



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, March 04, 2014

5:30 PM

City Council Chambers, 3rd Floor

1 PLEDGE OF ALLEGIANCE

*The Concurrent Meeting of the Oakland City Council and Successor
Redevelopment Agency was held on the above date. Opening with the Pledge of
Allegiance, the meeting was convened at 5:42 PM.*

2 ROLL CALL / CITY COUNCIL

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
Roll Call was modified to show Councilmember Schaaf present at 5:46 P.M.

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

There were 6 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

*Councilmember Gibson McElhaney took a point of personal privilege and
requested that the meeting be adjourned in memory of Chokwe Lumumba.*

*Vice Mayor Reid took a point of personal privilege and requested that the
meeting be adjourned in memory of Robert Best.*

4.1 Subject: Acknowledging Beverly Hodge
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Beverly Hodge For Her Commitment
To Improve The City Of Oakland As A Community Partner, Volunteer, And Leader
[13-0368](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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4.2 Subject: Acknowledging Owens-Illinois Inc.
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Owens-Illinois Inc., A Glass
Manufacturing Company, For Their Commitment To The City Of Oakland For Over 100 Years
[13-0369](#)

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

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council
Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items,
Reconsiderations, Pull Items Held In Committee):
Item 13 will be taken out of order and presented before Item 12.

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
[13-0351](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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- 7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[13-0352](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.3-CC Subject: Public Art Advisory Committee Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Joyce Gordon, Evelyn Orantes, Cristina Cece Carpio, Bryan Cain And Reappointment Of Nick Dong, Kevin Chen, Joyce Hsu, And Judy Moran As Members Of The Public Art Advisory Committee
[13-0350](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.4-CC Subject: Violence Prevention And Public Safety Oversight Committee Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Kisha Jackson As A Member Of The Violence Prevention And Public Safety Oversight Committee
[13-0370](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.5-CC Subject: Oakland Housing Authority Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lynette Jung Lee To The Oakland Housing Authority Board
[13-0371](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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~~7.6 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](#)~~

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7.7-CC Subject: Chabot Science Center Board Appointment
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing Councilmember Libby Schaaf As The
Elected Member Of The Oakland City Council On The Chabot Space & Science Center Joint
Powers Authority Board Of Directors
[13-0375](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.8-CC Subject: Settlement Agreement - City Of Oakland v. AMBAC Financial Group
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Partial Settlement Of City Of Oakland v.
AMBAC Financial Group, Inc., Et Al., San Francisco Superior Court Case No.
CGC-08-479241, Authorizing Acceptance Of Payment From Syncora Guarantee, Inc. Of
\$25,830.33, In Exchange For Dismissal Of The Lawsuit By The City
[13-0349](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.9-CC Subject: Settlement Agreement- Henderson v. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Antionette Henderson v. City Of Oakland, Et Al,
Alameda County Superior Court Case No. RG11595026, City Attorney's File No. 28096-B, In
The Amount Of Forty-Four Thousand Dollars (\$44,000.00) (Oakland Public Works-Tree Limb
Failure)
[13-0367](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.10-CC Subject: Honoring Arbor Day At Children's Fairyland
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Honoring Arbor Day At Children's Fairyland On
Saturday March 15, In Which PG&E Will Sponsor Local Companies From The Western
Chapter Of The Society Of Arborists As Well As Public Works Agency Tree Staff To Provide
Maintenance To Enhance Over 100 Trees Within Fairyland Through An Educational Event
And Celebration Of Oakland's Urban Forest
[13-0376](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.11-CC Subject: Deadlines For Ballot Initiatives For The November 2014 Ballot
From: Office Of The City Clerk
Recommendation: Receive An Informational Report Providing Deadlines For Placing
Initiatives On Ballot For The November 4, 2014 Election
[13-0309](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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S-7.12-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 On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the March 18, 2014 meeting on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.13-CC Subject: Oakland Parks Coalition's Community Report Card Report
From: President Pro Tempore Rebecca Kaplan
Recommendation: Receive An Informational Report From The Oakland Parks Coalition's Community Report Card On The State Of Oakland Parks
[13-0285](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.14-CC Subject: Establishing No Parking Zone On Bancroft Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish A No Parking Zone On The South Side
Of Bancroft Avenue Between 68th Avenue And 73rd Avenue
[13-0331](#)

