



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

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

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

Tuesday, July 02, 2013

5:30 PM

City Council Chambers, 3rd Floor

2 Roll Call / City Council

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

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 5:55 p.m.

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

There were 8 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

Council President Kernighan took a point of personal privilege and requested that the meeting be adjourned in memory of the 19 officers who lost their lives in the Arizona fire and Jose Santa Maria and Kenneth Bradley.

Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Pauline Grant.

4.1 Subject: Meatless Mondays
From: Councilmembers Libby Schaaf and Desley Brooks
Recommendation: Adopt A Resolution Declaring Mondays To Be "Meatless Mondays" In The City Of Oakland
[12-0615](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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4.2 Subject: Honoring Superintendent Tony Smith
From: Council Member Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Superintendent Tony Smith On His Service To The Oakland Unified School District
[12-0638](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-4.3 Subject: Honoring Trikone
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Recognizing Trikone, The First Organization For Lesbian, Gay, Bisexual, Transgender, And Queer (LGBTQ) People Of South Asian Descent In The World
[12-0663](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 13, 2013 and
JUNE 18, 2013

**A motion was made by Vice Mayor Reid, seconded by Councilmember
Gibson McElhaney, to *Approve as Submitted. The motion carried by the
following vote:**

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

- 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):

*At this time it was determined that items 7.7 and 9.1 would be taken out of
order.*

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
[12-0613](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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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
[12-0614](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.3-CC Subject: Community Policing Advisory Board Appointment - Gomez
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sal Gomez
As A Member Of The Community Policing Advisory Board
[12-0609](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.4-CC Subject: Wildfire Prevention & Assessment District Advisory Board Appointment - Wong
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Doug Wong As A Member Of The
Wildfire Prevention And Assessment District Advisory Board
[12-0610](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.5-CC Subject: Budget Advisory Committee Appointment - Andrus
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lori Andrus
To The Budget Advisory Committee
[12-0620](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.6-CC Subject: Citywide Zoning Text Amendments
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To
Amend The Oakland Planning Code To: 1) Update References, Reduce Redundancy, And
Clarify Language In Various Chapters Of The Planning Code; 2) Modify Truck Weight
Classifications Language To Conform With Industry Standards; 3) Modify The Setback
Requirement For The Portion Of Buildings Above 55 Feet In Height In The CBD-R Zone; 4)
Add Design Review Requirement For Residential Facilities And Historic Properties In The
CIX, IG, And IO Zones; 5) Eliminate The Increased Parking Requirement For Expansions Of
Activities Across Zone Boundaries; And 6) Add Sidewalk Cafes As A Permitted Facility In
The M- Industrial Zones
[12-0553](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.7-CC Subject: Modification of the Taxi Vehicle Permit (Medallion) Fee
From: Vice Mayor Reid and Councilmember De La Fuente
Recommendation: Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Modify The Annual Fee Of The Taxi Vehicle Permit (Medallion) Assessed By The Office Of The City Administrator
[12-0216](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Kalb
ORA\Councilmember Noes: 2 - Councilmember Schaaf and Council President Kernighan
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7.8-CC Subject: Eliminate Requirement of Council Approval for Creation of Standing Committees
From: Oakland Public Library
Recommendation: Adopt An Ordinance Amending City Of Oakland Ordinance No. 11730 C.M.S. To Either 1) Eliminate The Requirement Of City Council Prior Approval For Create Of Standing Committees Of The Library Advisory Commission; Or 2) Alter The Requirement Of City Council Prior Approval For Creation Of More Than Two Standing Committees Of The Library Advisory Commission
[12-0558](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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7.9-CC Subject: Support For SB 52: Disclosure Of Top Three Funders Of Political Ads
From: Council President Patricia Kernighan And Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of SB 52, The California Disclose Act Of
2013 [Leno And Hill]
[12-0587](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.10-CC Subject: Settlement Agreement - Mabry
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Brendy Mabry v. City Of Oakland, Alameda County
Superior Court Case No. RG12616548, City Attorney's File No. 28551, In The Amount Of
Twenty-Eight Thousand, Five Hundred Dollars And No Cents (\$28,500.00) (Public Works
Agency - Trip And Fall)
[12-0616](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.11-CC Subject: Settlement Agreement - Hamilton
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Hamilton v. City Of Oakland, Et Al., Alameda County
Superior Court, Case No. RG12610883, City Attorney's File No. 28254-A, In The Amount Of
Ten Thousand Dollars (\$10,000.00) (Oakland Police Department - Motor Vehicle Injury)
[12-0617](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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7.12-CC Subject: Travel Authorization - Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel To Milwaukee, Wisconsin To Attend The 2013 National League Of Cities National Black Caucus Of Local Elected Officials (NBC-LEO) Annual Summer Conference From July 31, 2013 To August 3, 2013
[12-0624](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.13-CC Subject: Marketing Of Champion Street Property For Sale
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Rejecting All Prior Bids And Authorizing The City Administrator To Market For Sale Surplus Property Located At 3455 And 3461 Champion Street, APN 028-0905-013-02 And APN 028-0905-009-00 (Old Fire House #14), For The Future Development Of A Restaurant By Issuing A Notice Of Development Opportunity
[12-0595](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.14-CC Subject: On-Call Construction Services Agreements
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000.00) Each To The Prequalified Firms Of 1) CAS Financial & Construction Services Inc., 2) Four Dimensions Landscape Co., 3) Magdave Associates, Inc., 4) Peters Construction, 5) Summerhill Electric, Inc., And 6) Wesley Construction; And
[12-0584](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each To The Prequalified Firms Of 1) AEKO Consulting, 2) AJW Paving & Grading, 3) Andes Construction, 4) Bay Construction, 5) Beliveau Engineering Contractors, 6) B-Side Construction, 7) Dc Construction, 8) Downrite Corporation, 9) Infiniti Engineering, 10) McGuire & Hester, 11) Mosto Construction, 12) Phase 3 Communications, Inc., 13) Ray's Electric, 14) Rockridge Builders, 15) Rosas Brothers Construction, 16) Wickman Development And Construction, And 17) Yes Construction Group
[12-0584-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.15-CC Subject: Purchase of Materials for Defremery Park
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Contract In The Amount Of Ten Thousand Dollars (\$10,000) To Good Tidings Foundation For The Purchase Of Equipment For Improvements At Defremery Park Basketball Courts
[12-0639](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.16-CC Subject: Environmental Oversight Costs At Former Oakland Army Base
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute The Following Agreements In Order To Modify The Manner In Which The California Department Of Toxic Substances Control (DTSC) And The Regional Water Quality Control Board Are Paid For Environmental Oversight Costs At The Former Oakland Army Base (OARB): (1) An Amendment To The 2003 Consent Agreement With DTSC; (2) An Amendment To The 2002 Environmental Services Cooperative Agreement With The United States Army (Army); And (3) An Assumption Agreement With The Army Approving The Transfer Of The OARB Property From The Oakland Redevelopment Agency To The City
[12-0612](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.17-CC Subject: ENA For Coliseum Transit Village Phase I
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Exclusive Negotiating Agreement With The Oakland Economic Development Corporation For Development Of Phase I Of The Transit Village At The Coliseum Bart Station, And Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed \$400,000; And

