



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 19, 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 5:35 p.m.

2 Roll Call / City Council

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

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

There were 16 speakers during Open Forum.

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

Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Dr. Benjamin Garner Covington, Sr. Vice Mayor Reid requested association with this tribute.

Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Mr. Lou Salters.

4.1 Subject: Introduction Of New BART Directors
From: Council President Patricia Kernighan
Recommendation: Receive An Introduction Of Two New Bay Area Rapid Transit (BART) Directors: Zakhary Mallett Representing District 7 And Rebecca Saltzman Representing District 3
[12-0282](#)

There was no action necessary for this item.

4.2 Subject: Resolution Honoring Kevin Grant
From: Councilmember Libby Schaaf And Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Kevin Grant For His Work Preventing
Violence And For Being Awarded The 2012 California Peace Prize By The California
Wellness Foundation
[12-0332](#)

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 Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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4.3 Subject: Resolution Honoring The Late Dr. Su Yon Park
From: Councilmember Libby Schaaf And Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring the Late Dr. Su Yon Park of Children's
Hospital and Research Center Oakland as a Recipient of the California Wellness Foundation's
2012 California Peace Prize for her work creating the Youth UpRising Mental Health Clinic
[12-0346](#)

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

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

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

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda,
Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull
Items held in Committee):
No action taken.

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency
Syndrome ("AIDS") Epidemic
[12-0341](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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- 7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[12-0342](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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7.3-CC Subject: Salary Ordinance Amendment - New 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 Add The Classifications Of Revenue Analyst, Principal;
Pool Technician; Pool Technician, PPT; And Pool Technician, PT
[12-0286](#)

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

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

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7.4-CC Subject: Salary Ordinance Amendment - UM1/UM2 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 Bargaining Unit Designation From UM 1
To UM2 For The Classifications Of Administrative Services Manager II; Business Analyst IV;
Manager, Marketing Program; Open Government Coordinator; Project Manager II; And
Manager, Zoning; And To Add The Classifications Of Manager, Sustainability Program;
Manager, Oracle Operations; Manager, Technology Program; Manager, Rent Adjustment
Program; And Manager, Human Services

[12-0287-1](#)

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

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

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7.5-CC Subject: Electronic Filing Of Campaign Statements
From: Offices Of Councilmember Schaaf, The City Attorney, And The City Clerk
Recommendation: Adopt An Ordinance Amending Title Three Chapter 3.12 Articles I, II, VI
And VII Of The Oakland Municipal Code And Adding Article IX Requiring Electronic Filing
Of Campaign Statements For (1) Candidates Seeking Election In The City Of Oakland, (2)
Committees Formed Or Existing Primarily To Support Or Oppose An Oakland Candidate(s) Or
To Support Or Oppose The Qualification Of Or Passage Of, An Oakland Ballot Measure, And
(3) General Purpose Committees Active Only In Oakland
[12-0258](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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7.6-CC Subject: Settlement Agreement (Florencia L. Mendoza)
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Florencia L. Mendoza v. City Of Oakland, Alameda
County Superior Court Case No. RG11584968, City Attorney's File No. 27746, In The Amount
Of Fourteen Thousand Dollars And No Cents (\$14,000.00) (Oakland Police Department)
[12-0344](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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7.7-CC Subject: Settlement Agreement (Pratt)
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Sedina Pratt v. City Of Oakland, In The Amount Of \$47,000.00 As A Result Of Wrongful Termination (Public Library - OPL)
[12-0343](#)

This Matter was Adopted on the Consent Agenda.

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

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7.8-CC Subject: Professional Service Contract - Renne Sloan Holtzman Sakai, LLP
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposals Process, And Authorizing The City Administrator To Amend The September 2012 Services Contract With Renne Sloan Holtzman Sakai, LLP, Public Law Group, For Assistance With Miscellaneous Employees Union Negotiations, To Increase The Amount Of Negotiations Work, Extend The Term Of The Contract To March 31, 2014, And Increase The Contract By An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00), For A Total Contract Amount Of One Hundred Ninety Thousand Dollars (\$190,000)

[12-0338](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.9-CC Subject: Cash Management Report
From: Office Of The City Administrator
Recommendation: Receive A Cash Management Report For The Quarter Ended December 31, 2012

[12-0278](#)

