



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 Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612

Tuesday, July 01, 2014

5:45 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 5:54 PM.

2 ROLL CALL / CITY COUNCIL

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

The Roll Call was modified to note Vice Mayor Reid absent from 7:45 p.m. to 8:06 p.m. and from 8:10 p.m. to 9:05 p.m.

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

There were 32 Open Forum speakers.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of James Whent. Councilmember Gibson McElhaney and Vice Mayor Reid requested association with this adjournment.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Gwen McCain. Vice Mayor Reid requested association with this adjournment.

- 4.1 Subject: Honoring Outgoing And Welcoming Incoming OUSD Superintendent
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Honoring Incoming Superintendent Of Schools
Antwan Wilson And Outgoing Superintendent Dr. Gary Yee
[13-0681](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 4.2 Subject: Honoring California Youth Outreach (CYO)
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging California Youth Outreach (CYO) For Their Services To Oakland Youth And Their Commitment To The Betterment Of The City Of Oakland
[13-0663](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF June 17, 2014

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

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

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

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
[13-0676](#)

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
[13-0677](#)

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: Community Policing Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Don Link
And Reappointment Of Renia Webb As Members Of The Community Policing Advisory Board
[13-0659](#)

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: WPAD Advisory Board Appointment - Greenberg
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Susan Greenberg Piper As A Member Of
The Wildfire Prevention And Assessment District Advisory Board
[13-0660](#)

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: Violence Prevention & Public Safety Oversight Committee Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Reappointing Peter Barnett, Joanne Brown, And Mara Velez As Members Of The Violence Prevention And Public Safety Oversight Committee
[13-0661](#)

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: Consolidation Of The City Of Oakland General Municipal Election
From: Office Of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 4, 2014
[13-0637](#)

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: Adjust Salary Rates To Comply With California Minimum Wage
From: Human Resources Management Department
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salary Rates For All Classifications For Which The Lowest Step Would Be Below The California Minimum Wage Of Nine Dollars (\$9.00) Per Hour, Effective July 1, 2014; And Deleting Obsolete Classifications From The Salary Scheduled That Have Starting Rates Lower Than The Required Minimum Wage; And Authorizing, Without Return To Council, A Similar Amendment To The Salary Schedule Any Time A Change In The Legally Mandated Minimum Wage Is Raised And There Are Pay Rates For City Of Oakland Classifications That Require Adjustment To Be Compliant With The New Law Or Laws
[13-0652](#)

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: Adoption Of MOU Between IAFF Local 55 And The City Of Oakland
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving Memorandum Of Understanding Between The City Of Oakland And The International Association Of Firefighters (IAFF), Local 55, Representing Employees In Representation Unit FQI, For The Period Of July 1,2014 Through October 31, 2017; And
[13-0682](#)

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) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Adjust The Salaries Of Employees In The Job Classifications Represented By The International Association Of Firefighters, Local 55 And Providing The Same Salary Adjustments For Unrepresented Sworn Classifications
[13-0682-1](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 15, 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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7.9-CC Subject: Association Of Bay Area Governments (ABAG) Appointments
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Appointing The Following Representatives To Positions On The Executive Board Of The Association Of Bay Area Governments For Two-Year Terms Commencing July 1, 2014 And Ending June 30, 2016: Re-Appoint Mayor Jean Quan And Councilmember Desley Brooks, And Appoint Councilmember Dan Kalb As Members Of The Executive Board, And Appoint Council President Patricia Kernighan As An Alternate Member
[13-0688](#)

