



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, June 03, 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 5:39 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

The Roll Call was modified to note Councilmember Gallo present at 5:45 P.M.

The Roll Call was modified to note Councilmember Schaaf present at 5:45 P.M.

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

There were 3 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 former California Assemblyman John Vasconcellos.

Councilmember Gibson McElhaney took a point of personal privilege and requested that the meeting be adjourned in memory of Maya Angelou.

4.1 Subject: Honoring Alpha Nu Omega & Alpha Kappa Alpha

From: Vice Mayor Larry Reid

Recommendation: Adopt A Resolution Honoring Alpha Nu Omega Chapter For Eighty-Five Years Of Exemplary Community Service

[13-0525](#)

Continued to Meeting of the Oakland City Council on 6/17/2014

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4.2 Subject: Distinguished And National Blue Ribbon Schools Recognition
From: Councilmembers Gallo and Schaaf
Recommendation: Adopt A Resolution Recognizing The 2014 California Distinguished
Schools And National Blue Ribbon Schools In The City Of Oakland
[13-0578](#)

A motion was made by Councilmember Gallo, 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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4.3 Subject: Honoring Oakland Tales
From: Councilmember Gibson McElhaney And Vice Mayor Reid
Recommendation: Adopt A Resolution Honoring Oakland Tales, A Book Written About Life In Oakland Through The Lens Of Two Youth Who Travel Back In Time Through Oakland's History, And Recognizing Author Summer Brenner And Illustrator Miguel Perez
[13-0586](#)

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 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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4.4 Subject: Resolution Honoring OPD Dispatchers
From: Council President Patricia Kernighan
Recommendation: Adopt A Ceremonial Resolution Honoring The Dispatch Unit Of The Oakland Police Department
[13-0617](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETINGS OF MAY 9, 2014
AND MAY 20, 2014

A motion was made by President Pro Tempore Kaplan, seconded by Vice Mayor Reid, to *Approve as Submitted. The motion carried by the following vote:

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

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):

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
[13-0605](#)

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
[13-0606](#)

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 Subject: Restricting 2% of Cable Franchise Fee Revenues for KTOP
 From: Office Of The City Administrator
 Recommendation: Adopt An Ordinance (1) Restricting Expenditure Of Two Percent (2%) Of
 The Five Percent (5%) Cable Franchise Fee Revenues To Fund KTOP-TV 10 And
 Cable-Related Activities, And (2) Directing That Said 2% Be Segregated In The
 Telecommunications Reserve Fund (Fund 1760)
 [13-0503](#)

Continued to Meeting of the Oakland City Council on 6/17/2014

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7.4-CC Subject: 2014-2015 Tax And Revenue Anticipation Notes
 From: Office of The City Administrator
 Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal
 Year 2014-2015 In An Amount Not To Exceed Seventy-Five Million Dollars (\$75,000,000)
 And The Issuance And Sale Of 2014- 2015 Tax And Revenue Anticipation Notes Therefor And
 Approving Certain Related Matters
 [13-0508](#)

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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7.5-CC Subject: California Egg Producers
 From: Councilmember Libby Schaaf
 Recommendation: Adopt A Resolution Urging California Egg Producers And Retailers To
 Come Into Compliance With Upcoming Anti-Cruelty Law By Becoming Cage-Free
 [13-0588](#)

This Matter was Adopted on the Consent Agenda.

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

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7.6-CC Subject: Settlement Agreement-Joyce Ogden
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Joyce Ogden And Her Attorney Joseph Jung, City
Attorney's Claim No. C29538, In The Amount Of Seven Thousand Five Hundred Dollars And
No Cents (\$7,500.00) (Police Department- Auto Collision)
[13-0608](#)