This Matter was Adopted as Amended to include a restriction that the "No Parking Zones" include red paint on the curb on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.15-CC Subject: Establishing A Residential Permit Parking Area "O"
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish Residential Permit Parking Area "O" On
Parts Of West Street, 14th Street And 15th Street West Of Interstate 980
[13-0334](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.16-CC Subject: Affordable Housing NOFA Funds
From: Department Of Housing And Community Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Appropriating \$1,078,483 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities; And
[13-0339](#)

This Matter was Adopted as Amended to change the Fund number to 2830 on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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2) A Resolution Increasing The Amount Of An Affordable Housing Preservation And Rehabilitation Loan To East Bay Asian Local Development Corporation For The Marcus Garvey Commons Affordable Housing Development Located At 1769 Goss Street And 1766 7th Street By \$200,000 For A Total Loan Amount Of \$934,000 And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project; And
[13-0339-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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3) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$1,575,000 To Meta Housing Corporation For The Civic Center 14 TOD Rental Project Located At 632 14th Street; And
[13-0339-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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4) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,750,000 To East Bay Asian Local Development Corporation For The 11th And Jackson Apartments Rental Project Located At 1110 Jackson Street; And
[13-0339-3](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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5) A Resolution Increasing The Amount Of An Affordable Housing Loan To Related Companies Of California And Acts Community Development Corporation For The 94th And International Affordable Housing Development Located At 94th Avenue And International Boulevard By \$2,150,000 For A Total Loan Amount Of \$7,747,000; And
[13-0339-4](#)

This Matter was Adopted as Amended to change the Fund number to 2830 on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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6) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$750,000 To Habitat For Humanity East Bay/Silicon Valley For The Oakland Home Renovation Program; And
[13-0339-5](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7) A Resolution Increasing The Amount Of An Affordable Housing Loan To California Hotel Oakland, LP, For The California Hotel Affordable Housing Development Located At 3501 San Pablo Boulevard By \$210,000 For A Total Loan Amount Of \$8,631,000
[13-0339-6](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.17-CC Subject: OFCY Final Evaluation Report 2012-2013
From: Department Of Human Services
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth
Final Evaluation Reports For Fiscal Year 2012-2013
[13-0278](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.18-CC Subject: Citizens Options For Public Safety (COPS) Grant FY Year 2013-2015
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate A Fiscal Years (FY) 2013-2015 State Of California Citizens Options For Public Safety Grant (COPS Grant FY 2013-2015) In An Amount Up To Six Hundred Thirty-Five Thousand And Seven Hundred Twenty-One Dollars (\$635,721) To Fund Equipment Purchase, Equipment Repair And Maintenance For The Oakland Police Department In Accordance With The Spending Plan
[13-0336](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.19-CC Subject: Affiliation Agreement With Peralta Community College
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Enter Into An Agreement With The Peralta Community College District (Peralta Community College) To Affiliate Public Safety Training Courses With The Oakland Police Department (OPD) And To Accept And Appropriate Funds Worth An Estimated Amount Of Two Hundred Thousand Three Hundred Forty-Nine Dollars (\$200,349) For The Purposes Of Additional Training Of OPD Personnel And The Development Of A Public Safety Training Facility, And To Accept Future Funds That Are Provided By The State Of California Through Reimbursement To The Peralta Community College If Additional Academies Are Approved
[TITLE CHANGE]
[13-0332](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.20-CC Subject: Support For A 2016 Ballot Proposition To Reform Proposition 13
From: Councilmembers Schaff, Kalb, Kaplan And Gibson McElhaney
Recommendation: Adopt A Resolution To Encourage The California State Assembly And Senate To Place On The 2016 Ballot A Proposition That Would Reform Proposition 13 By Splitting The Tax Roll Between Residential And Commercial Properties
[13-0347](#)

This Matter was Adopted on the Consent Agenda.

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

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

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

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

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

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

At 6:21 P.M., the City Council took a recess. Council reconvened at 6:35 P.M.

9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

S-10 Subject: Contract Award To Adjudication Hearing Officer
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award
Professional Services Contracts To Rudy Villegas And To Mario Thornton To Serve As
Adjudication Hearing Officers For The Parking Section As Needed At The Discretion Of The
City Administrator, In A Combined Total Amount Not To Exceed One Hundred Fifty
Thousand Dollars (\$150,000) Per Year For Three (3) Years, Each With Two (2) One-Year
Renewal Options
[13-0304](#)

**A motion was made that this matter be Adopted as Amended to require
City Council approval for all contract extensions. The motion carried by
the following vote:**

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

ORA\Councilmember Abstained: 1 - Councilmember Schaaf

ORA\Councilmember Noes: 1 - Councilmember Brooks

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

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S-10.5 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](#)

A motion was made by Councilmember Gallo, 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 March 18, 2014 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, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
There were no speakers on this item.

