
4.1 Subject: Recognizing Juanita Matthews
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Recognizing Juanita Matthews For Over 40 Years Of
Service As A Teacher At Emerson Elementary School
[13-0364](#)

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 Excused: 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
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4.2 Subject: Honoring OSA's Vocal Rush
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Honoring The Success Of Vocal Rush, A Renowned A
Cappella Group From Oakland School For The Arts, Which Placed 3rd On NBC's The Sing Off
In December 2013 And Recognizing Their Talented Members For Extraordinary Artistic And
Academic Achievement
[13-0353](#)

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 Excused: 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
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- 4.3 Subject: Recognizing Claudia Burgos
 From: Councilmember Noel Gallo
 Recommendation: Adopt A Resolution Acknowledging Claudia Burgos For 10 Years Of Exemplary Service Provided To The City Of Oakland And For Her Commitment To The Betterment Of Oakland And Its Residents
 [13-0379](#)

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

Votes: ORA\Councilmember Excused: 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
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MARCH 4, 2014

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

Votes: ORA\Councilmember Excused: 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

- 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):

Items 13 and 14 moved after Item 15. Items 9.1 and 9.2 moved after item 11.

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
[13-0396](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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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
[13-0397](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.3-CC Subject: Business Tax Board Of Review Appointment - Hillmer
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jens
Hillmer As A Member Of The Business Tax Board Of Review
[13-0378](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.4-CC Subject: Taxation And Assessment Board Of Review Reappointment - Hilmer
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jens
Hillmer As A Member Of The Oakland Taxation And Assessment Board Of Review Under The
Transient Occupancy Tax Ordinance
[13-0392](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.5-CC Subject: Parking Tax Board Of Review Reappointment - Hilmer
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jens
Hillmer, As A Member Of The Parking Tax Board Of Review
[13-0393](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.6-CC Subject: Community Policing Advisory Board Appointment - Ashford
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jay Ashford
As A Member Of The Community Policing Advisory Board
[13-0394](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.7-CC Subject: Citizen's Police Review Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Howard Tevelson, Jason Takenouchi, Brian Bingham, And Reappointment Of Larisa Casillas, Reyes Avalos-Leon, And Chris Brown To The Citizen's Police Review Board
[13-0395](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.8-CC Subject: Wildfire Prevention And Assessment District Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Mary Thiessen And Chris Burgardt As A Members Of The Wildfire Prevention And Assessment District Advisory Board
[13-0418](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.9-CC Subject: Honoring Williams Chapel Baptist Church's 75th Anniversary
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Honoring The Diamond Jubilee Of Williams Chapel Baptist Church And Rev. Dr. Kenneth Anderson
[13-0399](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.10-CC Subject: Honoring Supervisor Keith Carson
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Keith Carson For His Leadership As
President Of The Alameda County Board Of Supervisors And The Outstanding Contributions
He Has Made To The City Of Oakland As A Champion For Economic And Workforce
Development, Public Safety, Education And Literacy, Health And Human Services, Youth
Development, And The Environment
[13-0416](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.11-CC Subject: Cesar Chavez National Day Of Service
From: Councilmembers Kalb, Kaplan And Gallo
Recommendation: Adopt A Resolution Urging President Obama To Proclaim March 31st As
Cesar Chavez National Day Of Service
[13-0417](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.12-CC Subject: Travel Authorization - Kalb
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Authorizing Councilmember Kalb To Travel To
Ontario, California To Attend The League Of California Cities' Public Safety Committee
Meeting On April 4, 2014
[13-0366](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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7.13-CC Subject: Amending Municipal Code Section 2.29 - Organization Of The City
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter
2.29 "City Agencies, Departments And Offices" To, Among Other Changes, Establish The
Departments Of Police, Fire, Finance, Public Works, Human Services, Housing & Community
Development, Parks & Recreation, Planning & Building, Library, Human Resources
Management, Information Technology, Economic & Workforce Development And Office Of
The City Administrator
[13-0311](#)

