



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, January 07, 2014

5:30 PM

City Council Chambers, 3rd Floor

1 PLEDGE OF ALLEGIANCE

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:38 P.M.

2 ROLL CALL / CITY COUNCIL

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

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

There were 4 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 Karin Masal-Hurley.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Ashley Christine Richardson and Lily Blackwell. Mayor Quan requested association with Lily Blackwell's adjournment.

Mayor Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Elsie Giani and Councilmember Brooks requested association with the adjournment.

Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Charles Cameron, Eloise Lewis, and Lee Weathersby III.

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- 4.1 Subject: Celebrating The Life Of Elsie Giani
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Celebrating The Life And Honoring The Memory Of
Elsie Giani [TITLE CHANGE]
[13-0227](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 4.2 Subject: Honoring Blueskies For Children
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Recognizing Blueskies For Children For Their 30
Years Of Service And Their Commitment To Providing A High-Quality Child Care Center To
Improve The Development Of Oakland's Children And Their Working Families
[13-0248](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 4.3 Subject: National Slavery And Human Trafficking Prevention Month
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt A Resolution Proclaiming January As National Slavery And Human Trafficking Prevention Month In The City Of Oakland And Urging All Oakland Residents To Actively Engage In The Elimination Of Slavery And Human Trafficking In The City
[13-0252](#)

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 Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
There was one speaker on this item.

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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF DECEMBER 2, 2013, DECEMBER 3, 2013 AND DECEMBER 10, 2013

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

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

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items, Reconsiderations, Pull Items Held In Committee):

Item 12 has been withdrawn and rescheduled to the January 21, 2014 City Council agenda.

7. CONSENT CALENDAR (CC) ITEMS:

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency
Syndrome ("AIDS") Epidemic
[13-0254](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[13-0255](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.3-CC Subject: Settlement Agreement - Robert Ovetz v. City Of Oakland
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Ovetz v. City Of Oakland, Et Al., Northern District Of
California Case No. C12-6180, City Attorney's File No. 29115, In The Amount Of Forty-Eight
Thousand Five Hundred Dollars (\$48,500.00) (Oakland Police Department - Excess
Force/Civil Rights)
[13-0257](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.4-CC Subject: Settlement Agreement - Sabeghi v. OPD Officer Frank Uu
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Kayvan Sabeghi v. Oakland Police Officer Frank Uu,
United States District Court Case No. C12-06057 JCS In The Amount Of \$645,000.00 As A
Result Of A Confrontation With Police At 17th And Broadway (Oakland Police Department -
Excess Force/Civil Rights)
[13-0258](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.5-CC Subject: Oakland Army Base Contractor Laydown Uses And Campus Lease
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate
And Execute An Up To Forty-Eight (48) Month Sublease With Turner/Goodfellow Top
Grade/Flatiron, A Joint Venture Of Turner Construction Company, Goodfellow Top Grade
Construction, And Flatiron West, Inc., Or A Related Entity, For Contractor Laydown And
Contractor Campus Uses On Approximately 5-Acres Of Port-Owned Land At The Former
Oakland Army Base, Without Returning To The City Council
[13-0195-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
There was one speaker on this item.
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7.6-CC Subject: OMC Fire Code Amendments
From: Oakland Fire Department
Recommendation: Adopt An Ordinance Repealing Current Oakland Municipal Code Chapter 15.12, Fire Code, Making Findings To Substantiate Modifications To California Building Codes And Standards Due To Local Climatic, Geological Or Topographical Conditions, And Adopting And Making Local Amendments To The 2013 Edition Of The California Model Building Code, California Code Of Regulation Title 24, Part 9, Including, But Not Limited To, National Fire Protection Association And Other Referenced Standards As Adopted By The California State Fire Marshal, And Recodifying Said Code At Oakland Municipal Code Chapter 15.12 As The Oakland Fire Code
[13-0184](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.7-CC Subject: Circus Regulations To Raise Humane Standards
From: Councilmember Libby Schaaf
Recommendation: Adopt An Ordinance Amending Chapter 9.52 Of The Oakland Municipal Code To Provide Additional Requirements For Special Event Permits To Operate Circuses Performing In The City Of Oakland
[13-0179](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.8-CC Subject: Spending Authority For ACS Parking Citation Management
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland
Clarifying That The Contract Amount For The Existing Contract With ACS State And Local
Solutions Inc., For Parking Citation Administration And Revenue Collection Services, Is Nine
Hundred Thousand Dollars (\$900,000) Plus 30% Of The Fees Contractor Collects From
Motorists, And Authorizing An Appropriation Upon Receipt Of Collection Fee Revenues In An
Annual Amount Not To Exceed Two Million, Eight Hundred Thousand Dollars (\$2,800,000),
As Required And Equal To The Thirty Percent (30%) Special Collection Fee On All Assigned
Citations, Which Is Imposed By The Contractor In Addition To The Motorist's Outstanding
Citation [TITLE CHANGE]
[13-0220](#)

