



City of Oakland Meeting Minutes

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

* Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612

Tuesday, July 29, 2014

5:30 PM

City Council Chambers, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:41 P.M.

2 ROLL CALL / CITY COUNCIL

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
Roll Call was modified to note President Pro Tempore Kaplan present at 5:44 P.M.

Roll Call was modified to note Councilmember Gallo present at 5:46 P.M.

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

There were 11 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Robert Wynn, Erthel Brown, and the brother of Henry Gardner.

- 4.1 Subject: Honoring Lu Vason
 From: Councilmember Lynnette Gibson McElhaney
 Recommendation: Adopt A Resolution To Honor Lu Vason, Founder And Director Of The
 Bill Pickett Invitational Rodeo, On The 30th Anniversary Of The Only Touring African
 American Rodeo In America
 13-0713

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be * Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF JULY 15, 2014
 AND JULY 16, 2014

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Schaaf, to * Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

- 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):

Roll Call was modified to note Vice Mayor Reid absent at 6:00 P.M.

7. CONSENT CALENDAR (CC) ITEMS:

7.1-CC 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
[13-0739](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.2-CC Subject: 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
[13-0740](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.3-CC Subject: Board Of Port Commissioners Reappointment - Yee
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Alan S.
Yee To The Board Of Port Commissioners
[13-0741](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.4-CC Subject: Citizen's Police Review Board Reappointment - Yihdego
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Almaz
Yihdego To The Citizen's Police Review Board
[13-0742](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.5-CC Subject: Bicyclist And Pedestrian Advisory Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ryan Chan, Chris Hwang, Christopher Kidd, Fred McWilliams, Robert Prinz, Midori Tabata, Royston Taylor, Rosa Villalobos And Kenya Wheeler To The Bicyclist And Pedestrian Advisory Commission
[13-0745](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.6-CC Subject: Settlement Agreement - BART v. City of Oakland (Francis Love)
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of San Francisco Bay Area Rapid Transit District v. City Of Oakland (Francis Love), Alameda County Superior Court Case No. RG11601786, City Attorney's File No. 29181, For A Sum Not To Exceed Eleven Thousand Five Hundred Dollars And No Cents (\$11,500) (Public Works - Contract Dispute)
[13-0746](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.7-CC Subject: Settlement Agreement - City v. Fairmount West Development Co.
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of City Of Oakland v. Fairmount West Development Co., Inc., Alameda County Superior Court Case No. RG14718973, City Attorney's File No. X04012, For A Sum Not To Exceed Ninety-Nine Thousand Fifty-One Dollars And Thirty Cents (\$99,051.30) (Finance)
[13-0747](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.8-CC Subject: Grant Funds To Attitudinal Healing Connection
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$20,000 From Councilmember Kaplan's Graffiti Abatement Mural Funds To Attitudinal Healing Connection For The Third Mural In Their Super Heroes Project On The Freeway Underpass On West Street, Between 35th Street And 36th Street
[13-0736](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.9-CC Subject: Grant To Good Hope Baptist Church's Youth Group
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$500.00 From Councilmember Kaplan's Pay-Go Funds To Good Hope Baptist Church's Youth Group For Travel And Meal Expenses To Disneyland
[13-0737](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.10-CC Subject: Grant Funds For Third Superheroes Mural Project
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000 From
Councilmember McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal
Healing Connection For The Third Mural In Their Oakland Superheroes Mural Project On The
West Street Freeway Underpass Between 35th And 36th Streets
[13-0751](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.11-CC Subject: Grant Funds For Mural At The M. Robinson Baker YMCA
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$11,000 From Councilmember
McElhaney's Graffiti Abatement Mural And Green Wall Funds To Attitudinal Healing
Connection To Install A Mural On The M. Robinson Baker YMCA In West Oakland
[13-0752](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.12-CC Subject: Grant Funds To Community Rejuvenation Project For Mural
From: Councilmember Lynnette Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,500 From Councilmember
McElhaney's Graffiti Abatement Mural And Green Wall Funds To Community Rejuvenation
Project For Their Mural On 14th And Alice Streets In Downtown Oakland
[13-0753](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.13-CC Subject: Grant Funds For Athena Mural Project
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant Of \$3,100 From Councilmember Noel Gallo Anti-Graffiti Abatement Mural And Green Wall Funds To Peralta Hacienda For The Athena Mural Project Completed By The California College Of The Arts And Arise High School
[13-0755](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.14-CC Subject: Oakland Municipal Code Amendment; Chapter 2.29
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled "City Agencies, Departments And Offices" To Revised The Titles Of Bureaus And Divisions In The Police Department And The Titles Of Divisions In The Planning & Building Department And The Economic & Workforce Development Department
[13-0684](#)

