



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, California 94612**

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

Tuesday, January 22, 2013

5:30 PM

City Council Chambers, 3rd Floor

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:48 p.m.

2 Roll Call / City Council

Present: Vice Mayor Reid, Council President Kernighan, Member Brooks, President Pro Tempore Kaplan, Member Schaaf, Member Gallo, Member Gibson McElhaney and Member Kalb

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

There were 12 speakers on this item.

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

Councilmember Kalb took a point of personal privilege and requested that the meeting be adjourned in memory of Charles Porter. Councilmember Brooks and Vice Mayor Reid requested association with this tribute.

Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Christopher Lee.

Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Marvin Reid.

- 4.1 Subject: Recognition Of Service - Danziger
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Recognizing Steve Danziger For 25 Years Of
Commitment And Service To The Departments Of The City Of Oakland
[12-0241](#)

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: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks

There were 2 speakers on this item.

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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF December 18, 2012 and January 7, and January 9, 2013

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: Abstained; 1 - Councilmember Kalb

Aye; 7 - Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks

There were 2 speakers on this item.

- 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):

There were 2 speakers on this item.

7. CONSENT CALENDAR (CC) ITEMS:

There were 2 speakers on this item.

7.1-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
[12-0239](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There were 2 speakers on this item.

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7.2-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
[12-0238](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There were 2 speakers on this item.

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7.3-CC Subject: Settlement Agreement - Mendoza
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Roberto Mendoza In The Amount Of \$13,520.00, Arising Out Of An Oakland Police Operation (Oakland Police Department)
[12-0236](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There were 4 speakers on this item.

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7.4-CC Subject: Conflict Of Interest Code Amendment
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant Positions To Update The Designation Of Positions Covered By The Code
[12-0202](#)

Approved for Final Passage

There were 2 speakers on this item.

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7.5-CC Subject: Salary Schedule Amendment -Mayor's Office Classifications
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 Administrative Assistant To The Mayor To Special Assistant To The Mayor I; And To Change The Title Of Special Assistant To The Mayor To Special Assistant To The Mayor II; And To Add Permanent Part Time And Part Time Designations For The Classifications Of Special Assistant To The Mayor I And Special Assistant To The Mayor II; And To Add The Classification Of Special Assistant To The Mayor III; And To Remove The Classifications Of Mayor's Public Service Employee 14 (CONF), Mayor's Public Service Employee 51, Mayor's Public Service Employee 51 PPT, Mayor's Public Service Employee 51 Pt, Public Service Employee 14, Public Service Employee 14 Pt, Public Service Employee 51, Public Service Employee 51 PPT, Public Service Employee 51 PT, Public Service Employee 51 (CONF), And Public Service Employee 51 PPT (CONF)
[12-0178](#)

Approved for Final Passage

There was 1 speaker on this item.

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7.6-CC Subject: Ordinance Nos. 13125 And 13130 C.M.S. Correction
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 Corrections To Ordinance No. 13125 C.M.S. And Ordinance No. 13130 C.M.S.
[12-0179](#)

Approved for Final Passage

There was 1 speaker on this item.

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7.7-CC Subject: CalTrans Purchase Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement With Caltrans For The Sale Of An Approximately 3-Acre Fee-Owned Parcel And 3-Acre Easement Area Located At The Former Oakland Army Base For 5,750,000, Less Any Costs For Required Easements; And
[12-0118](#)

Approved for Final Passage

There was 1 speaker on this item.

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7.8-CC Subject: Graffiti Enforcement
From: Vice Mayor Nadel And The Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.10 To Provide Comprehensive Enforcement Of Vandalism By Defacement Of Property (Graffiti) Through Oakland And State Law, Establishing New Remedies Against Violators, Providing For Restorative Justice For Offenders, A Fund For Rewards And To Assist Victims, And Incorporating State Law Allowing For Liens Against Property Of Offenders
[12-0112](#)

Approved for Final Passage

There were 8 speakers on this item.

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7.9-CC Subject: Tenant Leases In The City Administration Building Complex
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance, Amending Ordinance No. 12079 C.M.S., Authorizing The City Administrator To Negotiate And Execute Tenant Leases In The City Administration Building Complex
[12-0181](#)

Approved for Final Passage

There was 1 speaker on this item.

