



# 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 / Geologic Hazard Abatement District Board City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

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Tuesday, July 30, 2013

5:30 PM

City Council Chambers, 3rd Floor

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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 5:44 P.M.*

2 Roll Call / City Council

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

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

*There were 23 Open Forum speakers.*

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 Mike Taugher.*

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

- 4.1 Subject: Honoring Oakland PAL  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Recognizing Oakland Police Activities League (PAL)  
For 30 Years Of Outstanding Service To Oakland's Children And Youth And Declaring July  
30, 2013 As Oakland PAL Day  
[12-0687](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 27, 2013  
AND JULY 16, 2013

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 2 - Councilmember Gibson McElhaney and Vice Mayor Reid  
ORA\Councilmember Ayes: 5 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, 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):

*Council President Kernnighan requested items S-27 through S-32 follow item 13.*

#### **7. CONSENT CALENDAR (CC) ITEMS:**

#### **AT THIS TIME, THE MEETING OF THE LEONA QUARRY GHAD SHALL BE CONVENED**

*President Pro Tempore Kaplan made a motion, seconded by Councilmember Schaaf, to adjourn the Special Meeting of the Oakland City Council and to convene as the Meeting of the Leona Quarry GHAD at 6:48 p.m. The motion passed with a vote of 5 Ayes, 2 Absent - Gibson McElhaney and Reid, and 1 Excused - Brooks.*

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7.1 Subject: GHAD 2013/2014 Annual Budget Approval  
From: Geologic Hazard Abatement District Board  
Recommendation: Adopt A Resolution Approving The 2013/2014 Annual Budget For The  
GHAD  
[12-0656](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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**AT THIS TIME, THE MEETING OF THE LEONA QUARRY GHAD WAS ADJOURNED**

*Councilmember Schaaf made a motion, seconded by President Pro Tempore Kaplan, to adjourn the Meeting of the Leona Quarry GHAD and to convene as the Oakland City Council. The motion passed with a vote of 6 Ayes, 1 Absent - Reid, and 1 Excused - Brooks.*