This Matter was * Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.15-CC Subject: LDDA Terms And Conditions With OMSS
From: Economic And Workforce Development Department
Recommendation: Adopt An Ordinance Amending Ordinance No. 13201 C.M.S. (That Authorized The City Administrator, Without Returning To The City Council, To Negotiate And Execute A Lease Disposition And Development Agreement ("LDDA") And Ground Lease Between The City Of Oakland And Oakland Maritime Support Services, LLC, Or Its Affiliate ("OMSS"), For The Development Of Truck Parking And Truck-Related Services On Approximately 17 Acres Of The Former Oakland Army Base) To Amend The General Terms Of The LDDA As Follows: (1) Modify The Financial Requirements For The Project Guarantor; And (2) Grant OMSS An Exclusive Right To Sell Truck Fuel On The City-Owned Portions Of The Army Base For Ten (10) Years
[13-0693](#)

This Matter was * Approved for Final Passage on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.16-CC Subject: Library Advisory Commission Appointment- Montgomery
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Rosa Montgomery As A Member Of The Library Advisory Commission
[13-0758](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.17-CC Subject: Rainy Day Fund & Excess RETT Policy
From: Office Of The City Administrator
Recommendation: Receive A Report And Adopt Recommendations On Establishing A Rainy Day Fund And Changing The Definition Of Excess Real Estate Transfer Tax, And Related Amendments To The City's Financial Policies
13-0614-1

