



# 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

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Tuesday, October 01, 2013

6:00 PM

City Council Chambers, 3rd Floor

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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 6:09 p.m.*

2 ROLL CALL / CITY COUNCIL

ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Present: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

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

*There were 15 Open Forum speakers.*

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

*Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Glenda Hammonds.*

*Mayor Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Mel Hane.*

*Council President Kernighan took a point of personal privilege and requested that the meeting be adjourned in memory of Quiannong Li.*

- 4.1 Subject: Honoring Oakland's Youth Poet Laureate  
From: Councilmember Libby Schaaf And Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Congratulating Obasi Davis, Oakland Resident, As The City Of Oakland's Second Annual Youth Poet Laureate  
[13-0060](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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- 4.2 Subject: Resolution Against Domestic Violence  
From: Councilmembers Gibson McElhaney And Kalb  
Recommendation: Adopt A Resolution Declaring Freedom From Domestic Violence Is A Fundamental Human Right  
[12-0718](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

*There was one speaker on this item.*

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- 4.3        Subject:    Recognizing Volunteer Support Of District 5's Safe And Clean City Efforts  
             From:        Councilmember Noel Gallo  
             Recommendation: Adopt A Resolution Recognizing Volunteers For Their Community Service  
             To Make Oakland A Safe, Clean City  
             [13-0070](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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- 4.4        Subject:    Oakland Airport Connector Update Report  
             From:        Vice Mayor Larry Reid  
             Recommendation: Receive An Informational Update And Presentation From BART  
             Regarding The Status Of The Oakland Airport Connector  
             [13-0036](#)

*No Action Taken*  
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- 5            APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF SEPTEMBER 17, 2013

**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 Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, 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):

*Councilmember Gallo made a motion, seconded by President Pro Tempore Kaplan, to Withdraw Item S-12 from this agenda and Reschedule it to the October 15, 2013 City Council meeting.*

**7. CONSENT CALENDAR (CC) ITEMS:**

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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  
[13-0063](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, 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  
[13-0064](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.3-CC Subject: Violence Prevention & Public Safety Oversight Committee Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Mara Velez And Jamila Iris Edwards As A  
Member Of The Violence Prevention And Public Safety Oversight Committee  
[13-0056](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.4-CC Subject: Add Employee Relations Analyst Classification To Salary Ordinance  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.  
12187 C.M.S. ("Salary Ordinance") To Add The Classification Employee Relations Analyst,  
Principal  
[12-0672](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.5-CC Subject: Amending Salary Ordinance - Investment Supervisor Title Change  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.  
12187 C.M.S. ("Salary Ordinance") To Change The Title For The Classification Of Investment  
Supervisor To Investment Officer And Increase The Salary Range For The Classification  
[13-0014](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.6-CC Subject: Amending Salary Ordinance And Exemption From Civil Service  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.  
12187 C.M.S. ("Salary Ordinance") To Change The Title Of Support Services Administrator  
To Manager, Support Services And To Lower The Pay Grade Associated With The  
Classification  
[13-0015](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.7-CC      Subject:      Allocation Of Funds For The Affordable Housing Trust  
From:          Councilmember Dan Kalb  
Recommendation: Adopt An Ordinance (1) Amending Oakland Municipal Code Section 15.68.100 That Established The Affordable Housing Trust Fund To Set Aside An Amount Equal To 25% Of Funds Distributed' To The City As A Taxing Entity Under The Redevelopment Dissolution Laws Into The Affordable Housing Trust Fund, (2) Amending Ordinance No. 12502 C.M.S. That Established A General Fund Reserve Policy To Exempt These Distributions From The Requirement To Use One Time Revenues To Pay For One Time Expenses Or Reduce Negative Fund Balances, And (3) Appropriating And Transferring Such Distributions From The General Purpose Fund To The Affordable Housing Trust Fund  
[12-0665](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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7.8-CC      Subject:      Amending Salary Ordinance To Civilianize OPD Positions  
From:          Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Intake Technician  
[13-0013](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.9-CC Subject: MOU With CHP For Two Years Of Crime Suppression Assistance  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Extend The Memorandum Of Understanding (MOU) With The California Highway Patrol (CHP) For Up To Two Years Of Crime Suppression Assistance Whereby CHP Will Deploy 10 Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up To Four Days Per Week, At A Cost Not To Exceed Two Million Six Hundred Thousand Dollars (\$2,600,000) August 8, 2013 To August 7, 2015, And A MOU Extension Total Amount Not To Exceed Three Million Two Hundred Seventy Six Thousand Dollars (\$3,267,000), Subject To The Availability Of Funds As Appropriated By The Council  
[13-0052](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.10-CC Subject: Urban Search And Rescue Grant Funds  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into A Grant Cooperative Agreement With The Federal Emergency Management Agency (FEMA) To Accept And Appropriate Funds (FEMA Funds) For The Oakland Fire Department For The Period October 1, 2013 To March 31, 2015, In An Amount Not To Exceed One Million One Hundred Sixty Seven Thousand One Hundred Fifty Four Dollars (\$1,167,154) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (US&R) Task Force (US&R Task Force); And 2) Expend The FEMA Funds In Accordance With The Preliminary Spending Plan Without Further Council Approval, Including Funding For Training And The Purchase Of Equipment As Required By The General Services Administration And Other Government Pricing Schedules To Support The US&R Task Force's Response Capability As Directed By FEMA; And 3) Waive The City's Advertising And Competitive Bidding Requirements And Authorize Procurement Of Equipment From The Federal General Services Administration Agency And Or Other Government Pricing Schedules For Expenses Funded By the FEMA Grant; And 4) Approve Travel For City Personnel That Provide Services Under The FEMA Cooperative Agreement Program On Short Notice Without Further Council Authorization.  
[13-0045](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.11-CC Subject: Edward Byrne Memorial Justice Assistance Grant (JAG) Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee,  
To: 1) Enter Into An Agreement With Alameda County To Apply For Office Of Justice  
Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant  
(JAG) Local Program Funds; And 2) Accept And Appropriate JAG Grant Funds In An Amount  
Not To Exceed Five Hundred Thousand, Two Hundred Dollars (\$500,200) Annually For The  
2013 Federal Fiscal Year (FFY) October 1, 2012 Through September 30, 2016; And 3) Accept  
And Appropriate JAG Grant Funds In Advance For The 2014 FFY October 1, 2013 Through  
September 30, 2017 To Supplement Frontline Policing Services  
[13-0050](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.12-CC Subject: Juvenile Accountability Block Grant (JABG) Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee,  
To: 1) Enter Into A Grant Program Administration Agreement With The State Of California,  
Corrections Standard Authority, For Juvenile Accountability Block Grant (JABG) Funds; 2)  
Accept, Appropriate, And Administer JABG Direct Allocation Funds For Fiscal Year (FY)  
2013-2014 And FY 2014-2015 To The Oakland Police Department (OPD) In The Amount Not  
To Exceed Forty Thousand Dollars (\$40,000) For The School Safety Policing Project For The  
Period July 1, 2013 Through June 30, 2014 And July 1, 2014 Through June 30, 2015; And 3)  
Waive The Central Services Overhead (CSO) Charges Of One Thousand Six Hundred  
Sixty-Five Dollars (\$1,665).  
[13-0053](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.13-CC Subject: Enterprise Zone Report And TEA Resolution  
From: Office Of The City Administrator  
Recommendation: 1) Receive A Report On Oakland's Enterprise Zone, Analyzing The Effects  
From Statewide Reform Legislation; And  
[13-0046](#)

