



# SUPPLEMENTAL

## City of Oakland

### Meeting Agenda

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

#### \* Special Meeting of the Oakland City Council

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

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

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Monday, April 30, 2012

5:30 PM

City Council Chambers, 3rd Floor

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#### **DEFINITION OF TERMS:**

**Consent Item:** any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

**Non-Consent Item:** any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

**Action Item:** any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

**Informational Item:** an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 Pledge of Allegiance

2 Roll Call / ORA & Council  
COUNCIL MEMBERS:

**Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7**

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

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

4.1 Subject: Kandis Westmore - Honorarium  
From: Councilmember Schaaf And Oakland City Attorney Barbara Parker  
Recommendation: Adopt A Resolution Congratulating Kandis A. Westmore On Her Appointment As United States Magistrate Judge For The Northern District Of California And Commending Her For Almost Thirteen Years Of Stellar Service To The City Of

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Oakland As Deputy City Attorney  
[\(11-0355\)](#)

- 4.2 Subject: Municipal Clerk's Week  
From: Council President Reid  
Recommendation: Adopt A Resolution Declaring April 29, 2012 Through May 5, 2012  
As Municipal Clerk's Week In The City Of Oakland  
[\(11-0388\)](#)

**This item was added to this agenda pursuant to Rule 28b of Resolution  
82580 C.M.S., Council's Rules of Procedures.**

- 4.3 Subject: East Bay Affordable Housing Week  
From: Council President Reid  
Recommendation: Adopt A Resolution Proclaiming The Week Of May 11th To May 20,  
2012 To Be The 16th Annual East Bay Affordable Housing Week And Called:  
Affordable Housing: Building A Movement  
[\(11-0395\)](#)

**This item was added to this agenda pursuant to Rule 28b of Resolution  
82580 C.M.S., Council's Rules of Procedures.**

- 4.4 Subject: California Preservation Week And Day  
From: Vice Mayor Nadel  
Recommendation: Adopt A Resolution (1) Proclaiming The Week Of April 30, 2012, As  
California Preservation Week In The City Of Oakland, (2) Proclaiming Thursday, May 3,  
2012, As California Preservation Day In The City Of Oakland, And (3) Welcoming The  
California Preservation Conference, "Old Roots, New Growth; Cultivating  
Communities," To The City Of Oakland  
[\(11-0391\)](#)

**This item was added to this agenda pursuant to Rule 28b of Resolution  
82580 C.M.S., Council's Rules of Procedures.**

- 4.5 Subject: City Of Oakland Bike Month  
From: Vice Mayor Nancy Nadel  
Recommendation: Adopt A Resolution Proclaiming Thursday, May 10, 2012, As The  
City Of Oakland's 19th Annual Bike To Work Day, And May 2012 As City Of Oakland  
Bike Month  
[\(11-0387\)](#)

**This item was added to this agenda pursuant to Rule 28b of Resolution  
82580 C.M.S., Council's Rules of Procedures.**

- 4.6 Subject: Public Works Week  
From: Vice Mayor Nadel  
Recommendation: Adopt A Resolution Celebrating The Week Of May 20-26, 2012 As  
National Public Works Week In The City Of Oakland  
[\(11-0401\)](#)

**This item was added to this agenda pursuant to Rule 28b of Resolution**

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## 82580 C.M.S., Council's Rules of Procedures.