This Matter was * Approve with the following amendments : (A) Draft an Ordinance amending Ordinance No. 13170 and establishing a Rainy Day Policy for Funding Debt and Unfunded Liabilities, as well as funding a newly established Vital Services Stabilization Reserve, with the following features: 1) Amend the definition of Excess RETT to the amount exceeding fourteen percent (14%) of that year's general tax revenues; 2) Add the creation of a new Rainy Day Policy with the following features: a.) When projected Real Estate Transfer Tax (RETT) exceeds fourteen percent (14%) of projected total general tax revenues, twenty-five percent of that Excess RETT shall be allocated through the budget process: half to a newly established Vital Services Stabilization Reserve and half to pay down debt or unfunded liabilities; b.) Fifty percent (50%) of any unallocated General Fund balance, as projected by the 3rd Quarter Revenue and Expenditure Report shall be allocated in the following budget as follows: half to the Vital Services Stabilization Reserve and half to pay down debt or unfunded liabilities; c.) With regard to allocating funds to pay down debt or unfunded liabilities, which shall be clearly defined, as part of the budget process, staff shall present its analysis and recommendations to the Council that it believes are in the best long-term financial interest of the city; d.) Funding the Vital Services Stabilization Reserve may be reduced once it has accumulated a balance that exceeds 15% of general fund revenues; e.) In years when the city projects that total General Purpose Fund revenues for the upcoming fiscal year will be less than the current year's revenues, or anytime service reductions (such as layoffs or furloughs) are contemplated, use of this fund must be considered to mitigate such cuts, and the adopted budget may appropriate funds from the Vital Services Stabilization Reserve to preserve city operations; however, the budget may not appropriate more than sixty percent of the reserve balance in any year; f.) Any deviations from this policy, including the need to address unusual and temporary increases in baseline expenditures, must be made by Resolution requiring a minimum of 6 votes. The Resolution must include (1) a statement explaining the necessity for the deviation and (2) a plan for replenishing the reserve; and 3.) Bring back recommendations for maintaining and/or investing the Vital Services Stabilization Reserve, other relevant policies such as repayment of negative fund balances, and alternatives for paragraph 2b above on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.18-CC Subject: Extend Contract With GRM
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Extend The Contract With GRM Information Management Services For Records And Information Management Services On A Month To Month Basis Until Execution Of A New Contract And The City's Records Inventory Is Transferred To The New Records Management Contractor For A Period No Later Than March 31,2015 In An Amount Not To Exceed \$162,500.00; And 2) Waive The Advertising And Request For Proposals/Qualifications (RFP/Q) Process For The Agreement Extension With Current Contractor GRM Information Management Services; And 3) Proceed With Contract Negotiations And Return To Council Within 90 Days To Award Contract For Records And Information Management Services
[13-0729](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.19-CC Subject: Traffic Signal Installations & Modifications
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Increasing The Change Order Limit Amount For The Contract With Bay Area Lightworks For Construction Of Traffic Signal Installations And Modifications (Project No. C313710), From Twenty Percent (20%) To Twenty-Three Percent (23%) Of The Original Contract Amount, For A Total Amount Not-To-Exceed One Million Six Thousand Six Hundred Thirty-One Dollars And Thirty-Three Cents (\$1,006,631.33)
[13-0715](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.20-CC Subject: Golden Gate Branch Library Exterior Window Restoration Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution To Reject All Bids, Waive Further Advertising And Competitive Bidding And Authorize The City Administrator, Or His Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of One Hundred And Sixty Three Thousand Dollars (\$163,000.00) With Rockridge Builders, Sole Bidder, Or In The Open Market For The Golden Gate Branch Library Exterior Window Restoration Project (No. B00570) In Accordance With The Plans And Specifications
[13-0716](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.21-CC Subject: UPRR Crossing Improvement Agreements
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, The Director Of Public Works Or The Assistant Director Of Public Works, Bureau Of Engineering And Construction, To Negotiate And Execute Agreements With Union Pacific Railroad (UPRR) For Crossing Improvements And Maintenance, In Accordance With California Public Utility Commission (CPUC) Regulations At: Broadway And Embarcadero West Intersection (No. 0010-6.70); Fruitvale Avenue South Of San Leandro Boulevard (No. 0010-9.80); And 23rd And 29th Avenues, Near Glascock Street (Nos. 0010-10.39-C And 0010-10.40-C)
[13-0717](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.22-CC Subject: Citywide Street Resurfacing
From: Oakland Public Works Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator, Or Designee To Execute A Construction Contract With Gallagher & Burk, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Citywide Street Resurfacing (Project No. C369650) And With Contractor's Bid In The Amount Of Three Million Six Hundred Ninety-Eight Thousand Nine Hundred Ninety-Five Dollars And Eighty Cents (\$3,698,995.80); And 2) Waiving Advertising And Bidding Requirements Increasing The Contract Amount By An Additional Nine Hundred Thousand Dollars (\$900,000.00) For "Worst Streets" Road Improvements, For A Total Contract Authorization Of Four Million Five Hundred Ninety-Eight Thousand Nine Hundred Ninety-Five Dollars And Eighty Cents (\$4,598,995.80)

[13-0726](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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S-7.23-CC Subject: Application To Expand Foreign Trade Zone
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Submit A Foreign Trade Zone Alternative Site Framework Application And To Sign And Enter Into An Agreement With The Foreign Trade Zone Board, U.S Department Of Commerce

[13-0720](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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S-7.24-CC Subject: ENA For 2315 Valdez St And 2330 Webster Street
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement For A Period Of One Year With The Option To Extend Administratively For 90 Days With Harrison TDP Partners, LLC, To Develop A Mixed-Use Project On City owned Properties At 2315 Valdez Street And 2330 Webster Street
[13-0722](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.25-CC Subject: Annual Reports Of Property-Based BID's
From: Department Of Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Fiscal Year 2013-2014 Annual Reports Of The Koreatown/Northgate Community Benefit District Of 2007, The Downtown Oakland Community Benefit District Of 2008, The Lake Merritt/Uptown Community Benefit District Of 2008, The Fruitvale Property Business Improvement District Of 2011, And The Lakeshore/Lake Park Business Improvement Management District Of 2012 Advisory Boards; Confirming The Continuing Annual Assessment For Each Applicable District For Fiscal Year 2014/15; And Authorizing Payment Of The City's Cumulative Fiscal Year 2014/15 Fair Share Assessment In An Approximate Amount Of \$209,150.04 For City-Owned Properties In The Koreatown/Northgate District, The Downtown Oakland District, The Lake Merritt/Uptown District And The Fruitvale District; And
[13-0730](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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2) An Oakland Redevelopment Successor Agency Resolution Authorizing Payment Of The Oakland Redevelopment Successor Agency's Cumulative Fiscal Year 2014/15 Fair Share Assessment In An Approximate Amount Of \$8,819,40 For Oakland Redevelopment Successor Agency-Owned Properties In The Downtown Oakland Community Benefit District Of 2008, And The Fruitvale Property Business Improvement District Of 2011
[13-0730-1](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
[2014-008 ORSA.pdf](#)