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11 ~~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](#)~~

This item was rescheduled it to the March 18, 2014 City Council agenda at the February 27, 2014 Rules and Legislation Committee.

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14 Subject: Domain Awareness Center (DAC) Phase 2 Contract Award
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute A Professional Services Agreement With Schneider Electric Inc. To Provide Professional Services For Design/Build/Maintain Services Represented In Phase 2 Of The City And Port Joint Domain Awareness Center (DAC) Project For An Amount Not To Exceed \$1,600,000; And 2) If Negotiations Fail With Schneider Electric Inc, The City Administrator Or Her Designee Is Authorized To Negotiate And Enter Into A Contract With Another Vendor On The DAC Phase Evaluations Ranking List, Without Returning To Council
[13-0291](#)

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

Votes: ORA\Councilmember Noes: 4 - Councilmember Gallo, Councilmember Gibson McElhaney, President Pro Tempore Kaplan and Councilmember Schaaf
ORA\Councilmember Ayes: 4 - Councilmember Brooks, Councilmember Kalb, Vice Mayor Reid and Council President Kernighan
The Council amended Staff recommendations as follows:

1. *The Domain Awareness Center will only be implemented in a Port-only approach and shall hereafter be referred to as the Port Domain Awareness Center (DAC). To that end the following items will be removed from Phase I Integrations:*
 - a. *Shot Spotter in areas outside of the immediate Port Area;*
 - b. *40 City Traffic Cameras identified in the Supplemental Staff report on pages 9 and 10.*

In the Phase II Integrations the following item shall be omitted:

 - a. *Police and Fire Records Management Systems (RMS);*
 - b. *Any news feed alerts other than the U.S. Coast Guard notifications, State Warning Center, Homeland Security Information Alerts, Cal Fire Alerts, FEMA news releases, and California Department of Fish and Game.*
2. *Any DAC program beyond the Port area may only move forward upon explicit approval of the Council.*
3. *City, as opposed to Port Area, Shot Spotter is specifically excluded from the Port-only Domain Awareness Center program and may only be included in the future upon approval of Council.*
4. *There will be no data or information sharing with any local, state or federal agency/entity without a written Memorandum of Understanding that has been approved by the Council.*
5. *No new systems or capabilities can be added without express City Council approval. This includes technological functionalities, such as facial recognition, other forms of analytics (like "gait analysis," in which someone*

can be identified based on the way they walk) or other capabilities that haven't yet been invented but are soon to come.

- 6. A Data Retention as well as a Privacy Policy shall be developed by the Council Approved Advisory Body prior to the activation of the Port-only Domain Awareness Center. Members of the Advisory Body will be appointed by each member of the City Council.*
- 7. Work-flow plans and a budget for the same shall be developed prior to the activation of the Port-only Domain Awareness Center.*
- 8. The City Administrator is authorized to negotiate a contract with Schneider Electric for professional services for design/build/maintain services that incorporate items one (1) through seven (7) above.*
- 9. Staff will bring a status report to the full Council in three (3) months.*

Add the following two paragraphs: "FURTHER RESOLVED: That approval of this contract is contingent on inclusion in the Phase 2 contract of a liquidated damages provision should the contract be unable to meet grant deadlines as well as an indemnification clause should the contractor be found in violation of Oakland's Nuclear Free Zone Ordinance; and be it

FURTHER RESOLVED: This Resolution does not commit any operational funding for the DAC at this time, but to the extent that staff brings any requests for funding in the future such requests shall include an a fair-share contribution option from the Port of Oakland as well as an option with no additional City staffing."

Finally, staff will, prior to activation of the DAC, develop a clear definition of what is included in the CAD and a protocol for use of the information.

There were 149 speakers on this item.

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15 Subject: Travel Authorization - Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel
To Dana Point, California To Attend The 13th Annual 2014 IMG World Congress Of Sports
Conference From March 19-20, 2014
[13-0377](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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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 Chokwe Lumumba and Robert Best at 1:05 A.M.

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City Clerk and Clerk of the Council