**This Matter was \*Received and Filed on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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2) Adopt A Resolution Designating A Targeted Employment Area In Accordance With Revised  
State Law For The Enterprise Zone Program  
[13-0046-1](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.14-CC Subject: MOU With Friends Of Sausal Creek  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee  
To Enter Into A Memorandum Of Understanding With The Friends Of Sausal Creek To  
Implement The Sausal Creek Erosion Control And Restoration Project Funded By A  
\$540,000.00 Grant From The Department Of Water Resources Jointly Awarded To The City Of  
Oakland And The Friends Of Sausal Creek And To Appropriate The Grant Funding For Which  
The City Was Authorized To Apply And Accept Per Council Resolution No. 81697 C.M.S.  
[13-0049](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.15-CC Subject: Electric Vehicle Memorandum Of Understanding  
From: Department Of Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee  
To: 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Eighty-Seven  
Thousand Dollars (\$87,000.00) From The Surface Transportation Program (STP) And/Or  
Congestion Mitigation And Air Quality Improvement (CMAQ) Through The Metropolitan  
Transportation Commission (MTC), For The Purchase Of Three (3) Electric Vehicles And  
Charging Stations For The Direct Benefit Of The City Of Oakland; 2) Authorize The Execution  
Of A Memorandum Of Understanding (MOU) With The County Of Alameda And Other  
Collaborative Bay Area Jurisdictions Which Comprise The Bay Area Climate Collaborative  
(BACC) For Continued Participation In A Federally funded Grant Initiative Designed To  
Facilitate Each Jurisdiction's Purchase Of Electric Vehicles And Charging Stations; 3) Enter  
Into One Or More Purchase Agreement(S) With One Or More Select Vendors Identified In  
Direct Relationship To The Execution Of The Aforementioned MOU As A Means By Which  
To Purchase Said Vehicles, Charging Equipment And Installation Of Charging Equipment,  
And 4) Waive The Competitive Request For Proposals/ Qualifications (RFP/Q) Process, The  
Advertising And Bidding Requirements, And Local And Small Business Enterprise Program  
(L/SLBE) Provisions Associated With The Proposed MOU And The Purchase And Placement  
Of Electric Vehicles, Charging Stations And Related Equipment And Services  
[13-0051](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.16-CC Subject: Maintenance And Services Agreement With Scheidt & Bachmann  
From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposals/  
Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements And Authorizing  
The City Administrator Or Designee To Enter Into A Maintenance And Service Agreement  
With Scheidt And Bachmann USA, Inc. In Support Of The Parking Access And Revenue  
Control System Used At Seven City Parking Garages For A Period Of Three Years At A Total  
Contract Cost Of \$240,000 (\$80,000.00 Per Year X 3 Years)  
[13-0054](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.17-CC Subject: Immigration Reform Resolution  
From: Councilmember Kalb and Councilmember Gallo  
Recommendation: Adopt A Resolution in Support of Comprehensive Immigration Reform  
13-0055