S-7.26-CC Subject: Basement Backfill And Repair Program
From: Department Of Economic And Workforce Development
Recommendation: Adopt A Resolution (1) Authorizing The Creation Of A City Basement Backfill And Repair Program, (2) Allocating \$2,636,845 For The Program Using Excess Central District Bond Funds Under The Bond Expenditure Agreement, And (3) Authorizing The City Administrator To Make Grants Under The Program Without Returning To Council
[13-0731](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.27-CC Subject: Producers Associates Inc. Agreement
From: Oakland Parks And Recreation Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Execute An Agreement With Producers Associates, Inc. To Provide Summer Musical Theater At Woodminster Amphitheater For A Ten-Year Term From 2014 Through 2023 With One Three-Year Option To Renew
[13-0698](#)

This Matter was * Adopted as Amended to provide a breakdown of where revenue streams are generated and to provide information regarding the expansion of outreach strategies on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.28-CC Subject: Professional Services Agreement With Managed Health Network
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Managed Health Network (MHN) In Order To Meet The Requirements Of The Memorandum Of Understanding (MOU) With The Oakland Police Officers' Association (OPOA) To Provide: (1) Psychological Counseling Services For Sworn Members Of The Oakland Police Department (OPD) And Their Dependents For The Period Of July 1, 2014 To June 30, 2017, For An Amount Not To Exceed Three Hundred Fifteen Thousand Dollars (\$315,000), With An Option To Extend For An Additional Two Years, In Amount Of One Hundred Five Thousand Dollars (\$105,000) Per Year, For A Total Contract Amount Of Five Hundred Twenty-Five Thousand Dollars (\$525,000) (2) Substance Abuse Counseling To Sworn Members And Their Dependents And Civilian Members Of The OPD For The Period Of January 1,2015 To June 30,2017, For An Amount Not To Exceed Two Hundred Ten Thousand Dollars (\$210,00), With An Option To Extend For An Additional Two Years, In Amount Of Eighty-Four Thousand Dollars (\$84,000) Per Year For A Total Contract Amount Of Three Hundred Seventy-Eight Thousand Dollars (\$378,000); For An Overall Total Contract Amount Of Nine Hundred Three Thousand Dollars \$903,000
[13-0725](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.29-CC Subject: Support For AB 2188 - Simplifying Solar Energy Permitting Process
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 2188 (Muratsuchi) - State Legislation That Would Make California Statewide Permitting Process For Rooftop Solar Systems Simpler And More Efficient And Help Advance Goals Outlined In Oakland's Climate Action Plan
[13-0703](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.30-CC Subject: Support For SB 1199 - Scenic River Designation For Mokelumne River
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Senate Bill SB 1199 (Hancock) State
Legislation That Would Provide California Wild And Scenic River Designation For The
Mokelumne River From Below Salt Springs Dam To The Upstream End Of Pardee Reservoir
[13-0714](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.31-CC Subject: Travel Authorization For League Of CA Cities' Annual Conference
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Kalb To Travel To Los Angeles To Attend The 2014 League Of California Cities' Annual Conference From September 3-5, 2014
[13-0760](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.32-CC Subject: Settlement Agreement - Goggin 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 Goggin, A Minor, v. City Of Oakland, Alameda County Superior Court, No. RG12-615075, City Attorney's File No. 28587 In The Amount Of Eight Thousand Five Hundred Dollars (\$8,500.00) (Real Estate - Traffic Collision)
[13-0761](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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[85145 C.M.S.pdf](#)

S-7.33-CC Subject: Settlement Agreement - Dao The Diep 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 Dao The Diep v. City Of Oakland, Alameda County Superior Court Case No. RG12-645758, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00) As A Result Of A Trip And Fall Accident On Or About September 11, 2011 (Public Works Agency - Dangerous Condition/Trip & Fall)
[13-0762](#)

