Councilmember Thao made a motion, seconded by Councilmember McElhaney, to
close the Public Hearing at 12:29 a.m., and hearing no objections, the motion
passed by 6 Ayes: Taylor, Thao, Gallo, Bas, McElhaney, President Kaplan 1
Abstained - Kalb and 1 Excused - Reid*

**A motion was made by Sheng Thao, seconded by Lynette McElhaney, that this
matter be Adopted as Amended. The motion carried by the following vote:**

Excused: 1 - Reid

Abstained: 1 - Kalb

Aye: 6 - McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

Or, Provided The City Council Can Make The Appropriate Findings:

2) A Motion To Direct Staff To Prepare A Resolution For Future City Council
Consideration To Deny The Appeal With Additional Conditions; Or

[18-2064](#)

This Report and Recommendation be No Action Taken.

3) A Motion To Direct Staff To Prepare A Resolution For Future City Council
Consideration To Uphold The Appeal
[18-2066](#)

This Report and Recommendation be No Action Taken.

A motion was moved by Councilmember McElhaney, seconded by Pro Tem Kalb and carried to extend the meeting past 12:00 a.m. at 11:57 pm.

S9.10 Subject: Emergency Street Closure 37th Avenue
From: Councilmember Gallo
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Temporarily Close The 600-700 Block Of 37Th Avenue For A Period Of Eighteen Months, Due To Serious And Continual Criminal Activity And Illegal Dumping
[18-2019](#)

Attachments: [View Report](#)
[87810 CMS](#)

Upon the reading of Item S9.10 by the City Clerk, the Public Hearing was opened at 12:42 a.m.

Councilmember McElhaney was excused at 12:43 a.m

7 individuals spoke on this item.

Councilmember Gallo made a motion, seconded by Councilmember Thao, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Taylor, Thao, Gallo, Bas, Kalb, and President Kaplan; 2 Absent Reid and McElhaney

This City Resolution be Adopted.

Excused: 2 - Reid, and McElhaney

Aye: 6 - Kalb, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 9.1** Subject: 10-10th St ("Kaiser Auditorium") Appeal
 From: Planning And Building Department
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
 Following Options:

1) A Resolution Upholding The Planning Commission's Approval And Denying The Appeal By A Coalition Led By Ayodele Nzinga Of 1) A Major Conditional Use Permit For The Reuse, Rehabilitation, And Alternatives Of The Oakland "Kaiser Auditorium"; 2) Regular Design Review For Building Alterations, And 3) Adoption Of Related California Environmental Quality Act (CEQA) Findings For The Proposed Project Located At 10-10th Street, Oakland CA (Project Case No. PLN17101); Or [18-1897](#)

Attachments: [View Report](#)

The City Attorney informed the Council the Appellant withdrew the appeal.

This City Resolution be Withdrawn with No New Date.

2) A Motion To Direct Staff To Prepare Legislation For Future City Council Consideration To Either: A. Deny The Appeal With Additional Conditions; Or B. Uphold Appeal To The Extent There Are Findings To Support Any Such Action.
[18-2024](#)

This City Resolution be Withdrawn with No New Date.

- 9.2** Subject: Henry J. Kaiser Convention Center - Lease Disposition And Development Agreement
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Authorizing: (A) The City Administrator To Negotiate And Execute A Lease Disposition And Development Agreement, Up To Ninety-Nine Year Lease, And Related Documents Between The City Of Oakland And Oakland Civic, LLC, Or Its Affiliate ("Oakland Civic") For The Henry J. Kaiser Convention Center Located At 10 Tenth Street; (B) Establishment Of An Annual Fund To Be Funded By Tenant From Annual Net Project Income For Use By A To-Be-Formed Nonprofit Calvin Simmons Theatre Operator ("Theatre Nonprofit") To Provide Grants Related To Use Of The Calvin Simmons Theatre; (C) A Grant Up To \$100,000 For Subsurface Hazardous Materials Remediation To Oakland Civic, LLC; And (D) A Grant Of \$3,000,000 To The Theatre Nonprofit For Theatre Rehabilitation Costs
[18-1957](#)

Attachments: [View Report](#)

[View Supplemental Report - Bas 7/12/2019](#)

[13556 CMS](#)

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at July 10, 2019 at 1:33 a.m.

27 speakers spoke on this item.

Councilmember Bas made a motion to amend the legislation to include two new Exhibits which include the following;

Exhibit 1: Minimum Terms of Community Benefits Agreement Between Orton Development and the Coalition

- 1) A Mechanism for providing potential tenants who are considered "equity targets" in the 10,000 square feet of 13,000 Minimum Target User Space to enter into long-term subleases in the project (up to the term of the master lease) as way of addressing "community ownership";*
- 2) Requirement to create a community advisory board to participate in the management of the Annual Fund for the Calvin Simmons Theatre, enforce the CBA, and other responsibilities to be determined;*
- 3) Right of the Community Coalition for Equitable Development to create a nonprofit, called "Friends of the Simmons Theatre", to develop a community access program for educational institutions;*
- 4) Developer shall provide and make available at no cost:*
 - a. A minimum of 25 Co-Working/Shared Working Memberships,*
 - i. Such Memberships shall be assigned and or designated to Equity Targets at no cost, and*
 - ii. Such Membership shall include access to all amenities and services available to paying Members such as access to meeting spaces;*

