



City of Oakland

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

Meeting Agenda

Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board

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

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, September 20, 2016

5:30 PM

City Council Chamber, 3rd Floor

DEFINITION OF TERMS:

Consent Item: *any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.*

Non-Consent Item: *any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.*

Action Item: *any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.*

Informational Item: *an item of the agenda consisting only of an informational report that does not require or permit Council action.*

1 PLEDGE OF ALLEGIANCE

2 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Desley Brooks, District 6; Vice Mayor Annie Campbell Washington, District 4; Noel Gallo, District 5; Abel J. Guillén, District 2; Dan Kalb, District 1; Rebecca Kaplan, At Large; President Pro Tempore Larry Reid, District 7; Council President Lynette Gibson McElhaney, District 3

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

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

- 4.1 Subject: Declaring September 2016 United Nations Month
From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Declaring September 2016 United Nations
Month In The City Of Oakland And Authorizing The City Of Oakland To Serve As An
Honorary Sponsor Of The United Nations 50th Anniversary Flag Raising Ceremony On
September 17, 2016

[16-0086](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

- 4.2 Subject: Recognizing Downtown Senior Center
From: Council President Lynette Gibson McElhaney
Recommendation: Resolution Recognizing The Downtown Oakland Senior Center For
More Than 35 Years Of Service

[16-0087](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

**5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF July 19, 2016 And
July 26, 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:

- 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

[16-0096](#)

Attachments: [View Report](#)

- 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

[16-0097](#)

Attachments: [View Report](#)

- 7.3 Subject: Appointments To The League Of California Cities' 2016 General Assembly

From: Council President Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As Voting
Delegate And Appointing Councilmember Abel Guillén As Alternate Voting Delegate
To Represent The City Of Oakland At The League Of California Cities' 2016 General
Assembly Scheduled To Be Held In Long Beach Beginning October 5

16-0088

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

- 7.4 Subject: Landmarks Preservation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Klara
Komorou-Towey As A Member Of The Landmarks Preservation Advisory Board

[16-0099](#)

Attachments: [View Report](#)

- 7.5 Subject: Commission On Persons With Disabilities
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Frank
Sterling And The Reappoint Of Jian Hong To The Commission On Persons With
Disabilities

[16-0100](#)

Attachments: [View Report](#)

- 7.6 Subject: Parks And Recreation Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Amit
Garg And Evelyn Torres To The Parks And Recreation Advisory Commission

[16-0102](#)

Attachments: [View Report](#)

- 7.7 Subject: Privacy Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Appointment Of Robert T. Oliver And Deirdre K. Mulligan As Members Of The Privacy Advisory Commission
16-0103

Attachments: View Report

- 7.8 Subject: Ordinance Amending Chapter 8.22, Article I (Rent Adjustment)
From: Councilmembers Kalb, Gibson McElhaney and Guillen
Recommendation: Adopt An Ordinance Amending Chapter 8.22, Article I (Rent Adjustment) Of The Oakland Municipal Code To: (1) Modify Exemptions For Owner-Occupied Duplexes And Triplexes And Substantially Rehabilitated Properties; (2) Require That Owners File Petitions For Rent Increases In Excess Of The Annual Consumer Price Index Increase (3) Change The Amortization Period For Capital Improvements To That Of The Useful Life Of The Improvement; (4) Clarify That Certain Types Of Work Are Not Capital Improvements; (5) Amend Timelines For Filing Petitions; (6) Require Owners To Pay Interest On Security Deposits; And (7) Amending Chapter 8.22, Article Iv To Permit Tenants To Choose To Pay Their Portion Of The Program Fee Either In A Lump Sum Or In Six Monthly Installments
[15-1226](#)

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

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION WAS PASSED ON JULY 19, 2016; 7 AYES, 1 ABSTAINED-BROOKS.

Legislative History

6/16/16	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
6/28/16	* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency and Community & Economic Development Committee	Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council

The Committee amended the resolution to: 1) Change the number of years from 3 to 2 years; 2) have owners to petition above 5% instead of the CIP; 3) strike #4 changing the amortization period fro capital improvements to that of useful life of improvement; 4) on item 6 strike requirement that landlords pay interest on security deposits; 5) on Item 7 strike the monthly payments; and 6) on item 8 obtain clarification on equal access requirements pertaining to City materials.

6/30/16	*Rules & Legislation Committee	Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
7/19/16	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board <i>This item did not meet the noticing deadline to be heard at the Special Council Meeting of July 26, 2016 and was scheduled for final passage at the Septmeber 20, 2016 City Council Meeting.</i>	Approved As Amended On Introduction and Scheduled for Final Passage

7.9 Subject: OUSD Use Of City Hall Agreement
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Waiving Facility Rental Fees For Oakland
Unified School District Use Of City Hall Facilities For Purposes Of Conducting
Twice-Monthly Board Meetings For A One Year Period
[15-1308](#)

Attachments: [View Report](#)

*ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF
THIS ORDINANCE.*

INTRODUCTION WAS PASSED ON JULY 26, 2016; 8 AYES.