This Matter was * Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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Passed The Consent Agenda

A motion was made by Councilmember Gallo, seconded by Councilmember Gibson McElhaney, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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

A motion was made by Councilmember Kalb, seconded by Councilmember Gibson McElhaney, to * Approve as Submitted the oral report from the Office of the City Attorney of 5 final decisions made during Closed Session. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

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

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

9.1 ~~Subject: Jack London Square Redevelopment Project Revision #1
From: Planning & Building Department
Recommendation:— Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Approving The Jack London Square Redevelopment Project Revision #1, Including: A)
Adopting Addendum #1 To The Jack London Square Redevelopment Project Environmental
Impact Report; B) Adopting Revisions To The Jack London Redevelopment Project Planned
Unit Development And Design Review Subject To Conditions Of Approval; And C) Approving
A Minor Variance From Loading Requirements
[13-0695](#)~~

*Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was withdrawn
from this agenda.*

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9.2 Subject: Plan Amendments For Jack London Square And West Oakland
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Approving The Environmental Determinations For, And Adopting, The Following Two Amendments To The City Of Oakland General Plan: (1) Approve Changes To The General Plan Designations In Support Of The West Oakland Specific Plan, As Delineated In Exhibit A; And (2) Approve Changes To The General Plan Designations Of (A) Assessor's Parcel Number 0018-0415-001-01 (Known As "Site D" Of The Jack London Square Development Project, And Generally Bounded By The Building Known As 70 Washington Street To The South And West, Embarcadero West To The North, And Broadway To The East) From RDE-1 (Retail, Dining, Entertainment Phase 1) To RDE-2 (Retail, Dining, Entertainment Phase 2), And (B) Assessor's Parcel Number 0018-0420-004-01 (Known As "Site F-2" Of The Jack London Square Development Project, And Generally Bounded By Harrison Street To The West, Embarcadero West To The North, Alice Street To The East, And Water Street To The South) From WCR-1 (Waterfront Commercial Recreation 1) To MUD (Mixed Use Development), As Delineated In Exhibit B
[13-0694](#)

A motion was made that this matter be * Adopted as Amended to withdraw plan amendments related to Jack London Square and adopt amendments related to West Oakland Specific Plan only. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 6:46 P.M.

Councilmember Gibson McElhaney made a motion, seconded by President Pro Tempore Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes: Gallo, Gibson McElhaney, Kalb, Kaplan, Schaaf, President Kernighan; 1 Abstain - Brooks; and 1 Excused - Reid.

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[85147 C.M.S.pdf](#)

9.3 Subject: Permanent Regulations For Crematories
 From: Department Of Planning And Building
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance,
 Recommended By The Planning Commission, And As Directed By City Council Under
 Emergency Ordinance No. 13222 C.M.S., To Amend The Planning Code To Establish
 Permanent Regulations Pertaining To Crematories Within The City Of Oakland
 [13-0721](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Gibson McElhaney, that this matter be * Approved On Introduction and Scheduled for Final Passage to the * Special Meeting of the Oakland City Council, to be heard at the September 23, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:57 P.M.

There were six speakers on this item.

Councilmember Brooks made a motion, seconded by Councilmember Gibson McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Schaaf, President Kernighan, and 1 Excused - Reid.

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[13256 C.M.S.pdf](#)

- 9.4 Subject: Establishing The Temescal/Telegraph Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Establishing The Temescal/Telegraph Business Improvement District 2015 ("TTBID 2015"),
Approving The Management Plan, Directing Filing Of The Proposed Assessment District
Boundary Description, Making A Determination With Regard To The Majority Protest
Procedure For Approval Of The Proposed Assessments, Approving The Assessments For The
District And Appointing The Advisory Board For The TTBID 2015
[13-0502-2](#)

A motion was made by Councilmember Kalb, seconded by President Pro Tempore Kaplan, that this matter be * Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:12 P.M.

There was one speaker on this item.