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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**Passed The Consent Agenda**

**A motion was made by Councilmember Schaaf, seconded by President Pro Tempore Kaplan, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, 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 0 final decisions made during Closed Session. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

**COMMENCING AT 7:00 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:**

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9.1 ~~Subject: Establishing Permanent Crematorium Regulations  
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. 13158 C.M.S., To Amend The Planning Code To Establish  
Permanent Regulations Pertaining To Crematories Within The City Of Oakland  
[13-0043](#)~~

*No Action Taken*  
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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Ratification Of 2013 Mayor's Recess Actions  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The  
Oakland City Council 2013 Annual Recess In Conformance With The Council's Rules Of  
Procedure Codified In Resolution No. 82580 C.M.S., Passed March 9, 2010  
[13-0062](#)

**A motion was made by Councilmember Brooks, seconded by President Pro Tempore Kaplan, that this matter be Continued to the Meeting of the Oakland City Council, due back on October 15, 2013. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

*Staff will return to the October 15, 2013 City Council meeting with additional information regarding action taken by the Mayor during the 2013 Annual Recess.*

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S-12      Subject:    Approval Of Habitat Conservation Fund Application For Grant Funds  
From:        Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Of The City Council Of Oakland Approving The  
Application For Grant Funds From The Habitat Conservation Fund Program  
[13-0077](#)

**A motion was made by Councilmember Gallo, seconded by President Pro  
Tempore Kaplan, that this matter be Withdrawn and Rescheduled to the  
Meeting of the Oakland City Council, to be heard at the October 15, 2013  
meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-13      Subject:    Report On Educational Opportunities For City Employees  
From:        Councilmember Desley Brooks  
Recommendation: Receive An Updated Informational Report And Possible Action On The  
City Of Oakland's Partnership With Patten University/UniversityNow's Educational  
Opportunities For City Employees  
[13-0033](#)

**A motion was made by Councilmember Brooks, seconded by  
Councilmember Kalb, that this matter be \*Received and Filed. The motion  
carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-14 Subject: Establishing New Definitions And Penalties For Illegal Dumping  
From: Office Of The City Attorney And Councilmember Gibson McElhaney  
Recommendation: Adopt An Ordinance Enacting the Following: 1) A New Oakland  
Municipal Code Chapter 8.11 Pertaining To Illegal Dumping And Littering, Defining What  
Constitutes Illegal Dumping, And Setting Administrative, Civil And Criminal Penalties; 2)  
Amending And Restating Oakland Municipal Code Chapter 9.56 Pertaining To Seizure And  
Impoundment Of Vehicles Involved In Certain Nuisance Activities: Prostitution, Pandering,  
Pimping, And Illegal Dumping  
[13-0041](#)

**A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the October 15, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
*There were 2 speakers on this item.*

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S-15 Subject: AC Transit MOU And Agreement  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee,  
To Execute A Memorandum Of Understanding (MOU) And A Cooperative Agreement With  
The Alameda-Contra Costa Transit District (AC Transit) For The Line 51 Transit Performance  
Initiative Project  
[13-0047](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

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S-16      Subject:    Reimbursement For Hosting Command For Urban Shield 2013  
From:        Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The Alameda County Sheriff's Office For The Oakland Fire Department To Host And Participate In The Red Area Command For The Urban Shield 2013 Exercise And Training And To Accept Reimbursement Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) For Expenses Incurred By The Oakland Fire Department For This Event  
[13-0040](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Vice Mayor Reid  
ORA\Councilmember Noes: 2 - Councilmember Brooks and Councilmember Gibson McElhaney  
ORA\Councilmember Ayes: 5 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

*Councilmember Brooks made a motion, seconded by Councilmember Gibson McElhaney, to have the City send a letter to the Marriott informing it of the City's policies and laws regarding guns, gun shows and gun sales. The motion passed with a vote of 7 Ayes, 1 Excused - Reid.*

*The City Council also directed the City Attorney to look into ways to continue to strengthen the City's current gun ordinances.*

*There were 12 speakers on this item*  
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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 Glenda Hammonds, Quiannong Li, and Mel Hane at 9:49 p.m.*

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours 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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*City Clerk and Clerk of the Council*