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

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

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S-7.10-CC Subject: Appropriate Funds for City's Network & Telephone Upgrades
From: Department Of Information Technology
Recommendation: Adopt A Resolution: (1) Waiving Formal Advertising And Competitive Bidding And The Request For Proposals/Request For Qualifications ("RFP/RFQ") Requirements And Authorizing The City Administrator, Or Her Designee, To Negotiate And Enter Into A Contract With Shoretel Or An Authorized Reseller For Professional Services, Hardware And Software To Upgrade The Shoretel Telephone System And Annual Maintenance For An Amount Not To Exceed \$275,000.00 Annually Or \$825,000.00 For A Contract Term Of 3 Years, And 2) Waiving Formal Advertising And Competitive Bidding And The Request For Proposals/Request For Qualifications ("RFP/RFQ") Requirements And Authorizing The City Administrator, Or Her Designee, To Negotiate And Enter Into A Contract With Enterasys Networks Or An Authorized Reseller For The Upgrade Of Hardware, Software, Professional Services And Maintenance Of The City Services Enterasys Network For An Implementation Cost Not-To-Exceed \$1,200,000.00 And An Annual Maintenance Amount Not To Exceed \$150,000.00 Per Year For A Term Of 5 Years, For A Grand Total Contract Amount Of \$1,950,000.00; And 3) Authorizing The City Administrator Or Her Designee To Appropriate Current And Future Funds In Internal Services Fund 4210 For The Ongoing Cost Associated With The Delivery Of Telephone, Network And Telecommunications Services Without Return To Council. These Costs Include Upgrade Of The Telephone And Network Equipment, Maintenance And Support, Telephone Lines And Installation Services.
[12-0290](#)

This Matter was Adopted as Amended to include the March 12, 2013 Finance and Management Committee recommendations to amend the resolution to:

- 1. Clarify actions being taken in regards to procuring the professional services, hardware and software contracts**
- 2. Change the Enterasys maintenance contract term to 3 years**
- 3. Change the City Administrator's appropriation authority to 3 years to match the length of the contracts. on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-7.11-CC Subject: City Audits Since November 2011
From: Office Of The City Auditor
Recommendation: Receive An Informational Report From The Office Of The City Auditor On
All Audits Issued Since November 2011
[12-0315](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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S-7.12-CC Subject: Realignment Of Existing Harbord Drive Sewer Easement
From: Department Of Building, Planning And Neighborhood Preservation
Recommendation: Adopt A Resolution Approving A Realignment Of An Existing Sanitary
Sewer Easement Located At 4845, 4851, And 4857 Harbord Drive And Accepting Offers Of
Dedication From The Property Owners To Widen The Easement To Facilitate Maintenance By
The City
[12-0329](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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S-7.13-CC Subject: 2148 Broadway, Existing Under-Sidewalk Basement Encroachment
From: Department Of Building, Planning And Neighborhood Preservation
Recommendation: Adopt A Resolution Granting Dudley Franklin Investors LLC A
Conditional And Revocable Permit To Allow An Existing Under-Sidewalk Basement For The
Goldwater Building Located At 2148 Broadway To Encroach Into The Public Right-Of-Way
Along The Building's Frontage On Broadway
[12-0330](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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S-7.14-CC Subject: Renne Sloan Holtzman Sakai, LLP Second Contract Amendment
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Contract With Renne Sloan Holtzman Sakai, LLP To Complete Additional Investigation-Related Work On Police Misconduct Claims Resulting From Occupy Oakland Protest Incidents, Increasing The Budget By Twenty Five Thousand Dollars (\$25,000) For A Total Contract Amount Of One Hundred Forty-Five Thousand Dollars (\$145,000)
[12-0316](#)

This Matter was Adopted on the Consent Agenda.

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

A motion was made by Vice Mayor Reid, 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 Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

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

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, to *Approve as Submitted the report of the City Attorney of 2 final decisions made during Closed Session. The motion carried by the following vote:

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

**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 6:32 p.m.

No individuals spoke on this item.

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

9.1 Subject: Delinquent Transient Occupancy Taxes
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing 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 Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 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 [12-0308](#)

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

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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code; Or [12-0308-1](#)

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 Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[12-0308-2](#)

Not Adopted

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 6:34 p.m.

No individuals spoke on this item.

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

9.2 Subject: Mandatory Garbage Fees
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing 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

[12-0309](#)

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

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

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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
[12-0309-1](#)

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
[12-0309-2](#)

Not Adopted

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:35 p.m.

No individuals spoke on this item.

Agency/Councilmember Schaaf made a motion, seconded by Agency/Councilmember Kalb, 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

9.3 Subject: Delinquent Real Property Transfer Taxes
 From: Office Of The City Administrator
 Recommendation: Conduct A Public Hearing 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
[12-0310](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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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
[12-0310-1](#)

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
[12-0310-2](#)

Not Adopted

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: New Dog Play Area Appeal
From: Department Of Planning And Building
Recommendation: Adopt One Of The Following Pieces Of Legislation:
1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or
[11-0624](#)
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2) A Resolution Denying The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission And Denying The Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208)
[11-0624-1](#)

There was no action necessary for this item.