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

Votes: ORA\Councilmember Excused: 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
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7.14-CC Subject: Salary Ordinance Amendment - Municipal Code Companion
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No.
12187 C.M.S. ("Salary Ordinance") To Make Changes, Additions, And Deletions To The
Salary Schedule To: (1) Change Classification Titles Of Directors For The Departments Of
Fire, Finance, Public Works, Parks & Recreation, Planning & Building, Economic And
Workforce Development; (2) Increase The Salary Range For Directors Of Housing &
Community Development, Director Of Planning & Building, And Budget; (3) Add The
Classification Of Equal Employment Opportunity Officer; And (4) Delete Obsolete Or
Duplicative Department Director Classifications
[13-0307](#)

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

Votes: ORA\Councilmember Excused: 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
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7.15-CC Subject: Support For The Postal Service Protection Act
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Supporting The Postal Service Protection Act And Urging Senators Boxer And Feinstein To Support The Act That Protects 6 Day Mail Delivery, Mail Processing, And Door To Door Service To Households And Businesses
[13-0354](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.16-CC Subject: 23rd Ave / 29th Ave Rail Crossing Improvements Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Appropriate Supplemental Funds In The Amount Of One Million Six Hundred And Sixteen Thousand Three Hundred And Twelve Dollars And Fifty Cents (\$1,616,312.50) From The State Of California Department Of Transportation (CalTrans) In Accordance With The Fully Executed Cooperative Agreement No. 4-2265; And 2) Execute A Construction Contract With McGuire And Hester, The Lowest Responsive And Responsible Bidder, For The Construction Of The 23rd Ave/ 29th Ave Rail Crossing Improvement Project (No. G381112) In Accordance With Plans And Specifications For The Project In The Amount Of Four Hundred And Seventy Thousand Three Hundred And Sixty-Four Dollars (\$470,364.00) And Reject All Other Bids
[13-0356](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.17-CC Subject: Seismic Retrofit of Coliseum Way Bridge Project
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Increasing The Amount Of The Contract With Disney Construction, Inc. For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810) By One Hundred Ninety Thousand Six Hundred Twelve Dollars (\$190,612.00) For A Not-to-Exceed Amount Of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00)
[13-0357](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.18-CC Subject: Realignment Easement At 13451 Campus Drive
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Conditionally Approving The Realignment Of An Existing Public Service Easement At 13451 Campus Drive
[13-0360](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.19-CC Subject: Boiler Replacement/Retrofit For The PAB, Main Library & Museum
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Appropriate Eight Hundred One Thousand Seven Hundred Fifty Dollars (\$801,750) From The General Purpose Fund (1010) Capital Improvements Reserve To Purchase, Install And/Or Retrofit City Boilers In The Police Administration Building (PAB), Main Library, And Museum; (2) Accept Incentives For Boiler Replacement; And (3) Increase The City Facilities Fund (4400) Revenue And Expense Appropriation By The Amount Received From Incentives.
[13-0358](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.22-CC Subject: OPD SARANet Database Software Upgrade And Maintenance Contract
From: Office Of The City Administrator
Recommendation: Adopt A Resolution (1) Waiving The Request For Proposals Or
Qualifications (RFP/Q) Process And (2) Authorizing The City Administrator To Execute A
Contract Between The City Of Oakland And Resource Development Associates In An Amount
Not To Exceed Sixty Thousand Dollars (\$60,000) For The Period Of January 1, 2014 Through
December 31, 2014 For An Upgrade And Maintenance Of The SARANet Database To Track
The Projects Of The Oakland Police Department's Problem Solving Officers
[13-0386](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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S-7.23-CC Subject: Support Of SB 962 - Smartphone Theft Prevention
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of The Senate Bill (SB) 962 (Leno) -
Smartphone Theft Prevention
[13-0365](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 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
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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 Excused: 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

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

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, to *Approve as Submitted the oral report from the Office of the City Attorney of 2 final decisions made during Closed Session. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 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

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: Assessment Of Liens For Delinquent Real Property Transfer Taxes
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing On The Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[13-0412](#)

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 Excused: 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 9.1 by the City Clerk, the Public Hearing was opened at 7:55 p.m.

No individuals spoke on this item.

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

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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or

[13-0412-1](#)

Not Adopted

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[13-0412-2](#)

Not Adopted

9.2 Subject: Delinquent Mandatory Garbage Fees
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2013 Monthly Accounts And October/November/December 2013 Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[13-0415](#)

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 Excused: 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 7:57 p.m.