[12-0582](#)

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, that this matter be Adopted. The motion carried by the following vote:

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

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2) A Resolution Authorizing The City Of Oakland To Continue To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Station Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program; And

[12-0582-1](#)

This Matter was Adopted on the Consent Agenda.

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

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3) An Oakland Redevelopment Successor Agency Resolution Transferring The Grant Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart Station Transit Village Project To The City Of Oakland

[12-0582-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
[2013-021 ORSA.pdf](#)

S-7.18-CC Subject: ENA To Develop 12th Street Remainder Parcel
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement
With UrbanCore-Integral, LLC For Development Of The 12th Street Remainder Parcel Located
At 12th Street And 2nd Avenue

[12-0592](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.19-CC Subject: ORSA Property Management Plan
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency (ORSA) Resolution
Approving A Long-Range Property Management Plan Addressing The Disposition And Use Of
Former Redevelopment Agency Properties

[12-0601](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks
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S-7.20-CC Subject: Permanent Access To Housing (PATH) Strategy
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Authorize The Department Of Human Services, Community Housing Services Division To Release A Request For Proposals To Award And Allocate Up To \$37,000 For Homeless Prevention And/Or Rapid Rehousing Services From July 1, 2013 Through December 31, 2013 Without Returning To Council, (2) Approval To Reallocate Awards Originally Made To East Bay Community Law Center And St. Mary's Center Under The City's 2012/14 Permanent Access To Housing (Path) Strategy Should The Conditions Set Under Said Grant Agreements Not Be Met By The Designated Dates, (3)) To Authorize Allocations And Continued Services For The Second Year Of 2012/14 Path Grant Agreements Previously Authorized By Oakland City Council Resolution No. 83995 Passed On July 17, 2012, And To (4) Authorize An Allocation Of Up To \$52,750 To East Oakland Community Project As A Mandatory Match To The City's HUD Funded 2013/14 Matilda Cleveland Transitional Housing Program (MCTHP) From Available General Purpose Funds.
[12-0585](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-7.21-CC Subject: Agreement With CALICO For Child Abuse Investigations And Training
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into An Agreement With The Child Abuse Listening, Interviewing, And Coordination Center (Calico) In An Amount Not To Exceed Ninety Five Thousand Dollars (\$95,000) For The Period Of July 20,2010 To June 30,2015 To Provide Forensic Interviews, Multidisciplinary Child Abuse Investigations, Family Support Services, Community Outreach, And Training To The Oakland Police Department (OPD); And 2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Proposed Agreement With Calico
[12-0588](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-7.22-CC Subject: Establishing Community Facilities Districts For Expiring Wildfire Prevention Assessment District
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of The City Of Oakland Approving Amended And Restated Local Goals And Policies And Appraisal Standards For Community Facilities Districts; And