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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7.7-CC Subject: Settlement Agreement - Devan Murphy
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Devan Murphy City Attorney's Claim No. C29898, In
The Amount Of Fifteen Thousand Three Hundred Twenty Five Dollars And Six Cents
(\$15,325.06) Payable To Devan Murphy And Capital One Auto Financing. (Police Department
- Auto Collision)
[13-0609](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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7.8-CC Subject: Opposition To AB 2145 - Community Choice Electricity
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Opposition To Assembly Bill (AB) 2145 (Bradford)
- State Legislation That Would Effectively Impede Local Jurisdictions' Ability To Create
Workable Electricity Community Choice Aggregation Programs By Replacing The Current
Opt-Out Structure With An Opt-In Structure
[13-0529](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.9-CC Subject: Violence Prevention And Public Safety Oversight Committee Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Reappointing Lanenna Joiner, Jose Dorado, Jamila Edwards, Melanie Shelby, Kisha Jackson As Members Of The Violence Prevention And Public Safety Oversight Committee
[13-0615](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.10-CC Subject: Citizen's Police Review Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lawrence Paul Brisco, Thomas Cameron, And Maddie Flood To The Citizen's Police Review Board
[13-0616](#)

This Matter was Adopted as Amended to strike Maddie Flood from the appointment on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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7.11-CC Subject: Reallocate Redevelopment Bond Funds
From: Economic And Workforce Development Department
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution
Rescinding Redevelopment Agency Resolution No. 2011-0028 C.M.S. And Transferring
\$10,000,000 From The Low And Moderate Income Housing Fund For The Lion Creek
Crossing V Project To The City For The Coliseum Transit Village Phase I Housing
Development At The Coliseum Bart Station And For Additional Coliseum Redevelopment
Projects As Identified In The Bond Spending Plan
[13-0552](#)

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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[2014-005 C.M.S.pdf](#)

S-7.12-CC Subject: California Employer's Retiree Benefit Trust (CERBT)
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee
To Allocate Payments To The City Received Pursuant To The Recognized Obligation Payment
Schedule ("ROPS") As Follows: (1) To Allocate All ROPS Payments Received By The City To
Address Pension Obligations To The California Public Employees Retirement System
(CalPers) To CalPers; And (2) To Allocate All ROPS Payments Received By The City To
Address Other Post Employment Benefits (OPEB) Unfunded Obligations To The City's CalPers
California Employers' Retiree Benefit Trust (CERBT) Fund, And Authorizing The City
Administrator Or His Designee To Execute The Required Delegation Of Authority To Request
Disbursement Form; And (3) To Allocate \$534,500 Set Aside Funds For Payment Of
Long-Term Unfunded Liabilities To City's CERBT Fund
[13-0550](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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S-7.13-CC Subject: Rental Of Convenience Copiers
From: Office Of The Controller, Purchasing Section
Recommendation: Adopt A Resolution Awarding A Contract To Toshiba Business Solutions, A Corporation, In An Annual Amount Not To Exceed Three Hundred Fifty-Seven Thousand, Nine Hundred Sixty-Five Dollars (\$357,965), To Provide Rental Of Convenience Copiers For A Three-Year Term, July 1, 2014 To June 30, 2017 For A Total Not-To-Exceed Contract Amount Of One Million Seventy three Thousand, Eight Hundred Ninety- Five Dollars (\$1,073,895), In Accordance With Specification No. 13-985-26/Request For Quotation (RFQ) No. 4898, The General Conditions Therefor On File In Purchasing And Contractor's Bid Filed With The City On December 16, 2013
[13-0551](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.14-CC Subject: Appointment Of Henry Gardner
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Confirming The Mayor's Appointment Of Henry Gardner As Interim City Administrator For The Period June 16, 2014 Through January 20, 2015
[13-0577](#)

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 Mayor To Execute An Employment Agreement On Behalf Of The City With Henry Gardner, Interim City Administrator, Effective June 16, 2014 Through January 20, 2015
[13-0577-1](#)

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

Councilmember Schaaf moved, seconded by Councilmember Brooks, to include the following addition to the resolution as follows: "...that potentially could enable the Mayor to extend the term of the agreement for such additional period that CalPERS authorizes and Gardner accepts."