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  
[12-0691](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.3-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  
[12-0692](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.4-CC      Subject:      Honoring The Chinese American Citizens Alliance  
From:        Council President Kernighan  
Recommendation: Adopt A Resolution Honoring The Oakland Lodge On The Occasion Of Its  
Hosting The Chinese American Citizens Alliance's 52nd Biennial Convention  
[12-0682](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.5-CC      Subject:      Disposition Of City-Owned Property For Development  
From:        Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Add A  
New Chapter 2.41 Entitled "Disposition Of City-Owned Property For Development"  
[12-0652](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.6-CC      Subject:      Partial Abandonment And Renaming Of Apgar Street  
From:          Department Of Planning And Building  
Recommendation: Adopt An Ordinance Vacating Without Cost To The Abutting Property  
Owner Horizon Services A Portion Of The Public Right-Of-Way Of Apgar Street From Its  
Intersection At Telegraph Avenue To Its Termination At The MacArthur Transit Village  
Project Boundary  
[12-0578-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.7-CC      Subject:      Lease Of City Owned Property At 8200 International Boulevard  
From:          Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Execute A  
Lease For City Owned Property Located At 8200 International Blvd. With East Oakland Youth  
Development Center Qualified Active Low Income Community Business, Inc. (EOYDC  
QALICB, Inc.), A California Nonprofit Public Benefit Corporation, For A Term Of Sixty-Six  
(66) Years  
[12-0641](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.8-CC      Subject:      Settlement Agreement - Bruce Thrupp  
From:        Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Bruce Thrupp v. City Of Oakland, Alameda County  
Superior Court Case No. RG12-626587, In The Amount Of Fifty-Seven Thousand Seven  
Hundred Dollars And No Cents (\$57,700.00) As A Result Of The Failure Of A City Storm  
Drain Pipe On Or About July 21, 2011 (Public Works Agency)  
[12-0679](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.9-CC      Subject:      Settlement Agreement - Isabelle Mayfield  
From:        Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of Isabelle Mayfield And Her Attorneys, The Wester Law  
Firm, City Attorney's Claim No. C29042, In The Amount Of Twelve Thousand And 00/100  
Dollars (\$12,000.00) (Public Works Agency - Trip And Fall)  
[12-0695](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.10-CC Subject: Settlement Agreement - Estate Of Robert Lofgren  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of The Estate Of Robert Lofgren, City Attorney's Claim  
No. C29496, In The Amount Of Thirty-Two Thousand Nine Hundred Twenty-Nine Dollars  
And Eighty-Eight Cents (\$32,929.88) (Public Works Agency-Sewers)  
[12-0696](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.11-CC Subject: Settlement Agreement - Liberty Mutual/Laurence and Michelle Zak  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of Liberty Mutual Insurance Company, City Attorney's  
Claim No. C29456, In The Amount Of Fourteen Thousand Eight Hundred Thirty-Nine Dollars  
And Seventy-Two Cents (\$14,839.72) (Public Works Agency-Sewers)  
[12-0697](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.12-CC Subject: Settlement Agreement - Audrey Montana  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Montana v. City Of Oakland, Et Al., United States  
District Court No. CV-11-04682 MEJ, City Attorney's File No. 28589, In The Amount Of  
Ninety-Six Thousand Dollars (\$96,000.00) (City Administrator - Employment Discrimination)  
[12-0698](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.13-CC Subject: Settlement Agreement - Oakland Unified School District  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Settlement Of City Of Oakland v. Oakland  
Unified School District By Accepting Payment From The District Of \$102,232.64 In Wildfire  
Prevention Assessment District Assessments In Exchange For Waiving City's Claims  
[12-0707](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.14-CC Subject: Settlement Agreement - In Re Municipal Derivatives Antitrust Litigation  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Partial Settlement Of In Re Municipal Derivatives Antitrust Litigation, United States District Court Southern District Of New York, MDL No. 1950, Authorizing Acceptance Of Payment From Wells Fargo Of \$200,000, In Exchange For The City's Dismissal Of Wells Fargo From The Lawsuit  
[12-0708](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.15-CC Subject: Settlement Agreement - County Of Alameda  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving Acceptance From The County Of Alameda Of \$2,167,355.00 In Full Satisfaction Of All City Of Oakland Claims Relating To Over-Collection Of Property Tax Administration Fees Between Fiscal Years 2006-2007 And 2011-2012  
[12-0713](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.16-CC Subject: Library Advisory Commission Appointment - Sharon Cravanas  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sharon  
Cravanas As A Member Of The Library Advisory Commission  
[12-0694](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.17-CC Subject: National League Of Cities' 2013 Delegate Appointments  
From: Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Designating Vice Mayor Larry Reid As The City Of  
Oakland's Voting Delegate And Council Member Noel Gallo As The City Of Oakland's  
Alternate Voting Delegate To The National League Of Cities' Annual Business Meeting,  
Scheduled To Take Place In Seattle On November 16, 2013  
[12-0703](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.18-CC Subject: Citizen's Police Review Board Appointment - Avalos-Leon  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Reyes  
Avalos-Leon To The Citizen's Police Review Board  
[12-0704](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.19-CC Subject: Community Policing Advisory Board Appointment - Doris Brown  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Doris Brown  
As A Member Of The Community Policing Advisory Board  
[12-0705](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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7.20-CC Subject: Budget Advisory Committee Appointment - Adam Stiles  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Adam Stiles  
to The Budget Advisory Committee  
[12-0706](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.21-CC Subject: Grant Agreement With Bay Area Community Services  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To The New Operator Of The Henry Robinson Multi Service Center (HRMSC), As The Successful Request For Qualifications (RFQ) Respondent, For An Amount Not To Exceed \$1,197,169 From August 1, 2013 Through February 28, 2014 And To Approve A Change In The Target Population Served, Adopt A Rapid Re-Housing And Interim Housing Model Without Returning To Council To Award Renewal Contract  
[12-0643](#)