[12-0611](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid and Council President Kernighan
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2) A Resolution Of Intention Of The City Of Oakland To Establish City Of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District) In The Current Wildfire Prevention Assessment District Area, Schedule A Public Hearing, Levy A Special Tax To Finance Certain Public Services And Approving A Proposed Boundary Map For Community Facilities District No. 2013-1 Pursuant To The Mello-Roos Community Facilities Act Of 1982; And

[12-0593](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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3) A Resolution Authorizing The City Administrator 1) To Amend The Contract With Francisco & Associates, Inc., In An Amount Not-To-Exceed Twenty-Four Thousand Nine Hundred Dollars (\$24,900), For Work Related To The Establishment Of Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District), The Rate And Method To Levy A Special Tax, And The Establishment Of Proposed Boundaries And Map Of The CFD, For A Total Contract Amount Not To Exceed Three-Hundred Eighty-Two Thousand Four Hundred Dollars (\$382,400) And Waiving The Advertising And Competitive Request For Proposal / Qualification Requirements 2) To Appropriate Two Hundred Thirteen Thousand One Hundred Dollars (\$213,100) For The Costs Of Establishment Of The Community Facilities District In FY 2013-15
[12-0594](#)

This Matter was Adopted on the Consent Agenda.

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

A motion was made by Vice Mayor Reid, 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 Absent: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Kalb,
President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid,
Council President Kernighan and Councilmember Brooks

8 Oral Report Of Final Decisions Made During Closed Session & Disclosure Of Non-Confidential Closed Session Discussions

There were three final decisions made during Closed Session.

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: Army Base Rezoning And Development Agreement
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) An Ordinance, As Recommended By The City Planning Commission, Amending The
Oakland Planning Code To Create The Gateway Industrial District (D-GI) Zone, And Make
Conforming Changes To Other Planning Code Sections And The Oakland Zoning Map To
Apply The D-GI Zone To Approximately 160 Acres In The Gateway Development Area Of
The Former Oakland Army Base; And
[12-0533](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Vice
Mayor Reid, to Approved As Amended On Introduction and Scheduled for
Final Passage to the Meeting of the Oakland City Council, to be heard at
the July 16, 2013 meeting. 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,
Councilmember Schaaf, Vice Mayor Reid and Council President Kernighan
*The Council approved the ordinance as amended to strike "without returning to
Council" on the second ordinance and the resolution.*

*The Council further requested quarterly meetings between the developers,
stakeholders, regulatory agencies and the community to discuss air quality
issues and truck management plans.*

*The Council also requested a 45-day notice of availability of the plan and a
17-day window for comments or responses to those plans.*

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2) An Ordinance, As Recommended By The City Planning Commission, Authorizing The City
Administrator To Execute A Development Agreement Between The City Of Oakland And
Prologis CCIG Oakland Global, LLC, A Delaware Limited Liability Company, For The
Development On Approximately 160 Acres In The Gateway Development Area Of The Former
Oakland Army Base To Be In A Form And Content Substantially In Conformance With The
Attached Documents

[12-0533-1](#)

3) A Resolution, As Recommended By The City Planning Commission, Adopting Design Standards For The Gateway Industrial District (D-GI) Zone Located On Approximately 160 Acres In The Gateway Development Area Of The Former Oakland Army Base And Authorizing Staff To Make Minor Ongoing Revisions To The Adopted Design Standards Consistent With The D-GI Zone And Oakland Planning Code, But Major Revisions To Be Made By The City Planning Commission, Without Returning To The City Council
[12-0533-2](#)

[84498 CMS.pdf](#)

S-9.2

Subject: Amending Ordinance Number 13133 C.M.S
From: The Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance Number 13133 C.M.S. (The FY 2012-13 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees And Penalties Assessed By The Office Of The City Clerk, The Administrative Services Department, The Oakland Police Department, And The Office Of Parks And Recreation
[12-0636](#)

A motion was made by Councilmember Brooks, seconded by President Pro Tempore Kaplan, to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 16, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
Approved as amended to exclude new park fees.

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: New Dog Play Area Appeal
From: Department Of Planning And Building
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or

[11-0624](#)

There was no action taken on this item.