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S-7.15-CC Subject: Linden Park Improvement Project
From: Oakland Public Works Department
Recommendation: Adopt A Resolution Awarding And Authorizing The City Administrator, Or Designee To Execute A Construction Contract To Beliveau Engineering Contractors, Inc., The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For Linden Park Improvement Project (B00560) And With Contractor's Bid In The Amount Of Two Hundred Seventy Three Thousand And Six Hundred Dollars (\$273,600.00)
[13-0553](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.16-CC Subject: Lake Merritt Sail Boat House Shoreline Improvements
From: Oakland Public Works Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee To Award And Execute A Construction Contract To Gordon N. Ball, Inc., The Lowest Responsive And Responsible Bidder In Accordance With Project Plans And Specifications For The Lake Merritt Sail Boat House Shoreline Improvement (Project No. C393710) And With Contractor's Bid In The Amount Of Five Million Five Hundred Fifteen Thousand Dollars (\$5,515,000); And
[13-0554](#)

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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[85021 C.M.S.pdf](#)

2) A Resolution To Authorize The City Administrator, Or His Designee To Apply For, Accept And Appropriate Grant Funds In An Amount Up To Five Hundred Thousand Dollars (\$500,000) From The State Of California Department Of Parks And Recreation, Division Of Boating And Waterways For The Lake Merritt Sail Boat House Shoreline Improvement Project
[13-0554-1](#)

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
[85022 C.M.S.pdf](#)

S-7.17-CC Subject: Men Of Valor Contract Extension
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Amending Resolution No. 83370 C.M.S. Authorizing A Services Agreement With Men Of Valor Academy To Provide Grafitti Abatement In The Coliseum And Central City East Redevelopment Project Areas In The Amount Of \$165,050 To (1) Add The Oakland Redevelopment Successor Agency (ORSA) As Party, (2) Expand The Scope To Include Maintenance Of City And ORSA Properties, (3) Extend The Contract Period By Three Years, And (4) Increase The Contract Maximum Amount By \$240,000 To A New Cap Of \$405,050;
And

[13-0557](#)

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 Oakland Redevelopment Successor Agency (ORSA) To Be Added As A Party To The Professional Services Agreement Between The City Of Oakland And Men Of Valor Academy, And Allocating ORSA Funds For The Portion Of The Contract Dealing With The Maintenance Of ORSA Properties

[13-0557-1](#)

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

[2014-006 C.M.Spdf](#)

S-7.18-CC Subject: Plaza Tenants Accounts Receivable
From: Department Of Workforce And Economic Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Make
Adjustments To The City's Accounts Receivables By Writing Off Rent Due From Two Former
Frank Ogawa Plaza Tenants: Sankofa In The Approximate Amount Of \$30,200 And Rising
Loafer In The Approximate Amount Of \$13,700
[13-0558](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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S-7.19-CC Subject: Establishing A Registry For Vacant Commercial Properties And Lots
From: President Pro Tempore Kaplan And Councilmember Kalb
Recommendation: Adopt A Resolution Establishing Council Policy To Create A Registry For
Vacant Ground Floor Commercial Properties And For Vacant Lots, And Directing Staff To
Return To Council Within 90 Days Of Adoption Of This Resolution, With An Implementation
System To Accomplish This Goal
[13-0330](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council
President Kernighan
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S-7.20-CC Subject: Temescal/Telegraph Business Improvement District 2015
From: Economic & Workforce Development Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Intention To Form The Temescal/Telegraph Business Improvement District 2015 ("TTBID 2015"); Granting Preliminary Approval Of The TTBID 2015 Management Plan 2015; Directing Filing Of The Proposed TTBID 2015 Assessment District Boundary Description; Directing Distribution Of A Ballot To All Affected Property Owners Whereby They Can Vote "In Favor Of" Or "Against" The Proposed TTBID 2015 And Assessment To Determine Whether Majority Protest Exists; And Scheduling A Public Hearing For July 29, 2014; And
[13-0502](#)

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 City Administrator (1) To Sign The Ballot In Favor Of The Formation Of The Temescal/Telegraph Business Improvement District 2015 ("TTBID 2015") And (2) To Pay \$1,688.22 For The Fiscal Year 2014/2015 Assessment For One (1) City-Owned Property On Which Assessments Are To Be Levied (APN 014 1219 003 00 - The Temescal Library) If The TTBID 2015 Is Established
[13-0502-1](#)

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
[85027 C.M.S.pdf](#)