**This Matter was Adopted as Amended on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.22-CC Subject: CSUEB Nursing Clinical Program Agreement  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Student Placement Agreement With The California State University, East Bay Nursing Clinical Program (CSUEB) To Provide For Nursing Students To Complete Their Clinical Field Study Experience With The City Of Oakland, Department Of Human Services - Multipurpose Senior Services Program (MSSP) Effective Upon Execution Of Agreement Through December 31, 2018  
[12-0631](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.23-CC Subject: Grant Funds From The California Emergency Management Agency  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The California Emergency Management Agency (Cal EMA Grant), Anti-Human Trafficking Task Force Program; And 2) Continue The Oakland Police Department's Participation In The East Bay Task Force On Human Trafficking; And 3) Enter Into A Professional Services Agreement With Bay Area Women Against Rape (BAWAR), In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000) For The Period Of October 1, 2012 Through September 30, 2013 With One Option To Extend Through September 30, 2014 At An Additional Cost Not To Exceed Sixty Thousand Dollars (\$60,000), Bringing The Total Authorized Amount To One Hundred And Twenty Thousand Dollars (\$120,000), And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Requirements For The Proposed Agreement And Option To Extend; And 4) Waive The City Of Oakland Central Services Overhead (CSO) Fees Of Seventeen Thousand Four Hundred And Ninety Two Dollars (\$17,492) Associated With The Cal EMA Grant  
[12-0667](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-7.24-CC Subject: CA Corrections Standards Authority Title II Formula Grant Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept And Appropriate State Of California Corrections Standards Authority Title II Formula Grant Program Funds In An Amount Not To Exceed One Hundred Seventy-Two Thousand One Hundred Forty One Dollars (\$172,141) Annually For The Period Of January 1, 2013 December 31, 2014 For Implementation Of The Oakland Youth Court Program; And 2) Authorizing The City Administrator To Amend And Extend The Professional Services Agreement With CenterForce Corporation (CenterForce) By Increasing The Amount To Be Paid At An Amount Not To Exceed Seventy-Six Thousand And Three Hundred Dollars (\$76,300) Per Year For Years 2013 And 2014, Bringing The Total Authorized To Be Paid Under This Contract To \$236,238 For The Administration Of The Oakland Youth Court Program; And 3) Waiving The Advertising And Bidding Requirements And Request For Proposals/Qualifications (RFP/Q) Process For The Proposed CenterForce Agreement Amendment And Extension; And 4) Waiving The City Of Oakland Central Services Overhead (CSO) Fees Of Approximately \$9,894 Annually For Years 2013 And 2014 Associated With The Title II Formula Grant Program Funds  
[12-0670](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.25-CC Subject: Support For SB 649: Possession Of Controlled Substances Penalties  
From: Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution In Support Of Senate Bill 649 (Possession Of Controlled Substances: Penalties, Leno), Also Known As The Local Control In Sentencing Act, Which Would Make The Unlawful Possession Of Certain Controlled Substances Punishable As Either A Felony Punishable In County Jail Or As A Misdemeanor Punishable By County Jail For Not More Than One Year  
[12-0683](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.26-CC Subject: Support For AB 210:Transactions And Use Taxes  
From: Council President Patricia Kernighan  
Recommendation: Adopt A Resolution In Support Of AB 210 (Wieckowski), Alameda County  
Transportation Sales Tax Measure  
[12-0674](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.27-CC Subject: Support For AB 174: Student Mental Health Services Pilot Program  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 174 (Bonta) - State  
Legislation That Would Establish A Pilot Program In Alameda County To Provide Mental  
Health Services To Students Impacted By Trauma  
[12-0710](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.28-CC Subject: Support For AB 231: Criminal Penalty For Failure To Securely Store Firearm  
From: Councilmember Dan Kalb  
Recommendation: Adopt A Resolution In Support Of Assembly Bill (AB) 231 (Ting) -State  
Legislation That Would Establish Criminal Penalty For Failure To Securely Store Loaded  
Firearm In Location Where Child Could Gain Access  
[12-0711](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-7.29-CC Subject: Settlement Agreement- Galen And Emily Davis  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Galen Davis And Emily Davis, City Attorney's Claim No.  
C29461, In The Amount Of \$41,200 (Public Works Agency- Sewers)  
[12-0714](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
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 Gallo, including all the preceding items marked as having  
been adopted on the Consent Agenda. The motion carried by the following  
vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
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 Gibson McElhaney, seconded by Councilmember Gallo, to \*Approve as Submitted the oral report from the Office of the City Attorney of 6 final decisions made during Closed Session. The motion carried by the following vote:**