Councilmember Kalb made a motion, seconded by President Pro Tempore Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Schaaf, and President Kernighan, 1 Excused - Reid

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9.5 Subject: 5816-5826 Mendoza Drive Utility Pole Telecomm. Project Appeal
From: Planning & Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying Appeal #A13115 And Upholding The Decision Of The City Planning Commission To Approve Regular Design Review To Attach A Telecommunications Facility To A Utility Pole Located In The Public Right-Of-Way Fronting The Lot Line Between 5816 And 5826 Mendoza Drive
[13-0699](#)

A motion was made by Councilmember Schaaf, seconded by Councilmember Kalb, that this matter be * Continued to the * Special Meeting of the Oakland City Council, due back on September 23, 2014. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 2 - Councilmember Brooks and Council President Kernighan
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid and Councilmember Schaaf
Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:15 P.M.

There were 15 speakers on this item.

Councilmember Schaaf made a motion, seconded by Councilmember Kalb to close the Public Hearing, and hearing no objections, the motion passed by 6 Ayes - Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and 2 Abstentions - President Kernighan, Brooks.

Council directed staff to provide an alternative option granting the appeal.
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9.6 ~~Subject: 6239 Elderberry Drive Utility Pole Telecommunications Project Appeal~~
~~From: Planning & Building Department~~
~~Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal Of Manuel Perez And Dr. Christy Hiebert (Appeal #A13-233) And Upholding The Decision Of The City Planning Commission To Approve Regular Design Review To Attach A Telecommunication Facility To A New Replacement Utility Pole Located In The Public Right-Of-Way (Case File #DR13-055) At The Intersection Of Elderberry Drive And Girvin Drive~~
~~[13-0700](#)~~

The July 24, 2014 Rules & Legislation Committee withdrew this item and rescheduled it to the September 23, 2014 Special City Council meeting.
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Roll Call was modified to note Vice Mayor Reid present at 7:58 P.M. Vice Mayor Reid registered
Aye votes for all items taken up to this point.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY LEFT BLANK.

11 Subject: West Oakland Specific Plan And Related Actions
From: Planning & Building Department
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Create The Commercial Industrial Mix CIX-IA Business Enhancement Zone, Commercial Industrial Mix CIX-IB Low Intensity Business Zone, Commercial Industrial Mix CIX-IC High Intensity Business Zone, Commercial Industrial Mix CIX-ID Retail Commercial Mix Zone, Housing And Business Mix HBX-4 Zone, The "T" Combining Overlay Zone Regulations, And Make Conforming Changes To Other Planning Code Sections, As Well As Mapping Of A "C" (Commercial) Overlay For The RM-2 Zoned Properties Near The West Oakland Bart Station Along The 5th Street And Chester Street Frontage Area, And Adopting Zoning And Height Area Maps
[13-0696-1](#)

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Gallo, that this matter be * Approved for Final Passage as amended to include the following additions to the West Oakland Specific Plan: 1.) Add language from the Broadway Valdez Specific Plan regarding affordable housing; 2.) West Oakland residents and business owners would not like to see any additional recycling operations permitted in West Oakland. The WOSP conditionally permits primary recycling within the Third Street CIX zone; and 3.) Exclude primary recycling within the Third Street CIX Zone. The area bounded by Ettie, Hannah, 32nd and 34th Streets is currently an industrial block, zoned for CIX industrial, with several businesses, including Clear Channel Communications. The WOSP recommends changing the coning for this area to HBX, thereby allowing residential development. In order to retain this important piece of industrial land for jobs-producing businesses, the WOSP be amended to designate the area bounded by Ettie, Hannah, 32nd and 34th Streets as CIX zoning.

The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
There were nine speakers on this item.

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S-11.1 Subject: City Minimum Wage And Sick Leave Ordinance
 From: Council President Patricia Kernighan
 Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Establish
 A City Minimum Wage And Require Paid Sick Leave
 13-0757

A motion was made by Council President Kernighan, seconded by Councilmember Gibson McElhaney, that this matter be * Approved On Introduction and Scheduled for Final Passage to the * Special Meeting of the Oakland City Council, to be heard at the September 23, 2014 meeting. The motion failed by the following vote:

Votes: ORA\Councilmember Noes: 5 - Councilmember Brooks, Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan and Councilmember Schaaf

ORA\Councilmember Ayes: 3 - Councilmember Gibson McElhaney, Vice Mayor Reid and Council President Kernighan

There were 64 speakers on this item.