Legislative History

7/14/16	*Rules & Legislation Committee	Scheduled to the Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council/Geological Hazard Abatement District Board
7/19/16	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency / City Council / Geologic Hazard Abatement District Board	Withdrawn and Rescheduled to the * Special Meeting of the Oakland City Council
7/21/16	*Rules & Legislation Committee	Scheduled to the * Special Meeting of the Oakland City Council
7/26/16	* Special Meeting of the Oakland City Council	Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council

7.10 Subject: The Public Safety And Services Violence Prevention Oversight Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayors Appointment Of
Natasha Middleton To The Public Safety And Services Violence Prevention Oversight
Commission
[16-0116](#)

Attachments: [View Report](#)

7.11 Subject: Green Wall Funds To Golden Gate Community Association
From: Dan Kalb
Recommendation: Resolution Authorizing A Grant Not To Exceed \$9,000 From
Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Golden
Gate Community Association For A Mural On The Property At 950 57th Street (The
Warehouse Wall Of Glow Glass Art Studio) In Oakland
[16-0113](#)

7.12 Subject: Graffiti Abatement Mural And Green Wall Funds To North Oakland
Community Charter School (NOCCS) For A Mural On The Property At 1000 42nd
Street
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$8,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To North
Oakland Community Charter School (NOCCS) For A Mural On The Property At 1000
42nd Street (Wall Facing Linden Park) In OAKLAND
[16-0107](#)

7.13 Subject: Graffiti Abatement Mural And Green Wall Funds To Artist Caroline Stern For
A Mural On The Outside Of The Arlington Medical Center Bldg. At 5709 Market Street
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$6,000
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Outside Of The Arlington Medical Center Bldg. At
5709 Market Street In Oakland In Cooperation With Ms. Caroline Watson
[16-0112](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

7.14 Subject: Graffiti Abatement Mural And Green Wall Funds To Artist Caroline Stern For
A Mural On The Property At 6200 Shattuck In Oakland
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,500
From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To Artist
Caroline Stern For A Mural On The Property At 6200 Shattuck In Oakland In
Collaboration With Claremont Middle School
[16-0114](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

- 7.15** Subject: Abatement Mural And Green Wall Funds To The Temescal Bid For A Mural By Artist Lori Anne Fischer On The Property At 4685 Telegraph Avenue In Oakland
From: Councilmember Kalb
Recommendation: Adopt A Resolution Authorizing A Grant Not To Exceed \$9,450 From Councilmember Kalb's Graffiti Abatement Mural And Green Wall Funds To The Temescal Bid For A Mural By Artist Lori Anne Fischer On The Property At 4685 Telegraph Avenue In Oakland
[16-0115](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

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

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

9 CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

At This Time, The ORSA/ City Council Meeting Will Adjourn And Reconvene Into The Meeting Of The Geological Hazard Abatement District

- 9.1** Subject: Revised Assessment For The Geological Hazzard Abatement District
From: Geological Hazzard Abatement District
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive A Report On The Proposed Revised Assessment, Accept The Canvass Of Votes, And If Allowed By The Votes, Confirm The Revised Assessment, And Order The Levy And Collection Of The Assessment.
[16-0111](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

At This Time, The Geological Hazard Abatement District Board Will Adjourn And Reconvene As The Meeting Of The ORSA/City Council.

- 9.2** Subject: Assessment Of Liens For Delinquent Garbage Fees
From: Finance Department
Recommendation: Conduct A Public Hearing On Delinquent Garbage Fees For
Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of
Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The
Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And
Confirming The Recordation Of Liens With Administrative And Assessment Charges
As Necessary Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And
Directing The Notice Of Lien And Assessment Charges Be Turned Over To The
County Tax Collector For Collection; Or

[16-0105](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On
Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative
And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of The Oakland
Municipal Code; Or

[16-0106](#)

3) A Resolution Overruling Protests And Objections And Accepting And Confirming
Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For
Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With
Administrative And Assessment Charges As Necessary Pursuant To Chapter 8.28 Of
The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment
Charges Be Turned Over To The County Tax Collector For Collection

[16-0109](#)

- 9.3** Subject: Off-Street Parking And Loading Requirement Updates For New
Development
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An
Ordinance Amending The Oakland Planning Code To Comprehensively Update
Citywide Off-Street Parking And Loading Regulations And Make Conforming Changes
To Other Planning Code Sections, And Adopting Environmental Findings

[16-4](#)

Attachments: [View Report](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: Grand Jury Revenue Management Bureau Investigation
From: Office Of The City Administrator
Recommendation: Staff Recommends That The City Council Accept This Informational Report On City Of Oakland Response To The 2015-16 Alameda County Grand Jury Final Report Titled "Management Issues Within The City Of Oakland Revenue Division."
[16-0083](#)

Attachments: [View Report](#)

Pursuant to Rule 28(a) of Resolution 86034 C.M.S., this item was added to this agenda

- 12 Subject: Ratification Of Actions Taken During The 2016 Annual Recess
From: Office Of The City Administrator
Recommendation: Staff Recommends That The City Council Adopt A Resolution Ratifying Action Taken By The Mayor During The Oakland City Council 2016 Annual Recess In Conformance With The Council's Rules Of Procedure.
[16-0110](#)

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)

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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.**