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7.10-CC Subject: Owner Participation Agreement - SKS Broadway
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing An Amendment To A Purchase And Sale Agreement With SKS Broadway LLC For Sale Of The Public Parking Garage At 409 - 12th Street To Extend Purchase Deadlines
[12-0185-1](#)

Approved for Final Passage

There was 1 speaker on this item.

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7.11-CC Subject: Modification of the Taxi Vehicle Permit (Medallion) Fee
From: Vice Mayor Reid and Pro Tempore 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](#)

***Rescheduled to Meeting of the Oakland City Council on 2/5/2013**

There were 2 speakers on this item.

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7.12-CC Subject: Commission On Aging Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Joyce Batiste, Patrick J. Forte And Sylvia Stadmire And Reappointment Of Rochelle S. Zak, M.D. As Members Of The Commission On Aging
[12-0252](#)

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.13-CC Subject: Public Ethics Commission Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Eddie A. Tejada To The Public Ethics Commission
12-0251

This Matter was Adopted on the Consent Agenda.

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

There were 2 speakers on this item.

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7.14-CC Subject: Landmarks Preservation Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Peter Birkholz And Reappointment Of Mary E. Macdonald As Members Of The Landmarks Preservation Advisory Board
12-0250

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.15-CC Subject: Library Advisory Commission Appointment - Victoria A. Barbero
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Victoria A. Barbero As A Member Of The Library Advisory Commission
12-0249

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.16-CC Subject: Youth Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Afolarin Adeleke, Remi Adeleke, Aaliyah Carney, Eric Gant, Edward Gray. Donte Pharr, Munirah Harris, Sabah Harris, Olivia Lucas, Sydney Nguyen, John Noel, Kamari Quinones, Bryce Showes, Marquis Smith, Lilly Tahmasebi, Raja'a Williams And Carmen Zheng As Members Of The Oakland Youth Advisory Commission
[12-0248](#)

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.17-CC Subject: Wildfire Preservation Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lawrence Bryer And Katherine Moore As Members Of The Wildfire Prevention And Assessment District Advisory Board
[12-0247](#)

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.18-CC Subject: Travel Request
From: Councilmembers Gallo, Kalb, Gibson McElhaney
Recommendation: Adopt A Resolution Authorizing Councilmembers Noel Gallo, Dan Kalb,
And Lynette Gibson McElhaney To Travel To Sacramento To Attend The 2013 National
League Of Cities New Mayors And Councilmembers Academy From January 16 To 18, 2013
[12-0242](#)

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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7.19-CC Subject: Settlement Agreement - Hamilton And Bowers
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Fred Hamilton And Stephanie Bowers In The Amount
Of \$39,547.24, Arising Out Of An Oakland Police Operation (Oakland Police Department)
[12-0237](#)

This Matter was Adopted on the Consent Agenda.

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

There were 2 speakers on this item.

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S-7.20 Subject: Budget Advisory Committee Appointment - Sabbag
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jessamyn Sabbag To The Budget Advisory Committee
[12-0257](#)

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: No; 1 - Vice Mayor Reid
Aye; 7 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There was 1 speaker on this item.

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S-7.21-CC Subject: Emergency Services For Seniors
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate A Grant In An Amount Not To Exceed \$100,000 From Scan Health Plan, A California Nonprofit Public Benefit Corporation, For The Period Of January 1, 2013 Through June 30, 2014 For The City Of Oakland Department Of Human Services, Aging And Adult Services Information And Referral Program To Provide Financial Assistance For The Emergency Needs Of Low Income And Vulnerable Seniors And To Provide Services To Allow Seniors To Live Independently In Oakland; And 2) Enter Into Grant Agreements With Service Providers To Provide Senior Services In Amounts Not To Exceed \$10,000 Each
[12-0222](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There was 1 speaker on this item.

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S-7.22-CC Subject: Professional Services Agreement - Digital Intelligence Systems
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Waiving The Advertising And Bidding Requirements, The Request For Proposal/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And The Local And Small Business Enterprise Program (L/SLBE) Provisions; And 2) Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With Digital Intelligence Systems (DISYS) In An Amount Not To Exceed \$55,000 To Migrate All Information To A Centralized Web Based Reporting Platform (The Crystal Reporting Server), 3) Convert Reports From The Existing Hummingbird Reporting Platform To The New Crystal Reporting Server Platform, 4) Clean, Standardize, And Consolidate Legacy Reports Into A Single Reporting Platform For Easy Access And Usability, And 5) Develop Custom Reports With Information Collected With The Crystal Reporting Server Required For All Five Main Sections In The Police Department
[12-0219](#)

This Matter was Adopted on the Consent Agenda.