This Matter was Adopted as Amended on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.9-CC Subject: Proposed Parking Scofflaw Program Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Regarding The Proposed Parking
Scofflaw Program
[13-0221](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.10-CC Subject: RCC's Analysis Of EBRCS P25 Radio Systems
From: Department Of Information And Technology
Recommendation: Receive (A) An Informational Report On RCC's Side-By-Side Analysis Of Oakland And East Bay Regional Communications System (EBRCS) P25 Radio Systems; And (B) Authorize The City Administrator To Enter Into Negotiations With EBRCS And Return To Council In 90-120 Days With Proposed Negotiations Terms And A Funding And Transition Plan
[13-0226](#)

This Matter was *Withdrawn and Rescheduled to the Meeting of the Oakland City Council, to be heard at the January 21, 2014 meeting on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
Vice Mayor Reid made a motion, seconded by Councilmember Gibson McElhaney, to withdraw this item and reschedule it to the Non-Consent portion of the January 21, 2014 City Council meeting agenda , and hearing no objections, the motion passed by 8 Ayes: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and President Kernighan.
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7.11-CC Subject: Encroachment At 1065 3rd Avenue
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Oakland Unified School District To Allow A Roof Overhang For The Cooling Tower Of The Building Located At 1065 3rd Avenue To Encroach Into The Public Right-Of-Way Along The Building's Frontage On East 10th Street
[13-0232](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.12-CC Subject: Encroachment At 409 13th Street
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Callsocket Holding Company, LLC To Allow A Sidewalk Cafe On A Raised Sidewalk With A 6-Inch Curb And A Fixed Railing, Seven Tables, Chairs, Awnings And Heaters To Encroach Into The Public Right-Of-Way At 409 13th Street
[13-0233](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.13-CC Subject: Encroachment to Native American Health Center
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To The Native American Health Center, Inc. To Allow An Existing Basement To Encroach Below The Sidewalk Adjacent To International Boulevard
[13-0234](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.14-CC Subject: Acceptance Of TFCA Bicycle Grants
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Hundred And Thirty-Nine Thousand Dollars (\$139,000.00) In Transportation Fund For Clean Air (TFCA) County Program Manager Funds To Construct The Adeline Street Bikeway Gap Closure Project And To Implement The CityRacks Bicycle Parking Program; And
[13-0222](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Adeline Street From 47th Street To 61st Street By Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes; And
[13-0222-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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3) A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Purchase Order To eLock Technologies, LLC, In An Amount Not-To-Exceed Fifteen Thousand Dollars (\$15,000) For The Purchase Of Four Electronic Bicycle Lockers
[13-0222-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.15-CC Subject: Railroad Crossing Improvements Construction Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Execute A Construction Contract With Ray's Electric, The Lowest Responsive And Responsible Bidder, For The Construction Of The Railroad Grade Crossing Improvements At The Intersections Of Broadway/Embarcadero And Fruitvale Avenue Near San Leandro Street (Project I Nos. C459010, C458910) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Three-Hundred Thirty-Seven Thousand, Seven Hundred Ninety Dollars, And Twenty-Five Cents (\$337,790.25) And Reject All Other Bids
[13-0224](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.16-CC Subject: Annual Rent Adjustment Report
From: Department Of Housing And Community Development
Recommendation: Receive The Annual Report Of The Rent Adjustment Program For Fiscal
Year 2012-2013
[13-0235](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.17-CC Subject: Housing-Related Parks Program Grant
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept And Appropriate Grant Funds From The California Department Of Housing And Community Development Under The Housing Related Parks Program In An Amount Not To Exceed \$2,250,000 For Improvements To Bishop Begin Plaza, Curt Flood Sports Field, And The Fremont Pool
[13-0237](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.18-CC Subject: Amend ENA With Strada Investment Group
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Amending Resolution No. 84514 C.M.S. To Extend The Negotiating Period Under An Exclusive Negotiating Agreement With Strada Investment Group For Development Of The City Center T-5/6 Site Bounded By 11th Street, Clay Street, And 12th Street, To 18 Months With A Six Month Administrative Extension
[13-0236](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.19-CC Subject: Former Oakland Army Base Street Reservations And Easements
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Acknowledging And Confirming The City's Reservation, Acceptance And Establishment Of Parcels A, B, C And D At Gateway Industrial Park As Public Streets And Public Rights-Of-Way Within The City Of Oakland; And
[13-0238](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the January 21, 2014 meeting on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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2) An Ordinance Authorizing The City Administrator To Negotiate And Execute Public Utility Easements And Utility Easements With Comcast, East Bay Municipal Utility District, U.S. Department Of The Navy, San Francisco Public Utilities Commission (Or Related Entity), Port Of Oakland, CalTrans And To-Be-Determined Telecommunications Providers To Facilitate The Army Base Public Infrastructure Project On The Former Oakland Army Base
[13-0238-1](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the January 21, 2014 meeting on the Consent Agenda.