S-7.21-CC Subject: Teen Mental Health Library Grant & BRL Agreement
From: Oakland Public Library Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Apply For, Accept And Appropriate A Library Services And Technology Act (LSTA) Grant From The California State Library In The Amount Of \$90,000; 2) Authorizing The City Administrator To Enter Into A One-Year Professional Services Agreement With Beats Rhymes And Life, Inc. For An Amount Not To Exceed Ninety-Thousand (\$90,000) Beginning July 1, 2014; And 3) Waiving The Advertising And Request For Proposal/Qualifications (RFP/Q) Process For The Proposed Agreement With Beats Rhymes And Life, Inc.
[13-0555](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.22-CC Subject: Head Start/Early Head Start (HS/EHS) Grant Renewal 2014-2015
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland To: 1) Apply For, Accept, And Amend The Appropriation Of The Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, Early Head Start Training And Technical Assistance Grants For Program Year 2014-2015 From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), In An Estimated Amount Of \$18,587,933, And 2) Enter Into Grant Agreements To Fund Comprehensive Child Development Services In Accord With Said Grants With: Unity Council In An Estimated Amount Of \$4,836,570; Brighter Beginnings In An Estimated Amount Of \$564,510; St. Vincent's Day Home In An Estimated Amount Of \$139,840; And University Of California San Francisco (UCSF) Benioff Children's Hospital Oakland In An Estimated Amount Of \$45,000; And 3) Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And To Amend The Existing Grant Agreements With Unity Council, Brighter Beginnings, St. Vincent's Day Home, And UCSF Benioff Children's Hospital Oakland, Without Returning To Council; And 4) Appropriate Additional General Purpose Funds In An Estimated Amount Up To \$752,634 As Needed To Support Full Implementation Of Head Start/Early Head Start For The Program Year 2014-2015; And 5) Review And Approve Oakland Head Start/Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually
[13-0564](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.23-CC Subject: Multipurpose Senior Services Program (MSSP) FY 2014-2015
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Agreement Number MS-1415-01 With The State Of California, Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2014-2015, And 2) Exercise The Option To Renew Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2014 Through June 30, 2015
[13-0565](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.24-CC Subject: Information And Assistance Program (I&A)
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept A Grant In An Estimated Amount Of \$42,019 Per Year Or \$84,038 For Two Years From Alameda County Social Services Agency, Area Agency On Aging For Continued Operation Of The Information And Assistance (I&A) Program For Oakland Seniors For The Period Of July 1, 2013 Through June 30, 2015; And 2) Accept, Appropriate, And Expend An Additional Award Of \$2,902 Of The Fiscal Year 2012-2013 I&A Grant (Fund 2160, Project G420410) Not Approved During The FY 2012-2013 Midcycle Budget
[13-0566](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.25-CC Subject: Senior AIDES Program FY 2014-2015
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Grant Funds In An Estimated Amount Of \$901,977 From Senior Services America, Inc., For The Oakland Senior AIDES Program From July 1, 2014 Through June 30, 2015
[13-0567](#)

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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[85032 C.M.S.pdf](#)

S-7.26-CC Subject: Senior Companion Program/Foster Grandparent Program (SCP/FGP)
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Grant Funds For Fiscal Year 2014-2015 From The Corporation For National And Community Services (CNCS) In An Estimated Amount Of \$316,610 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) From July 1, 2014 Through June 30, 2015
[13-0568](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.27-CC Subject: Oakland Paratransit for the Elderly & Disabled Program (OPED) 2014-2015
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Measure B Direct Local Program Distribution Funds In The Amount Of \$942,497 And Measure B Gap Grant Funds Up To \$92,500 From The Alameda County Transportation Commission For Fiscal Year 2014-2015 To Provide Paratransit Services; And Authorizing The City Administrator To Execute Reimbursement Agreements In Amounts Of: 1) \$380,000 To Reliable Express Care, Inc., 2) \$200,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company, Metro Yellow Cab Company And Yellow Cab Company, 3) \$200,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Company, And 4) \$28,000 To Wheelcare Express, Inc.; And Authorizing The City Administrator To Execute Any Necessary Amendments To The Agreements Without Returning To City Council
[13-0575](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.28-CC Subject: Renewal And Extension Of Technical Assistance Contract For Ceasefire
From: Oakland Police Department
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Extend The Professional Services Agreement With California Partnership For Safe Communities (CPSC) For The Period Of April 14, 2014 Through June 30, 2015, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars (\$150,000), Bringing The Total Amount To Three Hundred Ninety-Six Thousand And Ninety-Five Dollars (\$396,095) For Technical Assistance In Implementing The City's Ceasefire Strategy For Reducing Violent Crime; (2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Proposed Extension Of The Professional Services Agreement With CPSC; And (3) With The Option To Renew And Extend For Up To Two (2) Additional Years As New And Additional Funding Sources Become Available
[13-0560](#)