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

**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:**

*The Roll Call was modified to note Council President Kernighan absent at 7:00 p.m., relinquishing the chair. President Pro Tempore Kaplan presided as chairperson.*

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

- S-10 Subject: Hegenberger Bridge Preventative Maintenance Project  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Seven Hundred One Thousand One Hundred And Fifty-Eight Dollars (\$701,158.00) In Federal Highway Bridge Program (HBP) Grant Funds Under The Bridge Preventive Maintenance Program (BPMP) For Hegenberger Road Bridge Over San Leandro Street Preventive Maintenance Project (City Project No. C466710); And To Authorize A Local Match Of 18 Percent From Measure B Fund 2211 In The Amount Of One Hundred Fifty-Three Thousand Eight Hundred Forty-Two Dollars (\$153,842.00)  
[12-0671](#)

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

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

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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~~

*The Roll Call was modified to note Council President Kernighan present at 7:32 p.m., presiding as Chairperson.*

12

~~Subject: BRT Project Monitoring Report  
From: Department Of Public Works  
Recommendation: Adopt The Following Pieces Of Legislation:~~

~~1) A Resolution Authorizing The City Administrator To Enter Into A Master Cooperative Agreement With The Alameda Contra Costa Transit District (Ac Transit) For The Final Design And Construction Phases Of The Downtown Oakland To San Leandro Bus Rapid Transit Project; And  
[12-0642](#)~~

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

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

*Council adopted the resolution as amended to include the following:*

*"RESOLVED, that the City commits to working with AC Transit in seeking out additional funding for roadway, bicycle and pedestrian access and safety elements and or business and parking impact mitigation activities not included in the baseline BRT Project budget; and*

*RESOLVED, the City will make efforts to actively seek out new, more flexible private and or public funding and supportive services to supplement the BRT Parking and or Business Impact Mitigation Plans and to create a graffiti prevention through public art program for the BRT corridor; and*

*RESOLVED, that the City urges AC Transit to consult with stakeholder representatives with neighborhood expertise from Unity Council, Allen Temple and EBAYC in the development of the Business and Parking Impact Mitigation Plan.*

*RESOLVED, that the City urges AC Transit to consult with and include stakeholder representatives with neighborhood expertise from of the Building Healthy East Oakland Cultural Strategies Committee in the development of the RFQ, on the Community Advisory Committee and the Artist Selection Committee.*

*RESOLVED, that the City urges AC Transit to set aside in abeyance sufficient dollars to implement a comprehensive Business Impact Mitigation Plan until AC Transit comes back to Council with the full Business and Parking Impact*

*Mitigation Plans and the cost for implementation. At which time funding reallocations will be considered if needed."*

*There were 42 speakers on this item.*

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2) A Resolution Authorizing The City Administrator To Enter Into A Operations And Maintenance Agreement With The Alameda-Contra Costa Transit District (AC Transit) For The Downtown Oakland To San Leandro Bus Rapid Transit Project  
[12-0642-1](#)

**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:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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13            Subject:    Allocation Of Funds For The Affordable Housing Trust  
                 From:            Councilmember Dan Kalb  
                 Recommendation: Adopt An Ordinance (1) Amending Oakland Municipal Code Section  
                 15.68.100 That Established The Affordable Housing Trust Fund To Set Aside An Amount  
                 Equal To 25% Of Funds Distributed To The City As A Taxing Entity Under The  
                 Redevelopment Dissolution Laws Into The Affordable Housing Trust Fund, (2) Amending  
                 Ordinance No. 12502 C.M.S. That Established A General Fund Reserve Policy To Exempt  
                 These Distributions From The Requirement To Use One Time Revenues To Pay For One Time  
                 Expenses Or Reduce Negative Fund Balances, And (3) Appropriating And Transferring Such  
                 Distributions From The General Purpose Fund To The Affordable Housing Trust Fund  
                 [12-0665](#)

**A motion was made by Councilmember Kalb, seconded by Councilmember  
Gibson McElhaney, 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 September 17, 2013 meeting. The motion carried by the  
following vote:**