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: Monthly Increase To OMERS Retirees & Beneficiaries
From: Finance Department
Recommendation: Adopt An Ordinance Amending Section 14.8 Of Ordinance No. 713
C.M.S. To Provide Increases In Monthly Payments To Oakland Municipal Employees'
Retirement System Retirees
[13-0662](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 15, 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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7.11-CC Subject: Agenda Systems Upgrade - Citizen Participation And Improvements
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Waiving Advertising, Competitive Bidding, Competitive Selection Request For Proposals/Qualifications (RFP/Q) Requirements And The City's L/SLB Program And Authorizing The City Administrator To Negotiate And Execute A Contract With Granicus, Inc. To Perform Software And Hardware Updates To The City's Agenda Management And Web Hosted Streaming Video Systems, And Add A Citizen's Participation Web Application, For One-Time Cost Not To Exceed Thirty-Two Thousand Dollars (\$32,000.00), And To Enter Into A Managed Services Contract With Granicus Inc. For Subscriptions To Web Hosted Services For Agenda Management, Streaming Video, And Public Participation In An Amount Not To Exceed Sixty-Nine Thousand One Hundred Eighty-Six Dollars (\$69,186.00) Each Year For Three Years, With Two One-Year Options To Extend The Term Of The Contract
[13-0664](#)

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: Contract Extension With Forensic Logic For Crime Analysis Software
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Two-Year Contract Extension With Forensic Logic, Inc., For The Period Of July 1, 2014 Through June 30, 2016, In An Amount Not To Exceed One Hundred Fourteen Thousand Six Hundred Five Dollars (\$114,605), For A Total Contract Amount Not To Exceed Three Hundred Nine Thousand Six Hundred Five Dollars (\$309,605), For Their Law Enforcement Analysis Portal (LEAP) Crime Analysis Software Application, Licensing, Technical Support, And Consulting Services; And 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 Contract With Forensic Logic, Inc.
[13-0638](#)

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: Ordinance Amending Oakland Municipal Code 9.24 "Gambling"
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 9.24 "Gambling" To Clarify Prohibited Gambling Activities And To Delete Outdated Provisions Related To Pinball Machines
[13-0641](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 15, 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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7.14-CC Subject: Grant Funds For Alcohol Control Enforcement Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Ninety Thousand Dollars (\$90,000) From The State Of California, Department Of Alcoholic Beverage Control (ABC), Grant Assistance Program (GAP), For The Federal Fiscal Year 2014-2015 Implementation Of The Alcohol Control Enforcement Program Within The Police Department
[13-0642](#)

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: Banning Automated Purchasing Machines
From: Councilmember Lynette Gibson McElhaney
Recommendation: Adopt An Ordinance Of The City Of Oakland, California, Amending Title 8 Of The Oakland Municipal Code To Add Chapter 8.21 Prohibiting Automated Purchasing Machines Which Buy Back Personal Electronic Devices Or Electronic Equipment
[13-0666](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 15, 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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Passed The Consent Agenda

A motion was made by Councilmember Gibson McElhaney, 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 Councilmember Kalb, seconded by Councilmember Gallo, to *Approve as Submitted the oral report from the Office of the City Attorney of three final decisions made during Closed Session. 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:**

- 9.1 Subject: Revisions To Local Amendments To State Building Code
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt An Ordinance To Amend And Restate Ordinance No. 13200 C.M.S., Adopted November 19, 2013, To Revise The Local Amendments To The 2013 Editions Of The California Building Standards Code (Title 24, California Code Of Regulations) And Amendments To Oakland Municipal Code Chapter 15.04 To Incorporate Modified Requirements For Seismic Retrofitting When There Is A Change Of Occupancy In Existing Buildings And Other Modifications
[13-0329](#)

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gallo, 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 July 15, 2014 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Kalb
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:13 p.m.

Three individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by 7 Ayes: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan, and 1 Abstention - Kalb.

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9.2 Subject: Reasonable Accommodations Ordinance
 From: Planning And Building Department
 Recommendation: Adopt An Ordinance, As Recommended By The City Planning
 Commission, Amending The Oakland Planning Code To Create Chapter 17.131, Reasonable
 Accommodations Policy And Procedures
 [13-0599](#)

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Gallo, 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 July 15, 2014 meeting. 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

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:29 p.m.