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2) A Resolution Denying The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission And Denying The Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208)

[11-0624-1](#)

12 Subject: Coliseum Authority Wireless Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority And Certain Related Matters, And Authorizing The City Administrator To Consent To A Wireless Sublease Agreement Between AT&T, Verizon Wireless, Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority
[12-0628](#)

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

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[84499 CMS.pdf](#)

14 Subject: Oakland Army Base Real Estate Actions
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute A Sixty-Six (66) Year Lease Or Easement With The Port Of Oakland For Rail Uses And Service On Approximately 8 Acres Of Port Land Adjacent To City-Owned Land On The Former Oakland Army Base; And

[12-0581](#)

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

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

There were 25 speakers on this item.

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[13175 CMS.pdf](#)

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Sixty-Six (66) Year Sublease Or Easement With Prologis CCIG Oakland Global, LLC, Or Related Entities For Rail Uses And Service On Approximately 8 Acres Of Land Adjacent To City-Owned Land On The Former Oakland Army Base; And

[12-0581-1](#)

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

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

[13176 CMS.pdf](#)

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Lease With The Port Of Oakland For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And

[12-0581-2](#)

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

Votes: ORA\Councilmember Abstained: 2 - Councilmember Kalb and Councilmember Schaaf

ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, President Pro Tempore Kaplan, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

[13177 CMS.pdf](#)

4) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Sublease With Oakland Maritime Support Services (Or A Related Entity) For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And

[12-0581-3](#)

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

Votes: ORA\Councilmember Abstained: 2 - Councilmember Kalb and Councilmember Schaaf

ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, President Pro Tempore Kaplan, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

[13178 CMS.pdf](#)

5) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Lease Or License Agreement With California Capital & Investment Group, Inc., For Installation Of Air Quality Monitoring Facilities, Equipment And Utilities At Raimondi Park In West Oakland; And

[12-0581-4](#)

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

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

[13179 CMS.pdf](#)

6) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To The 2005 Purchase And Sale Agreement Between The Oakland Base Reuse Authority And The California Department Of Transportation For Approximately 6.5 Acres Of Property Adjacent To The Former Oakland Army Base; And
[12-0581-5](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
[13180 CMS.pdf](#)

7) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Real Property Agreement With BNSF Railway Company To Relocate An Existing Rail Line Easement Near Engineers Road To Facilitate The Development Of The Former Oakland Army Base
[12-0581-6](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
[13181 CMS.pdf](#)

S-15 Subject: 911 Infrastructure Upgrades
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Expend (\$3,042,000) Three Million Forty Two Thousand Dollars From The FY 2012-2013 General Fund Undesignated Fund Balance On Public Safety Radio System (P25) Including 911 Infrastructure Upgrades And Immediate Improvement Needs To Dispatch Communications Centers And 1) Waive The Competitive Bidding, Advertising, And Request For Proposal Process And 2) Delegate Authority To The City Administrator, Or Her Designee, To Award Contracts [TITLE CHANGE]
[12-0569](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, that this matter be Adopted as Amended. 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, Councilmember Schaaf, Vice Mayor Reid and Council President Kernighan
The Council adopted this item as amended to include directions from the Finance and Management Committee meeting of June 25, 2013.
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[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental.pdf](#)
[84500 CMS.pdf](#)

S-16 Subject: Contract With PMAM For False Alarm Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Award A Contract To PMAM Corporation For Administration Of The Alarm Reduction Program Not To Exceed \$5.00 Per Permit From July 1,2013 Through June 30, 2016 And For A Total Cost Not To Exceed Four Hundred And Fifty Thousand Dollars (\$450,000); 2) Authorize The City Administrator To Appropriate False Alarm Fund (2411) Balance Of Two Hundred And Twenty Thousand Dollars (\$220,000) Per Fiscal Year For A 3 Year Term From July 1,2013 Through June 30,2016 For The Administration Of The False Alarm Reduction Program
[12-0596](#)

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 Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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[84501 CMS.pdf](#)

S-17 Subject: Support Of AB 1229 Affirming Local Control Of Inclusionary Zoning For Affordable Housing
From: Offices Of Councilmembers Kalb And Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1229 (Atkins) - State Legislation That Would Re-Authorize Cities And Counties To Adopt Ordinances With Inclusionary Rental Housing Requirements For Lower Income Households
[12-0608](#)

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 Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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CONTINUATION OF OPEN FORUM

There were no additional Open Forum speakers.

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 the 19 Firefighters that lost their lives in Arizona, Pauline Grant, Jose Santa Maria and Kenneth Bradley at 10:19 p.m.

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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 8:30AM TO 5:00PM**

City Clerk and Clerk of the Council