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

*There were 59 speakers on this item.*

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14 Subject: OFCY LGBTQ Grant Awards For FY 2013-2014  
From: Department Of Human Services  
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Negotiate And Execute A Grant Agreement For The Oakland Fund For Children (OFCY) And Youth Between The City Of Oakland And AIDS Project Of The East Bay In The Amount Not To Exceed \$150,000 And (2) To Increase The Grant Agreement Between The City Of Oakland And Youth Uprising By An Amount Not To Exceed \$83,192 For A Total Contract Not To Exceed \$146,500, With Both Programs To Provide Direct Services For Lesbian Gay Bisexual Transgender And Questioning (LGBTQ) Youth For Fiscal Year 2013-2014, Renewable For Two One-Year Periods With Council Approval In Fiscal Years 2014-2015 And 2015-2016  
[12-0699](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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15 Subject: EBRCSA Evaluation And Updated City Radio Report  
From: Department Of Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Negotiate And Execute An Agreement With RCC Consultants Inc. To Provide An Evaluation And Report On The East Bay Regional Communications System Authority (EBRCSA) P-25 Radio System And The Feasibility Of Relocating Microwave Paths, In An Amount Not To Exceed \$150,000; And, 2) Waive The Advertising And Request For Proposal Process For Award Of Said Contract To RCC Consultants Inc.  
[12-0654](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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16 Subject: Extension Of Coliseum City ENA  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Amending Resolution No. 83746 C.M.S. To Authorize A 45-Day Extension To The Exclusive Negotiating Agreement With JRDV Urban International, HKS Sports And Entertainment, HKS Inc., And Forest City Real Estate Services LLC, Or Affiliated Entities, For Development Of The Coliseum City Project At The Oakland-Alameda County Coliseum Complex And Surrounding Area  
[12-0702](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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17 Subject: PEC Approved 2.4% Increase For Councilmember Salaries  
From: Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Irrevocably Waiving Payment Of The Full Public Ethics Commission-Approved 2.4% Increase In The Salary For The Office Of Councilmember For Fiscal Year 2013-2014, Or, In The Alternative, Irrevocably Waiving A Part Of The Public Ethics Commission-Approved 2.4% Increase, \_\_\_%, For Fiscal Year 2013-2014  
[12-0681](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 2 - Councilmember Gallo and Vice Mayor Reid  
ORA\Councilmember Ayes: 5 - Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan

*The Council approved recommendations as amended to include the following revisions:*

- 1) Council will irrevocably waive the salary increase amount over that which City employees received based on a \$72,000 salary and accept a 2% increase;*
- 2) All prior waivers will continue to be enforced; and*
- 3) The salary increase can be applied to Councilmembers and their staff.*

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S-18      Subject:     Fiber Optics Network Master Plan And Pilot Project Area Deployment  
                 From:         Department Of Information Technology  
                 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute A Professional Services Agreement With Kimley-Horn Associates For Engineering Services In An Amount Not To Exceed \$50,000; And, 2) Waive The Competitive Bidding, Advertising, And The Request For Proposal Process And Delegate Authority To The City Administrator To Award Contract Related To Engineering Services; And  
[12-0655](#)

**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:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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2) A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute A Professional Services Agreement With Tellus Venture For Professional Services In An Amount Not To Exceed \$25,000; And, 2) Waive The Competitive Bidding, Advertising, And The Request For Proposal Process And Delegate Authority To The City Administrator To Award Contracts Related To Professional Services; And  
[12-0655-1](#)

**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:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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3) A Resolution Authorizing The City Administrator To: 1) Enter Into A Twelve Month Non-Exclusive Negotiating Rights Agreement With LightUP Oakland For Developing A Comprehensive Broadband Implementation Strategy; And 2) A Twelve Month Non-Exclusive Negotiating Rights Agreement With LightUP Oakland To Lease City Of Oakland Conduit To Install Fiber Optic Including The Proposed Pilot Project Area; And Return To The Council For Authorization

[12-0655-2](#)