One individual spoke on this item.

Councilmember Gibson McElhaney 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.

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9.3 Subject: Amend Planning Code Regarding Emergency Shelters
 From: Planning And Building Department
 Recommendation: Adopt An Ordinance, As Recommended By The City Planning
 Commission, Amending The Oakland Planning Code To (1) Permit Emergency Shelters
 By-Right In Limited Segments Of The Following Residential, Commercial, Civic And
 Industrial Zones: Residential Mixed Use, Urban Residential, Neighborhood Center,
 Community Commercial, Broadway Retail Frontage District Interim Combining Zone, Medical
 Center, Housing And Business Mix, And The CIX-1, CIX-2, IG, And IO Industrial Zones, And
 (2) Modify The Definitions For Transitional And Supportive Housing, To Comply With
 California State Law
 [13-0602](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Gallo, to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the July 15, 2014 meeting. 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

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:34 p.m.

One individual spoke on this item.

Councilmember Brooks 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.

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

-
- 11 Subject: Domain Awareness Center (DAC) Privacy And Data Retention
 From: Office Of The City Administrator
 Recommendation: Receive An Informational Report On The Domain Awareness Center
 (DAC) Ad Hoc Advisory Committee On Privacy And Data Retention
 13-0665

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, that this matter be *Received and Filed. 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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- 12 Subject: Broadway Valdez District Specific Plan
 From: Office Of The City Administrator
 Recommendation: Adopt An Ordinance, As Recommended By The City Planning
 Commission, Amending The (A) Oakland Planning Code To Create The D-BV Broadway
 Valdez District Commercial Zone Regulations And Make Conforming Changes To Other
 Planning Code Sections, As Well As Adopting Zoning And Height Area Maps; And (B)
 Oakland Master Fee Schedule (Ordinance No. 13184 C.M.S., As Amended) To Establish A
 Parking In-Lieu Fee And Open Space In-Lieu Fee
 13-0593-1

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, 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
There were three speakers on this item.

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- 13 Subject: Amendments To Use One-Time Or Real Estate Transfer Tax Revenues
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13170 C.M.S. Which Sets Forth The Council's General Purpose Fund (GPF) Financial Policies To Amend The Requirements For Authorization To Use One-Time Or Excess Real Estate Transfer Tax Revenues For Purposes Other Than Established Through This Ordinance, To Allow Authorization Of Such Uses By Resolution Approved By A Super Majority Vote Of The City Council [TITLE CHANGE]
[13-0689](#)

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Gallo, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Absent: 1 - President Pro Tempore Kaplan
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan
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- 14 Subject: Resolution Authorizing The Use Of One Time Funds And RETT
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Use Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues For Purposes Other Than Those Denoted In Section C And Section D Of Ordinance No. 13170 C.M.S., As Amended, Based On A Finding Of Necessity, And Describing Prospective Steps To Be Taken To Return To The Prescribed Uses Of One-Time Revenues And Excess Real Estate Transfer Tax Revenues
[13-0705](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Noes: 1 - Councilmember Schaaf
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid and Council President Kernighan
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15 Subject: Fiscal Year 2014-2015 Midcycle Budget Amendments
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2013-2015 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 84466 C.M.S. On June 27, 2013 And Amended By Resolution No. 84897 C.M.S. On March 18, 2014; To: (1) Increase The Fiscal Year 2014-2015 Revenue Projection In The General Purpose Fund (GPF) By \$29,877,358; (2) Appropriate Additional Fiscal Year 2014-2015 GPF Expenditures In An Amount Not To Exceed \$29,877,358; And (3) Increase Fiscal Year 2014-2015 Appropriations In Other (Non- GPF) Funds By \$24,466,381 [TITLE CHANGE]

[13-0540-1](#)