No individuals spoke on this item.

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

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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or
[13-0415-1](#)

Not Adopted

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection
[13-0415-2](#)

Not Adopted

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: District Attorney's Report On Disposition Of Arrests Made By OPD
From: Council President Patricia Kernighan And Councilmember Noel Gallo
Recommendation: Receive An Informational Report From Alameda County District Attorney Nancy E. O'Malley On Resolution Of Arrests For Robbery And Other Specific Crimes Made By The Oakland Police Department
[13-0292](#)

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

Votes: ORA\Councilmember Excused: 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 no speakers on this item.

12 Subject: Ordinance Expanding Park Areas Permitting Dogs
From: Department Of Parks And Recreation
Recommendation: Adopt An Ordinance Amending Section 6.04.080 Of The Oakland
Municipal Code, Dogs At Large In Parks, To Designate Additional Areas As Permitted
On-Leash And Off-Leash Areas
[13-0280](#)

A motion was made to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the April 1, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 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
*Council approved the ordinance as amended to designate Oak Park as an
on-leash park.*

There were 28 speakers on this item.

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S-12.1 Subject: Amendments To Capital Improvement Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving An Amendment To The Rent Adjustment Program Regulations Revising Regulation 10.2.3 (2)(3) (Appendix A) To Allow Amortization Periods Up To 20 Years, To Impose A 10 Percent Cap On Any Capital Improvement Pass Through In A 12-Month Period, And To Require That Owners File A Petition For A Capital Improvement Rent Increase; And
[13-0341](#)

Councilmember Schaaf moved, seconded by Vice Mayor Reid, to schedule for consideration by the City Council at its meeting on April 22, 2014 the proposed amendments to the Rent Adjustment Ordinance and its Regulations set forth below and directed Staff to prepare the appropriate amendment language, legislation, and reports:

*I. Maximum 10% Annual Cap on All Rent Increases***

a. Five (5) years is basic (default) amortization, unless it needs to be extended by whatever number of years necessary to maintain 10% maximum rent increase on a unit by unit basis. Since pass-thru amount for general Capital Improvement is same for each unit in building, each unit may have a different amortization period (e.g., lower rent units would have a longer payoff period).

b. To prevent a 'piling-up' loophole, no combination of increases can exceed 30% within a 5-year period.

** **In event the CPI rent adjustment exceeds 10%, then the CPI rent adjustment may be given as rent increase but no other pass through are allowed or is necessary to meet the Constitutional and fair return requirements.*

II. Enhanced Noticing Requirements for all Capital Improvements

a. After work is completed (as presently), Landlord will prepare and submit (1) Notice of Rent Increase (2) RAP Notice - includes important information about your rights and how to challenge the increase (3) Summary of Capital Improvements Proposed for Pass-Thru, with improvements and costs listed by category, date improvements were completed and paid for, start and end date of rent increase and removal from tenants' rent.

b. The set of 3 documents will be filed with the Rent Program, and served in advance of rent increase on each tenant affected by the capital improvement.

c. Failure of Landlord to provide the required set of documents invalidates the

proposed Capital Improvement rent increase for affected units.

d. Landlord(s) who fail to drop off the Capital Improvement increase from rent at the expiration date will be subject to the penalty specified in Section 1.22850(B).

e. The new Capital Improvement procedures will apply to all capital improvements, whether a single unit or an entire building.

f. Landlords may still file a petition for a Capital Improvement Increase in lieu of the Enhanced Notice Requirement.

III. Debt Service

a. Item 12.2(B)(1-2) will be adopted to eliminate debt service.

IV. Effective Date

a. The new Capital Improvement procedure would not be effective until 90 days following final adoption of the Ordinance.

Council also approved a 70% Capital Improvements Pass-Thru to tenants and requirement that all refunds of rent be paid back with interest. The motion passed with a vote of 7 Ayes, 1 Excused - Brooks.

There were 86 speakers on this item.