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

There was 1 speaker on this item.

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S-7.23-CC Subject: VMA Security Contact Option
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Contract With VMA Security Services To Continue Providing Private Security Services On An "As Needed" Basis From January 1, 2013 Through June 30, 2014, Or Until The Additional Capped Amount Of \$100,000 (One Hundred Thousand Dollars) Is Expended, Whichever Is Earliest
[12-0230](#)

This Matter was Adopted on the Consent Agenda.

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

There were 3 speakers on this item.

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Passed The Consent Agenda

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

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

- 8 Oral Report of Final Decisions Made During Closed Session & Disclosure of Non-Confidential closed session discussions

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

Votes: Abstained; 1 - Councilmember Schaaf
Absent; 2 - Councilmember Gallo and Vice Mayor Reid
Aye; 5 - Councilmember Kalb, Councilmember Gibson McElhaney, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There was 1 speaker on this item.

**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:**

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at __ p.m.

10 individuals spoke on this item.

Agency/Councilmember Schaaf made a motion, seconded by Agency/Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf and President Kernighan -8

- 9.1 Subject: Broadway/Valdez District Specific Plan
From: Department of Planning and Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, To 1) Extend The D-BR Broadway Retail Frontage District Interim Combining Zone Regulations In Oakland Planning Code Chapter 17.101c Until Final City Council Adoption Of The Broadway/Valdez District Specific Plan And New Zoning Regulations; 2) Make Minor Changes To The D-BR Zone Text, Including The Establishment Of A Pilot Program In A Portion Of The D-BR Combining Zone Only To Allow A New Residential Facility Type Called Micro Living Quarters With An Average Size Of 175 Square Feet Per Living Quarter And The Potential For Accessory Ground Floor Work/Live Units; And 3) Modify The Zoning Map To Remove The D-Br Combining Zone From Existing RM Mixed Housing Type Residential Zones. The D-BR Zone Is Currently Located From 23rd St. In The South; Highway 580 In The North; Webster St. And Lots On Or Near Broadway In The West; And Brook St., Portions Of Valdez St., 27th St., And Harrison St. In The East
[12-0221](#)

A motion was made by Councilmember Gibson McElhaney, seconded by President Pro Tempore Kaplan, 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 February 5, 2013 meeting. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 10 THIS NUMBER INTENTIONALLY NOT USED
There was 1 speaker on this item.

At this time Council President Kernighan announced that items 12 - 15, 23, 20 - 22 will be taken out of order.

11 Subject: Settlement Agreement - Laube
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Chloe Ann Laube V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG11609016, In The Amount Of \$55,000.00 As A Result Of A Fall At The Redwood Heights Recreation Center On January 27, 2011 (Parks & Recreation)
[12-0211](#)

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

Votes: No; 1 - Councilmember Brooks
Aye; 7 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and President Pro Tempore Kaplan
There was 1 speaker on this item.

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12 Subject: Mobile Food Vending Regulations Extensions
From: Department Of Planning And Building
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Extending Interim Regulations With Minor Amendments For Permitting Mobile Food Vending Group Sites Within A Limited Area Of The City Of Oakland Defined, In Part, By City Council Districts 1,2,3, And 4. The Interim Regulations Contained Herein Shall Remain In Place And Be Effective Until The City Council Adopts New Permanent Mobile Food Vending Regulations.
[12-0136](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gallo, to Approved as Amended on Introduction for Final Passage to the Meeting of the Oakland City Council, due back on February 5, 2013 to allow new vendors to participate in the mobile food vending program. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There were 2 speakers on this item.

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2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13133 C.M.S. As Amended) To Reduce The Interim Food Vending Group Site Operation Date Fee
[12-0136-1](#)