**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:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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S-19      Subject:    IT Financing Infrastructure, Operations, Maintenance and Licensing Agreements  
From:        Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Execute A Master Lease Agreement, Municipal Payment Plan And All Related Documents With IBM Credit LLC And Oracle Credit Corporation, For Financing In An Amount Not To Exceed \$19,250,000 For A Term Of Not More Than 7 Years And An Interest Rate Not To Exceed 3.5% Tax Exempt And/Or 4.8% Taxable, To Provide Funding To Enter: (1) Renewal Of On-Going Information Technology Operations And Maintenance Agreements And (2) Hardware, Software, Professional Services And Maintenance Agreements To Upgrade And Enhance Oracle, Microsoft And Public Safety Systems; In Addition, The City Council Authorizes Entry Into Information Technology Agreement(s) For Upgrades To Existing Systems Without Returning To Council And Waives Competitive Bidding, Advertising And Request For Proposals/Qualification Process Requirements For Financing And Information Technology Agreement(s)  
[12-0675](#)

**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 Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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S-20      Subject:      Upgrade The City's Integrated Public Safety System (IPSS) Network  
From:          Office Of The City Administrator  
Recommendation: Adopt A Resolution Awarding A Contract To Bear Data Solutions  
Technology, A Corporation, In An Amount Not To Exceed Five Hundred Fourteen Thousand,  
Four Hundred Forty-Three Dollars And Ninety-Four Cents (\$514,443.94) To Upgrade The  
City's Integrated Public Safety System (IPSS) Network In Accordance With Specification No.  
13-204-91/Request For Quote (RFQ) No. 4492 And The General Conditions Therefor On File  
In Purchasing According To Its Bid Filed With The City Clerk On March 28, 2013  
[12-0680](#)

**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 Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Councilmember Kalb  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember  
Schaaf and Council President Kernighan  
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S-21      Subject:      Upgrade Of The IT Project Manager III Position  
From:          Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Upgrade The  
Project Manager III Position Responsible For Oversight Of The City's Information Technology  
Function To A Director Of Information Technology Position And Authorizing The City  
Administrator To Approve An Initial Salary For The Position Of Director Of Information  
Technology That Exceeds The Mid-Point, And Not To Exceed The Top Of The Salary Range  
Of \$182,274 Annually, In Conformance With The Requirements Of Ordinance No. 12918  
C.M.S.  
[12-0684](#)

**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 Excused: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,  
Councilmember Schaaf and Council President Kernighan  
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S-22      Subject:    Add Employee Relations Analyst Classification To Salary Ordinance  
From:        Department Of Human Resources Managment  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Employee Relations Analyst, Principal; And  
[12-0672](#)

**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 September 17, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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2) A Resolution Recommending To The Civil Service Board The Exemption Of The Following Classification From The Operation Of The Civil Service: Employee Relations Analyst, Principal  
[12-0672-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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S-23            Subject:     Workers Compensation TPA Contract Extension  
                  From:        Department of Human Resources Management  
                  Recommendation: Adopt A Resolution Waiving The Advertising And Request For Proposal  
                  Process And Authorizing The City Administrator To Extend The Current Agreement With The  
                  City's Workers' Compensation Third Party Administrator, JT2 Integrated Resources, For The  
                  Provision Of Workers' Compensation Administration Services, Bill Review Services And  
                  Miscellaneous Services, Including Disability Management And Safety/Loss Control, For A  
                  Period Of Six Months With An Option To Extend For An Additional Six Months, For A Total  
                  Extended Contract Amount Not To Exceed \$2,955,039.12 For The 12 Month Period  
                  [12-0686](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
                  ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
                  McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
                  Reid, Councilmember Schaaf and Council President Kernighan  
                  [View Report.pdf](#)  
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S-24            Subject:     Contract With Alliant Insurance Services For ROCIP Administration  
                  From:        Department Of Human Resources Management  
                  Recommendation: Adopt A Resolution Awarding A Four (4) Year Contract To Alliant  
                  Insurance Services, Inc. For The Provision Of Rolling Owner Controlled Insurance Program  
                  (ROCIP) Brokerage And Administration Services For An Annual Contract Amount Of  
                  \$308,253.83 For Each Contract Year Covering Fiscal Years 2013-14, 2014-15, 2015-16 And  
                  2016-17 For A Total Contract Amount Not Exceed 1,233,015.31  
                  [12-0676](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
                  ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
                  McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
                  Reid, Councilmember Schaaf and Council President Kernighan  
                  [View Report.pdf](#)  
                  [84584 CMS.pdf](#)