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Councilmember Brooks made a motion, seconded by Councilmember Gibson McElhaney, to reconsider Item 7.11, Settlement Agreement - Gerald & Christina Gray, from the July 15, 2014 City Council meeting at the August 13, 2014 Special City Council meeting.

S-11.2 Subject: Amendments To Public Safety & Violence Prevention Ballot Measure
From: Office Of The City Administrator
Recommendation: Adopt A Resolution, Amending Resolution No. 85110 C.M.S., On The City Council's Own Motion Submitting To The November 4, 2014 Statewide General Election, A Proposed Ordinance To Maintain The Current Special Parcel Tax And The Parking Tax Surcharge For Police Services And Violence Prevention Strategies, To Address Violent Crime And To Improve Public Safety In The City Of Oakland, And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2014 Statewide General Election

This Item Is Re-Noticed Because At The July 15, 2014 City Council Meeting The City Council Adopted Significant Substantive Changes To The Resolution That Required Continuing The Item To July 29, 2014. The City Attorney Has Reviewed The Videotape And The Changes That The Council Considered On The Floor On July 15, 2014 And Has Determined That The Reduction Of Budgeted And Maintained Sworn Police Personnel Positions From 700 To 678 And A No Layoff Provision Were Significant Substantive Changes To The Measure That Were Not Included In The June 24, 2014 Public Safety Committee's Recommendations To Council.

Significant Substantive Changes Approved By The Council On July 15, 2014 Include A No Layoff Provision And A Requirement That The Council Budget And Maintain Staffing Of 678 Sworn Police Personnel. In Addition, City Administration Proposes An Exemption From The Tax For Churches And Public Schools, And Revisions To Clarify The Use Of Findings For Staffing Shortfall Exceptions, To Clarify The Duration Of Suspension/Reduction Of Taxes And Parking Fees For Staffing Shortfalls, And To Clarify That Suspension/Reduction Of Collection Is Proportional To The Number Of Days Of Shortfall.

[13-0756](#)

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be * Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice Mayor Reid

ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

There were 17 speakers on this item.

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12 Subject: Revisions To Local Amendments To State Building Code
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt An Ordinance To Amend And Restate Ordinance No. 13200 C.M.S., Adopted November 19, 2013, To Revise The Local Amendments To The 2013 Editions Of The California Building Standards Code (Title 24, California Code Of Regulations) And Amendments To Oakland Municipal Code Chapter 15.04 To Incorporate Modified Requirements For Seismic Retrofitting When There Is A Change Of Occupancy In Existing Buildings And Other Modifications
[13-0329](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Schaaf, that this matter be * Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Kalb
ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice Mayor Reid
ORA\Councilmember Ayes: 5 - Councilmember Gallo, Councilmember Gibson McElhaney, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
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[13252 C.M.S.pdf](#)

13 Subject: Councilmember Cost-Of-Living Salary Increase For FY 2014-2015
From: Council President Kernighan
Recommendation: Adopt A Resolution Continuing To Waive Past Salary Increases Authorized By The Public Ethics Commission For City Councilmembers And Instead Accept A Salary Of \$76,100.00 For FY 2014-2015, Which Represents A 2.4 Percent Increase Over The Salary That Most Councilmembers Received In FY 2013-2014
[13-0733](#)

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be * Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice Mayor Reid
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
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14 Subject: Salary Ordinance Amendment For Increase Council Members
 From: Human Resources Management Department
 Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.
 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For The Classification Of Council
 Member
 [13-0749](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Schaaf, that this matter be * Approved On Introduction and Scheduled for Final Passage to the * Special Meeting of the Oakland City Council, to be heard at the September 23, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice Mayor Reid
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
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S-15 Subject: Addressing Needs Of Unaccompanied Minors Crossing The Border
 From: Councilmembers Gallo, Reid And Off Of The Mayor
 Recommendation: Adopt A Resolution Urging The City Of Oakland To Commit Resources
 And Support Efforts At The Congressional Level To Address The Growing Humanitarian
 Crisis Of Unaccompanied Children Fleeing Violence From Central America
 [13-0759](#)

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

Votes: ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice Mayor Reid
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
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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 Robert Wynn, Erthel Brown, and the brother of Henry Gardner at 11:34 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.

City Clerk and Clerk of the Council