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

Votes: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
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13 Subject: Contract Award For LED Light Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Waiving Advertising And Bidding And Authorizing The City Administrator To Award Contracts To Suppliers And Contractors Through An Advertised Request For Proposals ("RFP") Selection Process For The Replacement Of Existing HPS Cobra Head Street Lights With LED Street Lights Citywide, Without Return To Council; (2) Awarding Contracts To: (A) Amland Corporation For Three Million, Nine Hundred, Ninety Thousand Dollars (\$3,990,000.00) For The Installation Of The LED Street Lights, For Lighting And Electrical Engineering Services And For Documentation Services For This Project, And (B) Graybar For Ten Million, Eight Hundred And Fifty Two Thousand, Six Hundred And Fifty Dollars (\$10,852,650.00) For The Supply Of LED Street Lights, And (C) Authorizing The City Administrator To Increase Said Contracts By Up To An Amount Not To Exceed Seven And One Half Percent (7.5%) Of The Original Contract Price, Without Returning To Council; And (3) Authorizing The City Administrator To Waive Advertising And Request For Proposal/Qualification Process Requirements And Award A Project Loan Contract For Financing, For An Amount Of \$16,000,000.00, At An Interest Rate Not-To-Exceed Four And One-Tenth Percent (4.10%) For A Term Of Not More Than Twelve (12) Years, To Be Repaid By Energy Savings From Landscape And Lighting Assessment District (LLAD) Funds, Without Return To Council To Amland Corporation, Or To A Lender Selected By The City Administrator Through A Request For Proposal/Qualifications Process, Without Return To Council; And (4) Accepting, Appropriating And Directing Rebates From The Utility Company Estimated At Two Million, Nine Hundred And Twenty-Five Thousand Dollars (\$2,925,000.00) To Be Deposited In The Landscape And Lighting Assessment District Funds (LLAD)

[12-0146](#)

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

Votes: Abstained; 1 - Council President Kernighan
Aye; 7 - Councilmember Kalb, Councilmember Gibson McElhaney,
Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, President Pro
Tempore Kaplan and Councilmember Brooks
There were 15 speakers on this item.

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14 Subject: Oakland Coliseum Board Of Commissioners - Reid
From: Council President Pat Kernighan
Recommendation: Adopt A Resolution Appointing Council Member Larry E. Reid As A
Member Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners
Replacing Outgoing Council Member Ignacio De La Fuente Beginning January 21, 2013 And
Ending January 20, 2015
[12-0198](#)

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: Aye; 8 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan, President Pro Tempore Kaplan and Councilmember Brooks
There was 1 speaker on this item.

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15 Subject: Appointment - County Coliseum Authority Board of Commissioners
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing Council Member Rebecca Kaplan As A
Member Of The Oakland-Alameda County Coliseum Authority Board Of Commissioners
Replacing Outgoing Council Member Desley Brooks Beginning January 21, 2013 And Ending
January 20, 2015
[12-0245](#)

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

Votes: Absent; 1 - Vice Mayor Reid
No; 1 - Councilmember Brooks
Aye; 6 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Council President Kernighan and President Pro Tempore Kaplan
There were 28 speakers on this item.

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- 16 Subject: Court Order - Delphine Allen
From: Offices Of The City Administrator And City Attorney
Recommendation: Adopt A Resolution Authorizing Expedited Purchasing Of Goods And Services Directed By Court Appointed Compliance Director In Accordance With The United States Federal District Courts December 12, 2012 Order, To Assist The City In Achieving Compliance With The Negotiated Settlement Agreement ("NSA") And The Amended Memorandum Of Understanding ("AMOU") In Delphine Allen V. City Of Oakland By: 1) Waiving Competitive Advertising, Bidding And Request For Proposals/Qualifications Purchasing Processes Set Forth In Oakland Municipal Code Chapter 2.04; 2) Waiving The Arizona Boycott Policy, Resolution No. 82727; 3) Authorizing The City Administrator To Execute On Behalf Of The City Contracts For The Purchase Of Goods And Services Directed By The Compliance Director In An Amount Up To \$250,000.00 Per Contract In Order For The City To Comply With The AMOU And The Court's December 12, 2012 Order; 4) Authorizing Direct Scheduling To Council Of Any NSA/AMOU Compliance-Related Purchases That Require Council Approval; 5) Establishing Unlimited Summer Recess Purchasing Authority For City Administrator For Such Purchases; And 6) Directing The City Administrator To Provide Periodic Reports To The City Council Regarding The Amounts, Nature And Purposes Of Purchases Of Goods And Services Made Pursuant To The Court's Order
[12-0240](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Schaaf, that this matter be Adopted as amended to approve unlimited authority during the Council's annual recess only if a Special Meeting of the City Council cannot be convened. The motion carried by the following vote:

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

There was 1 speaker on this item.