- 12 Subject: ABAG Appointments
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing The Following To Positions To The Executive Board And General Assembly Of The Association Of Bay Area Governments: Oakland Mayor Jean Quan And Councilmember Libby Schaaf To The Executive Board, Councilmembers Lynette Gibson McElhaney And Dan Kalb As Alternate Members Of The Executive Board, To Complete The Two-Year Terms That Commenced On July 1, 2012 And End On June 30, 2014, And Councilmember Libby Schaaf As An Alternate Member To The General Assembly
[12-0317](#)

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

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

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13 Subject: ACTC Alternate Appointment
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As An Alternate
To The Alameda County Transportation Commission
[12-0318](#)

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 Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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14 Subject: ACWMA Appointment
From: Council President Kernighan
Recommendation: Adopt A Resolution Appointing Councilmember Dan Kalb As A Member
Of The Alameda County Waste Management Authority (ACWMA) And Appointing President
Pro Tem Rebecca Kaplan As An Alternate Member Of The ACWMA
[12-0319](#)

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 Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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15 Subject: BRT Policy Steering Committee Appointment
 From: Council President Kernighan
 Recommendation: Adopt A Resolution Appointing Councilmember Noel Gallo As A Member
 And Councilmember Dan Kalb As An Alternate Member To The Alameda-Contra Costa
 Transit District's Bus Rapid Transit (BRT) Policy Steering Committee
 [12-0320](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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16 Subject: CalTrans Grant Application For Complete Streets Design Guidelines
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To
 Apply For, Accept, And Appropriate A Grant From The California Department Of
 Transportation (CalTrans), Community-Based Transportation Planning (CBTP) Grant Program
 In An Amount Up To Three Hundred Thousand Dollars (\$300,000.00) To Develop A Complete
 Streets Action Agenda And Design Guidelines; And To Commit A Ten-Percent Local Match
 From Fund 2211 Measure B For The Grant Amount Actually Received For A Maximum Total
 Of Up To Thirty Thousand Dollars (\$30,000.00)
 [12-0348](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-17 Subject: MOU For 6701 San Pablo Avenue
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Authorizing A Memorandum Of Understanding By
And Among The City Of Oakland, The City Of Berkeley And The City Of Emeryville For The
Development Of 6701 San Pablo Avenue, A Property Located Within Each Of The Three
Jurisdictions
[12-0313](#)

A motion was made by Councilmember Schaaf, seconded by Councilmember Kalb, that this matter be Adopted as Amended to include the March 12, 2013 Community and Economic Development Committee recommendations to amend the resolution to Add CEQA exemption 15183, ensuring conformity to General Plan and 15332 Infill Development and Adding language authorizing city administrator to negotiate MOU without returning to City Council except for matters of public safety. And to further amend the resolution to directed staff to ensure the MOU complies with the City of Oakland's regulations on development. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-18 Subject: First Friday Security Report
From: Vice Mayor Larry Reid
Recommendation: Receive An Informational Report On The Costs Of Providing Security For
The First Friday Events In Downtown Oakland And An Informational Report On The Existing
Contract Agreement For The Private Security Company Providing Services For The Frank
Ogawa Plaza And/Or For First Friday Events
[12-0323](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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S-19 Subject: Public Safety Interagency Partnership Priorities List
From: Office Of Councilmember Noel Gallo
Recommendation: Adopt A Resolution Establishing Oakland's Public Safety Interagency
Partnership Priorities List For 2013 To Support Safety And Order In The City Of Oakland
[12-0340](#)

A motion was made by Councilmember Gallo, seconded by Councilmember Gibson McElhaney, that this matter be Adopted as Amended to include the March 12, 2013 Public Safety Committee recommendations as to amend the resolution to add the following language:

1. "Resolved in the event that the City Administrator makes changes to the City's priorities list, the City Administrator shall report such changes to the Public Safety Committee following such changes including the reason for such changes."

2. "Resolved This priorities list shall in no way limit the aggressive pursuit of all Public Safety resources for Oakland."

The Committee further directed staff to change the title of the resolution to " Law Enforcement Interagency Partnership Priorities List For 2013"; and to further amend the resolution to include direction that the Mayor and Council President draft a cover letter which will be provided to County Supervisors along with the final Resolution. The motion carried by the following vote:

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

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 Dr. Benjamin Garner Covington, Sr., Lou Salter, and recognizing the anniversary of the 4 Officers lost to the City of Oakland - Sgt. Mark Dunakin, Officer John Hege, Sgt. Ervin Romans, and Sgt. Danial Sakai at 8:22 p.m.

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