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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Capital Improvements To File Owner Petitions
[13-0341-1](#)

S-12.2 Subject: Amendments To Debt Service Regulations
 From: Department Of Housing And Community Development
 Recommendation:

A. Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Amendments To The Rent Adjustment Regulations, Appendix A, Section 10.4 To Require That Debt Service Increases For Newly Purchases Rental Properties Not Exceed Debt Service Calculated On A Standard Financing Model, To Limit Debt Service Rent Increases To A One-Time Cap Of Seven Percent Over The Current Allowable Rent Increase, To Require A Rent Increase Based On Debt Service Be Filed Within Three (3) Years Of The Date Of Closing On The Purchase And To Adopt A Grandparent Clause; And
[13-0342](#)

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2) An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. 8.22.090B) To Require Property Owners Seeking Rent Increases Based On Debt Service To File Owner Petitions
[13-0342-1](#)

Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Adopt Amendments To The Rent Adjustment Regulations Appendix A, Section 10.4 To Provide For A Grandparent Clause For Rental Properties With A Purchaser At The Enactment Of Elimination Of Debt Service As A Justification For A Rent Increase; And
[13-0342-2](#)

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

Votes: ORA\Councilmember Excused: 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
[84896 CMS.pdf](#)

Subject: Amendments To Debt Service Regulations
From: Department Of Housing And Community Development
Recommendation: Adopt An Ordinance Amending The Rent Adjustment Ordinance (O.M.C. Sections 8.22.020 And 8.22.070) To Eliminate Debt Service As A Justification For A Rent Increase
[13-0342-3](#)

A motion was made by Councilmember Schaaf, seconded by Vice Mayor Reid, 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 April 1, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 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
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13 Subject: FY 2013-2014 First & Second Quarter Revenue And Expenditure Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report On The Unaudited Fiscal Year 2013-2014 First & Second Quarter Revenue And Expenditure Results For Four Selected Funds: General Purpose Fund (GPF 1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
[13-0302](#)

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

Votes: ORA\Councilmember Excused: 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
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S-14 Subject: Balancing The Remaining Fiscal Year 2013-2014 Budget
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Balancing Of The Remaining Fiscal Year 2013-2014 Budget By Instructing The City Administrator To: (1) Increase The Revenue Projection In The General Purpose Fund By \$18,122,435; (2) Appropriate Additional Expenditures In An Amount Not To Exceed \$7,747,810; (3) Increase General Purpose Fund Reserve In An Amount Of \$637,017; (4) Report Back With Cost Containment Strategies In May 2014 For The FY 2014-2015 Budget; And, Bring A Balanced Budget By The Mid-Cycle Budget Process In June 2014 For FY 2014-2015 [TITLE CHANGE]
[13-0314](#)

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

Votes: ORA\Councilmember Excused: 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
Council adopted the resolution as amended to include the following language in the first "Resolved" paragraph: as specified in Attachment B.
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[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)
[84897 CMS.pdf](#)

S-15 Subject: Waste Collection Franchise Agreement Policy
From: Councilmembers Kalb, Gibson McElhaney And Gallo
Recommendation: Adopt A Resolution Setting Forth A City Of Oakland Policy For All City Waste/Garbage/Organics Collection, Disposal, Or Recycling Franchise Agreements, Or The Renewal Or Extension Of Any Such Existing Agreement, To (1) Provide For Good, Family-Supporting Wages And Benefits To All Workers Who Provide Recycling Services To The City Of Oakland, Its Residents And Businesses; (2) Provide That Source-Separated Third Bin Services For Organics/ Compostable Materials Be Provided, As The Minimum Default Outcome, To All Oakland Residents, Including Those In Multi-Family Buildings, With The Council Receiving A Costed-Out Option For Mandatory Organics Bin Services; (3) Provide Curbside Bulky Waste Pick-Up For All Oakland Residents, Including Tenants Residing In Multi-Family Buildings; And (4) Provide To The Council A Costed-Out Option To Be Included In The Scope Of Services For Handling Source-Separated Organics At A Local Waste-To-Energy Facility [TITLE CHANGE]
[13-0373](#)

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 - 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
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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 Justice Henry Ramsey, Cleveland Thomas, Jr. and Tom Tutwiler at 12:51 A.M.

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City Clerk and Clerk of the Council