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

7.20-CC Subject: Service Contract Award For New Models Of Library Service
From: Oakland Public Library
Recommendation: Adopt A Resolution Awarding A Professional Services Contract In The Amount Not To Exceed \$150,000 (One Hundred Fifty Thousand Dollars) To Group 4 Architecture Research & Planning To Assist With The Development Of New Models Of Service For The Oakland Public Library
[13-0225](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.21-CC Subject: MOU With DOJ DNA Laboratory For Continued Use Of CODIS
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City Of Oakland (City) Police Department (OPD) Criminalistics Division Combined DNA Index System (CODIS) Administrator, To Enter Into A Memorandum Of Understanding (MOU) With The California Department Of Justice (DOJ) Deoxyribonucleic Acid (DNA) Laboratory For The Continued Use Of CODIS And Its Administration Within The State Of California
[13-0223](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.22-CC Subject: Support Of S.O.S. Initiative & State Kill Switch Legislation
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of The Nationwide Secure Our
Smartphones Initiative, Best Known As The S.O.S. Initiative, And Requesting State Legislation
Mandating A Kill Switch Requirement For New Smartphones Sold In California [TITLE
CHANGE]
[13-0199](#)

This Matter was Adopted on the Consent Agenda.

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

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

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

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

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

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

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

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

Upon the reading of Item 9.1 by the City Clerk, Vice Mayor Reid made a motion, seconded by President Pro Tempore Kaplan to re-open the Public Hearing at 6:43 p.m.

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

- 9.1 Subject: Montclair BID Annual Levy
From: Department Of Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Annual Report Of The Montclair Business Improvement District Advisory Board And Levying The Annual Assessment For The Montclair Business Improvement District For Fiscal Year 2014/15
[13-0135-1](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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Upon the reading of Item 9.2 by the City Clerk, Councilmember Kalb made a motion, seconded by Councilmember Gibson McElhaney to re-open the Public Hearing at 6:45 p.m.

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

9.2 Subject: Rockridge BID Annual Levy
 From: Department Of Economic & Workforce Development
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
 Confirming The Annual Report Of The Rockridge Business Improvement District Advisory
 Board And Levying The Annual Assessment For The Rockridge Business Improvement
 District For Fiscal Year 2014/15
 [13-0136-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:47 P.M.

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

9.3 Subject: Annual CAPER
 From: Department Of Housing And Community Development
 Recommendation: Conduct A Public Hearing And Review The Consolidated Annual
 Performance And Evaluation Report (CAPER) Submitted To The U.S. Department Of Housing
 And Urban Development (HUD) For Fiscal Year 2012-2013, And Upon Conclusion Adopt A A
 Resolution Amending Resolution No. 84344 C.M.S., Accepting And Appropriating Funds
 Totaling \$12,299,836 For The Home, Emergency Solutions Grant, Housing Opportunities For
 Persons With Aids, And Community Development Block Grant (CDBG) Programs, To
 Allocate \$536,162 Of Additional CDBG Funds As Follows: (A) \$195,000 For City Of Oakland
 Housing Assistance Center Services, (B) \$25,000 For Hello Housing's Administration Of A
 Community Buying Program, (C) \$25,000 For Urban Strategies Council's Data Analysis To
 Assist With International Boulevard Corridor Community Development Efforts, (D) \$30,000
 For City Staff Support With International Boulevard Corridor Community Development
 Efforts, And (E) \$261,162 For CDBG Administration
[13-0228](#)

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

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Ordinance to Dissolve CFD No. 2013-1
 From: Office Of The City Administrator
 Recommendation: Adopt An Ordinance Dissolving City Of Oakland Community Facilities
 District No. 2013-1 (Wildfire Prevention District)
[13-0250](#)

A motion was made by Councilmember Schaaf, seconded by Councilmember Kalb, that this matter be Continued to the Meeting of the Oakland City Council, due back on January 21, 2014. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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14 Subject: Latham Square Plaza Redesign
From: Public Works Agency
Recommendation: Adopt A Resolution Approving A Permanently Expanded And Redesigned
Latham Square Plaza; That The 1500 Block Of Telegraph Avenue Be Redesigned To Reduce
The Travel Lanes From Three To Two, With One Travel Lane Northbound And One Travel
Lane Southbound
[13-0230-1](#)

**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 Abstained: 2 - Councilmember Kalb and President Pro
Tempore Kaplan
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Vice Mayor Reid, Councilmember
Schaaf and Council President Kernighan
There were 41 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 Karin Masal-Hurley, Ashley Christine
Richardson, Lily Blackwell, Elsie Giani, Charles Cameron, Eloise Lewis, and
Lee Weathersby III at 10:03 P.M.*

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City Clerk and Clerk of the Council