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

Votes: ORA\Councilmember Abstained: 2 - Councilmember Brooks and Vice Mayor Reid
ORA\Councilmember Ayes: 6 - Councilmember Gallo, 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) Measure C Funds in Exhibit 2, will go to the Oakland Museum, not Children's Fairyland;*
- 2) Line Item B12: One-time General Fund Reserve Revenue above and beyond the 7.5% Reserve Policy Appropriated in the 2013-2014 Mid-Cycle-Budget: (\$3,960,000);*
- 3) Line Item E10: One-time General Fund Reserve 2014-2015 Allocation above and beyond 7.5%: (\$624,875);*
- 4) Line Item E13: One-time Disparity Study: \$200,000;*
- 5) Line Item E14: Lawn Mowing Overtime to maintain fields: \$50,000;*
- 6) Line Item E15: One-time "Worst Streets" road improvements to be applied to each Council District: \$900,000;*
- 7) Line Item E16: One-time BRT Capital Improvement Mitigation Projects: \$1,000,000;*
- 8) Line Item E17: One-time Professional Public Engagement Survey \$45,000;*
- 9) Line Item E18 One-time Overtime for litter and illegal dumping and (graffiti)*

clean up, with approximately half of the funds to be used for graffiti: \$200,000;

10) Line Item E19: One-time Set-aside for Fireboat Grant Match (only if no additional funds are found): \$100,000;

11) Line Item E20: One-time Set-aside for a Vital Services Stabilization Fund (to be established): \$2,020,764;

12) Line Item S6: One-time \$300,000 from RAP surplus funds (Fund 2413) for legal and other services to address backlog related to rent adjustment program subject to further discussion among staff and City Administrator on how to specifically use the additional allocation: \$300,000; and

13) Add a Further Resolved paragraph to the Resolution directing the City Administrator to identify additional funds of \$104,000 to hire one, full-time Vegetation Fire Inspector and bring back a request to fund the position no later than when the First Quarter Revenue & Expenditure Report is brought to Council for review.

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16 Subject: Improving Public Engagement In The Budget Process
From: Office Of The City Administrator
Recommendation: Receive A Report From The City's Budget Advisory Committee ("BAC")
On Recommendations To Improve Public Engagement In The Budget Process
[13-0640](#)

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

Votes: ORA\Councilmember Absent: 1 - Vice Mayor Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
This item was taken before the vote on Item 14.

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17 Subject: Street Rehabilitation At 17th Street And At Jackson Street
From: Oakland Public Works Department
Recommendation: Adopt 1) Resolution Authorizing The City Administrator, Or His Designee To Award A Construction Contract To Gallagher & Burk, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Street Rehabilitation At 17th Street Between Castro Street And Lakeside Drive, And At Jackson Street Between 11th St And Lakeside Drive (Project No. C464540) And With Contractor's Bid In The Amount Of Seven Hundred Ninety-One Thousand Seven Hundred Dollars (\$791,700.00), And 2) Waiving Advertising And Bidding Requirements And Authorizing The City Administrator Or His Designee To Award Up To One Hundred Sixty Thousand Dollars (\$160,000.00) To The Contract For Resurfacing Work On Jackson Street, For A Total Contract Authorization Of Nine Hundred Fifty-One Thousand Seven Hundred Dollars (\$951,700.00)

[13-0645](#)

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 Absent: 1 - Vice Mayor Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
This item was taken before the vote on Item 14.

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18 Subject: Creation Of An Independent Redistricting Commission
From: Councilmembers Libby Schaaf And Dan Kalb
Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters At The November 4, 2014 Statewide General Election, A Proposed Ordinance To Amend The City Charter To Create The City Of Oakland Independent Redistricting Commission; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Election
[13-0643](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Gibson McElhaney
ORA\Councilmember Absent: 1 - Vice Mayor Reid
ORA\Councilmember Noes: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 5 - Councilmember Gallo, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf and Council President Kernighan
There were 3 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 James Whent and Gwen McCain at 11:03 p.m.

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City Clerk and Clerk of the Council