S-25            Subject:    911/CAD/RMS RFP  
From:        Department Of Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Expend (\$1,400,000) One Million Four Hundred Thousand Dollars Each Year For Five (5) Years Beginning Fiscal Year 2013 Through 2018 From The FY 2013-15 Budget And To: (1) Renew A Five (5) Year Maintenance And Support Agreement With Motorola For FY 2013-14 Through FY 2017-18 For An Amount Not To Exceed \$800,000.00 Per Year x Five (5) Years, (Which Includes Software Installation Services Cost Of \$100,000 Per Year) For A Grand Contract Total Amount Of \$4,000,000.00; (2) Negotiate And Execute Separate Additional Vendor Agreements For Related Software, Equipment And Installation And Maintenance Services In An Amount Not To Exceed \$600,000.00 Per Year For Five (5) Years For A Grand Total Amount Of \$3,000,000.00, Without Returning To Council; And, (3) Waive The Competitive Bidding, Advertising, And The Request For Proposal Requirements For The Motorola And The Related Maintenance And Support Vendor Contracts  
[12-0673](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-26 Subject: Investigative Services For Debarment Of Goldman Sachs  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Spinnaker Consulting, Inc. And Allocate Funding In An Amount Not To Exceed Seventy-One Thousand Seven Hundred Sixty Dollars (\$71,760) For Phase I.A., Seventy-Two Thousand Six Hundred Eighty Dollars (\$72,680) For Phase I.B., And Eighty-One Thousand Nine Hundred Thirty-Eight Dollars (\$81,938) For Phase II For A Total Of Two Hundred Twenty-Six Thousand Three Hundred Seventy-Eight Dollars (\$226,378) To Provide Investigative Services Including Investigation, Analysis And Reporting Relating To Potential Debarment Proceedings Against Goldman Sachs Mitsui Marine Derivative Products, U.S., L.P. ("Goldman Sachs")  
[12-0716](#)

**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:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan  
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S-27 Subject: Approving MOU Between The City And The IBEW  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Brotherhood Of Electrical Workers, Representing Employees In Representation Unit IE1 And TVI, For The Period Of July 1, 2013 Through June 30, 2015  
[12-0722](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
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S-28            Subject:    Approving MOU Between The City And The SEUI 1021  
From:        Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between  
The City Of Oakland And The Service Employees International Union, Local 1021,  
Representing Employees In Representation Units SB1, SC1 And SD1, Covering The Period  
From Of July 1, 2013 Through June 30, 2015  
[12-0723](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
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S-29            Subject:    Approving MOU For Deputy City Attorney V And Special Counsel  
From:        Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between  
The City Of Oakland And The Deputy City Attorney V And Special Counsel, Representing  
Employees In Representation Unit U41, For The Period Of July 1, 2013 Through June 30, 2015  
[12-0724](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
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S-30            Subject:    Approving MOU For The Confidential Management Employee Association  
From:            Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between  
The City Of Oakland And The Confidential Management Employee Association, Representing  
Employees In Representation Unit U31, For The Period Of July 1, 2013 Through June 30, 2015  
[12-0725](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
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S-31            Subject:    Approving MOU For The Local 21 Deputy City Attorneys I-IV  
From:            Office Of The City Administrator  
Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between  
The City Of Oakland And The Deputy City Attorney I-IV, Representing Employees In  
Representation Unit TM1, For The Period Of July 1, 2013 Through June 30, 2015  
[12-0726](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
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S-32            Subject:    Approving MOU Between The City And IFPTE Local 21  
                  From:        Office Of The City Administrator  
                  Recommendation: Adopt A Resolution Approving Memorandum Of Understanding Between  
                  The City Of Oakland And The International Federation Of Professional And Technical  
                  Engineers (IFPTE) Union, Local 21, Representing Employees In Representation Units TA1,  
                  TF1, TM2, TW1, UHI, UMI And UM2, For The Period Of July 1, 2013 Through June 30, 2015  
                  [12-0727](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
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33 - 34        THESE ITEMS INTENTIONALLY NOT USED