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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[85035 C.M.S.pdf](#)

S-7.29-CC Subject: Professional Services Contract With Michael Palmertree, MFT
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Competitive Request For Proposals /Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business (L/SLB) Enterprise Program Provisions, And Enter Into A Professional Services Agreement With Michael Palmertree To Provide Behavioral Science Consultation And Training Services To The Oakland Police Department To Meet The Objectives Of The Personnel Assessment System (PAS) Policy, As Required By Tasks 40 And 41 Of The Memorandum Of Understanding (Formerly Negotiated Settlement Agreement) With The Oakland Police Officers' Association (OPOA) For The Period Of July 1, 2014 To June 30, 2017, With An Option To Extend For An Additional Two Years, In An Amount Of Seventy-Five Thousand Dollars (\$75,000) Per Year, With A Total Contract Amount Of Three Hundred Seventy-Five Thousand Dollars (\$375,000)
[13-0561](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-7.30-CC Subject: Oakland Unite Grant Renewal FY 2014-2015
From: Human Services Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Renew Oakland Unite Grant Agreements Between The City Of Oakland And Various Public And Non-Profit Agencies And Fund Direct City Services To Provide Violence Prevention Programs For An Estimated Amount Of \$6,167,823 For Fiscal Year 2014-2015 And To Execute A One-Year Grant Agreement Extension Through June 2015 With Alameda County Health Care Services Agency
[13-0563](#)

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 President Pro Tempore Kaplan, seconded by Councilmember Kalb, to *Approve as Submitted the oral report from the Office of the City Attorney of one final decisions made during Closed Session. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 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

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

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

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:14 P.M.

One individuals spoke on this item.

President Pro Tempore Kaplan 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.

- 9.1 Subject: Extension Of Unattended Donation Boxes Moratorium
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Consider Extension Of Ordinance No. 13225 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment, Installation, Placement, Construction, And/Or Expansion Of Unattended Donation Boxes To Take Immediate Effect, Through March 3, 2015 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First; (7 VOTES REQUIRED FOR PASSAGE)
[13-0604](#)

A motion was made by President Pro Tempore Kaplan, seconded by Vice Mayor Reid, that this matter be Approved for Final Passage. 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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[13232 C.M.S.pdf](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

- 10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Tract 8124 Subdivision Map, 486 - 496 60th Street
From: Planning And Building Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 8124 Located At 486-496 60th Street For A Six Lot Residential Subdivision For Telegraph Green LLC; And
[13-0603](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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[85038 C.M.S.pdf](#)

2) A Resolution Approving A Subdivision Improvement Agreement With Telegraph Green LLC For Deferred Construction Of Public Infrastructure Improvements For The Final Map For Tract No. 8124 Located At 486-496 60th Street
[13-0603-1](#)

A motion was made by Councilmember Kalb, 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
[85039 C.M.S.pdf](#)

12 Subject: Appointment Of Police Chief Sean Whent
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Employment Agreement Between The City And Chief Of Police Sean Whent For The Four-Year Term Of May 14, 2014 Through May 13, 2018 And Total Annual Compensation Of \$262,879.21 Which Includes An Annual Salary Of \$226,438.44, The Top Of The Salary Range For The Chief Of Police Classification, And Premium Pay Required By The Memorandum Of Understanding Between The City And The Oakland Police Management Association In The Amount Of \$36,440.76
[13-0613](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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S-13 Subject: Implementation Of Budgeted Police Staffing
From: Councilmembers Schaaf And Gallo
Recommendation: Report And Recommendations To Ensure Implementation Of Budgeted Police Staffing Including (1) Police Shortfall Early Warning System, (2) Prompt Shortfall Correction Process, (3) Accurate Staffing Budgeting Requirement, (4) Funding Of The 171st And 172nd Police Training Academies, And (5) Action Plan For Attrition Reduction.
[13-0587](#)

A motion was made by Councilmember Gallo, seconded by Vice Mayor Reid, that this matter be *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
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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 former California Assemblyman John Vasconcellos and Maya Angelou at 7:45 P.M.

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.

City Clerk and Clerk of the Council