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- 17 Subject: Proposed Committee Meeting Times
From: Council President Patricia Kernighan
Recommendation: Action On A Motion Pursuant To Rule 4 Of The Council's Rules Of Procedure (Resolution No.79006 C.M.S. As Amended By Resolution No.82580 C.M.S.) To Set The Meeting Times Of The Public Works, Finance & Management, Community & Economic Development, Life Enrichment, Public Safety, Rules & Legislation And Education Partnership Committees
[12-0244](#)

Continued to Meeting of the Oakland City Council on 2/5/2013

There was 1 speaker on this item.

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18 Subject: Assault Weapon Ban
From: Offices Of The City Attorney, Mayor, and Councilmembers Kaplan And Reid
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland, California (1) Declaring A Public Health And Safety Crisis In Oakland And Throughout Our Nation Due To Deaths And Injuries Caused By Firearms And, In Particular Semiautomatic, Military-Style And Stolen Firearms (2) Calling Upon The United States ("U.S.") Senate And House Of Representatives To Immediately Reinstate The Federal Assault Weapons Ban, Ban Ammunition Magazines In Excess Of Ten Rounds, Require Background Checks For All Gun Sales, Require Reporting Of Lost Or Stolen Firearms, Establish A National Registry Of Lost Or Stolen Firearms, And Require Firearms Be Secured In Unoccupied Homes Or Businesses And (3) Calling Upon The California Legislature And California Congressional Delegation To Advocate For, Introduce And Support Federal Legislation To Implement These Measures And Regulate Civilian Use Of Ammunition And Military-Style Weapons To Reduce Deaths And Injuries In The U.S. Caused By Firearms
[12-0253](#)

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

Votes: Absent; 1 - Councilmember Brooks

Aye; 7 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and President Pro Tempore Kaplan
There was 1 speaker on this item.

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19 ~~Subject: Divest Investments In Weapons Companies~~
~~From: Office Of The City Attorney~~
~~Recommendation: Adopt A Resolution Of The Oakland City Council (1) Declaring A City Policy Prohibiting The City From Holding Any Investment Or Ownership Stake In Any Manufacturer Of Firearms Or Ammunition, (2) Directing The City Administrator To Examine The City's Holdings And Future Investments To Assure That The City Complies With This City Policy, (3) Urging The Police And Fire Retirement System Board And The Oakland Municipal Employees Retirement System Board To Adopt A Similar Policy, And (4) Urging Other State And Local Jurisdictions To Prohibit Investment Of Their Public Funds In Manufacturers Of Firearms Or Ammunition.~~
~~[12-0254](#)~~

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S-20 Subject: Police Service Technicians
 From: Councilmember Schaaf And Vice Mayor Reid
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Use An Expedited Hiring Process To Hire 20 Police Services Technician II Postings And One Latent Print Examiner III Position At A First Year Cost Of Two Million Three Hundred Forty-Three Thousand Four Hundred Ninety-Eight Dollars (\$2,343,498) Which Includes One Million Five Hundred Thirty-Three Thousand Six Hundred Dollars (\$1,533,600) For Salaries And Benefits And Eight Hundred Nine Thousand Eight Hundred Ninety-Eight Dollars (\$809,898) For Recruiting, Hiring, Maintenance And Operations; And An Annual Cost Thereafter Of One Million Seven Hundred Twenty Five Thousand Nine Hundred Forty-Eight Dollars (\$1,725,948) Which Includes One Million Five Hundred Thirty-Three Thousand Six Hundred Dollars (\$1,533,600) For Salaries And Benefits And One Hundred Ninety-Two Thousand Three Hundred Forty-Eight Dollars (\$192348) For Operations And Maintenance Costs.

[TITLE CHANGE]

[12-0192](#)

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

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

There were 2 speakers on this item.

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S-23 Subject: Strategic Policy Partnership Contract Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Strategic Policy Partnership, LLC In The Amount Of Two Hundred Fifty Thousand Dollars (\$250,000) To Hire A Consultant To Put In Place A Much Needed Short-Term Crime Fighting Strategy And A Citywide Reduction And Community Safety plan
[12-0231](#)

A motion was made by Councilmember Kalb, seconded by Vice Mayor Reid, that this matter be Adopted as amended to add the language distributed by Councilmember Kalb to the resolution. The motion carried by the following vote:

Votes: No; 1 - Councilmember Brooks
Aye; 7 - Councilmember Kalb, Councilmember Gibson McElhaney, Councilmember Gallo, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and President Pro Tempore Kaplan
There were 108 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 Charles Porter, Christopher Lee, and Marvin Reid at 2:51 p.m.

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