*A motion was made by Councilmember Schaaf, seconded by Councilmember  
Gibson McElhaney, and carried to extend the meeting past 12:00 a.m.*

35 Subject: 2010 PSGP Funding For Phase 2 Of The Domain Awareness Center  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept, Appropriate, And Administer Up To Two Million Dollars (\$2,000,000) Of American Recovery And Reinvestment Act (ARRA) Supplemental Port Security Grant Funds For (PSGP) Fiscal Years 2009 And 2010 Supplemental For Phase 2 Of The Joint Port Of Oakland/City Domain Awareness Center (DAC) Project; And 2) Enter Into A Memorandum Of Understanding And Grant Administration Agreement With The Port Of Oakland To Distribute And Expend Said Funds For Phase 2 Of The System Enhancements And Integration Of The DAC Project; And 3) Approve The City Of Oakland's Preliminary Spending Plan For Fiscal Years 2009 And 2010 PSGP Grant Funds And To Administer And Expend The Supplemental PSGP Funds In Accordance With The Preliminary Spending Plan And The Proposed Grant Administration Agreement; And 4) Amend The City's 2013 Contract With Science Applications International Corporation (SAIC) By Increasing The Amount To Be Paid Up To Two Million Dollars For Completion Of Phase 2 Of The DAC Project Work, Bringing The Total Contract Amount Authorized To Four Million Nine Hundred Thousand Dollars (\$4,900,000); And Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) And The Advertising And Bidding Requirements, For The Proposed Contract Amendment With Science Applications International Corporation (SAIC)  
[12-0630](#)

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

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

*The Council approved recommendations as amended to include the following additions:*

*"Whereas, the City wants to ensure that, insofar as it could result in the collection or retention of information about Oakland residents who have not engaged in any wrongdoing, the City develops and adopts appropriate safeguards, procedures, policies and implementation plans (hereafter referred to as, "Privacy and Data Retention Policy") to protect the privacy rights of individuals and ensure public confidence in the operation of the City/Port Joint Domain Awareness Center;*

*Further Resolved: During Phase 2, City/Port staff will develop a Privacy and Data Retention Policy that governs the collection, retention, storage and dissemination of information processed by the DAC ensuring the protection of*

*privacy rights of individuals, and will return said police to the Council for approval no later than March 2014; and be it*

*Further Resolved: The City/Port Joint Domain Awareness Center (DAC) system video data recording, storage and video analytics capability has not been activated and shall not be activated until the City Council approves the Privacy and Data Retention Policy for the City/Port Domain Awareness Center; and be it*

*Further Resolved: The City/Port Joint Domain Awareness Center (DAC) Phases 1 and 2 includes data and video feeds from the following surveillance, security sensor and video analytics sources only: Port Video and Intrusion Detection Cameras, Port of Oakland Vessel Tracking System, City of Oakland traffic cameras, City of Oakland-owned cameras operated by the City in non-residential areas, City of Oakland Shot Spotter Audio Sensor System, and License Plate Recognition system; and that the addition of any new surveillance, security sensor or video analytics capability feed or data sources shall require approval of the Council, including confirmation of compliance by the DAC and all City/Port data sources with the City's Privacy and Data Retention Policy."*

*There were 50 speakers on this item.*

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36 Subject: Prohibiting Tools Of Violence During Demonstrations  
From: Councilmember Noel Gallo  
Recommendation: Adopt An Ordinance Prohibiting The Possession Of The Tools Of Violence  
And Vandalism During A Demonstration  
[12-0709](#)

**A motion was made by Councilmember Gallo, seconded by Councilmember Schaaf, 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 September 17, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Kalb  
ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 5 - Councilmember Gallo, Councilmember Gibson  
McElhaney, President Pro Tempore Kaplan, Councilmember Schaaf and  
Council President Kernighan

*The Council approved recommendations as amended to include the following revisions:*

- 1) Definition of club will be changed to "greater than one-half inch thick;" and*
- 2) Staff will return within 24 months of enactment to provide Council with a status report.*

*There were 30 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 Mike Taugher and Quinn Boyer at 1:22 a.m.*

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*City Clerk and Clerk of the Council*