- 5) *Developer shall work with the Sogorea Te' Land Trust to provide the Trust with use of the Theatre, acknowledge the location of the Theatre on Ohlone lands (through a plaque or announcements), and make a one-time grant (amount TBD);*
- 6) *Developer shall work with a community-incubated food industry project in the selection of food-serve businesses within the Project;*
- 7) *Developer shall consult with and meaningfully consider recommendations made by the Community Advisory Board pertaining the curation and commission or art displayed in the Project;*
- 8) *Require the Community Advisory Board to provide an annual report to Developer for submission to the City regarding the expenditures of the Annual Fund; and*
- 9) *Require the nonprofit created by (2) to provide an annual report to Developer for submission to the City regarding the community access program.*
- 10) *Developer shall make a one-time donation of \$100,000 to Friends of the Calvin Simmons Theatre (FOST) upon the opening of the Calvin Simmons Theatre.*
- 11) *Developer shall make a one-time contribution of \$75,000 to the Coalition's Anti-Displacement Fund at the East Bay Community Fund; and*

Exhibit 2: Amendment of Proposed Term Sheet for Henry J. Kaiser Convention Center Lease Disposition and Development Agreement and Lease

- a. *Developer shall provide office space and make such space available for leasing/renting to "equity targets" as follows:*
 - *Up to 5,000 square feet of office space on the main arena floor of the project,*
 - o *At a full service rate of \$2.80 per square foot, subject to agreed-upon "CPI" increases, and*
 - o *Such tenancy shall include similar terms, services and equal access to amenities allotted to all other tenants;*
- b. *Developer shall provide office and programmatic space and make such space available for leasing/renting to "equity targets" as follows:*
 - *Up to 5,000 of square feet on the basement level of the project,*
 - o *At a full service rate of \$2.00 per square feet, subject to agreed-upon "CPI" increases, and*
 - o *Subject to item 1(d), said tenancies shall include similar terms, services and equal access amenities allotted to all other tenants;*
- c. *Developer shall ensure that all Licensing Fees for the use of the Theatre to be charged to individuals meeting the definition of "equity targets" meet the following requirements:*
 - *The rental rates will never surpass the lowest published tier licensing fees for the use of space within the Theatre, and*
 - *Up to 30 conference room hours per month shall be made available at no cost to "equity targets";*
- d. *Developer shall provide an annual report to the City Council summarizing its community access program, including the implementation of items a-c above.*
- e. *Developer shall ensure compliance with the restriction that non-Target Users*

may not use the Theatre more than 200 days in any year without City Administrator's prior written approval; and

f. Developer acknowledge that the lease of the 13,000 square feet of Minimum Target User Space includes the 10,000 square feet to be leased to "equity targets."

g. "Annual Fund" shall mean the first \$80,000 of Net Revenue as outlined in the Lease; and

Directing the City Administrator to do a Racial Equity Impact Analysis of the Kaiser project through a partnership between the Economic and Workforce Development Department and the Department of Race and Equity.

The results of this analysis could help identify not only the "equity targets" being discussed, and also supplement the work being done by the Community Coalition and the Developer:

- as an opportunity to revisit issues, people, and other data that might have been missed,*
- advise on the implementation of the Community Benefits Agreements for the project,*
- and help ensure that it is the most impactful for the most vulnerable communities among us.*

Councilmember Bas made a motion, seconded by Councilmember Kalb, to close the Public Hearing, and hearing no objections, the motion passed by 5 Ayes: Taylor, Thao, Bas, Kalb, and President Kaplan; Excused; Gallo, Reid, McElhaney

*A motion was made by Nikki Bas, seconded by Dan Kalb, that this matter be Approved On Introduction and Scheduled for Final Passage to go before the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard 7/16/2019. The motion carried by the following vote:*

Excused: 3 - Reid, McElhaney, and Gallo

Aye: 5 - Kalb, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

- 9.4** Subject: Ordinance Amending Cannabis Business Tax Rates
From: Pro Tempore Kalb And Council President Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Title 5,
Chapter 5.04, Section 5.04.480 And Section 5.04.481, To Create A Tiered And
Category Based Tax Structure For Cannabis Businesses, Merge Medical And
Non-Medical Cannabis Business Classifications, And Reduce Tax Rates For Cannabis
Businesses
[18-1900](#)

Attachments: [View Report](#)

[View City Administrator Report](#)

[View Supplemental Report 5/3/2019](#)

[View Supplemental Finance Report 5/3/2019](#)

[View Supplemental Finance Report 5/10/2019](#)

[View Supplemental Legislation 5/17/2019](#)

[View Supplemental Finance Report 5/17/2019](#)

[View Supplemental Report 7/3/2019](#)

[View Supplemental Report - Kalb 7/3/2019](#)

[View Supplemental Report - Kalb 7/12/2019](#)

[View Supplemental Report 9/12/2019](#)

[View Supplemental Report - Kalb 10/4/2019](#)

[View Supplemental Report - Taylor 10/4/2019](#)

[View Supplemental Finance Report - 10/4/2019](#)

A motion was made by Dan Kalb, seconded by Rebecca Kaplan, that this matter
be Continued to go before the * Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City Council, to be heard 7/16/2019.
The motion carried by the following vote:

Aye: 8 - Kalb, Reid, McElhaney, Gallo, Thao, Taylor, Bas, and Kaplan

NO VOTE: 0

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

**11 The Item Regarding the Emergency Street Closure of 37th Avenue is shown under
item S9.10**

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 Cheryle Lisa Neal Reed at 1:47 a.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.

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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.