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF April 3, 2012
- 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  
[\(11-0389\)](#)
- 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  
[\(11-0390\)](#)
- 7.3-CC Subject: Planning Code Amendments  
From: Department Of Planning, Building And Neighborhood Preservation  
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To: 1) Update References, Reduce Redundancy, Aivd Clarify Language In Various Chapters Of The Planning Code; 2) Modify The Threshold In Chapter 17.102 For Exemption From The 1,000-Foot Separation Requirement For Alcohol Beverage Sales Commercial From 20,000 Square Feet Down To 12,000 Square Feet, And Modify The Requirement For 25 Full-Time Employees; 3) Modify Chapter 17.108 For Setbacks Of Allowed Projections Above The Height Limits And Allowed Projections Into Required Setbacks; 4) Modify Chapter 17.108 For Interior Courtyard Regulations And Separation And Setback Requirements From Legally Required Windows; 5) Modify Chapter 17.108 For Inclusion Of Specific Standards For Wind Power Generating Facilities  
[\(11-0347\)](#)

### **ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE**

**Introduction (First Reading) was passed as amended to delete item 5 which would also eliminate item 19 on April 3, 2012; 7 Ayes, 1 Excused -**

**Kernighan**

- 7.4-CC Subject: Settlement Agreement - Aye  
From: Office Of The City Attorney

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Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Aye, Et Al. v. City Of Oakland, Alameda County Superior Court Case No. Rg11564053 In The Amount Of \$125,000.00 (Public Works Agency - Struck By Fallen Tree Limb

[\(11-0404\)](#)

**This item was heard in the March 20, 2012 Closed Session.**

7.5-CC

Subject: Settlement Agreement - Hyman

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Helen S. Hyman, Claim No. C28218 In The Amount Of \$16,000.00, As A Result Of A Trip And Fall On A City Sidewalk That Was Uplifted Due To Roots From A City Tree On 7/2/2010 (Public Works - Maintenance Services

[\(11-0405\)](#)

**This item was not heard in Closed Session.**

7.6-CC

Subject: Settlement Agreement - McNutt

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Letta McNutt Claim No. 028529 In The Amount Of \$6,500.00, As A Result Of Property Damage Sustained - Due To A Clog In The City Main Sewer Line On 5/17/2011 (Public Works - Maintenance Services)

[\(11-0407\)](#)

**This item was not heard in Closed Session.**

7.7-CC

Subject: Settlement Agreement - Irving

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Tonie Irving v. City Of Oakland, Alameda County Superior Court Case No. RG11572124, City Attorney's File No. 27926, In The Amount Of Twelve Thousand Dollars And No Cents (\$12,000.00). (Public Works - Rear-End Vehicle)

[\(11-0406\)](#)

**This item was not heard in Closed Session.**

7.8-CC

Subject: Settlement Agreement - Harris-Crenshaw

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Melanie Harris-Crenshaw v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG10552738, City Attorney's File No. 27728, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00). (Auto Accident - Police Department)

[\(11-0408\)](#)

**This item was not heard in Closed Session.**

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- 7.9-CC Subject: Civil Service Board Reappointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Winnie Anderson, Alex Drexel And Michael Siegel To The Civil Service Board  
[\(11-0410\)](#)
- 7.10-CC Subject: CPRB Appointment - Mao  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sokhom Mao To The Citizen's Police Review Board  
[\(11-0411\)](#)
- 7.11-CC Subject: Business Tax Board Of Review Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Barry Pilger, David Jones, Arturo Sanchez, Jens Hillmer And Charles L "Chip" Conradi To The Business Tax Board Of Review  
[\(11-0412\)](#)
- 7.12-CC Subject: Measure Z Reappointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing James Anthony And Appointing Kathryn Parker As Members Of The Cannabis Regulatory Commission  
[\(11-0413\)](#)
- S-7.13-CC Subject: Head Start Advisory Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Giannina Perez To The Head Start Advisory Board For The Term Beginning March 12, 2012 And Ending March 11, 2015  
[\(11-0454\)](#)
- S-7.14-CC Subject: Public Ethics Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Monique Rivera To The Public Ethics Commission  
[\(11-0455\)](#)
- S-7.15-CC Subject: Community Policing Advisory Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Marcus Johnson, Reappointment Of Greg Novak, Appointment Of Frank Castro As Members Of The Community Policing Advisory Board  
[\(11-0456\)](#)
- S-7.16-CC Subject: Street Sweeper Camera Pilot Project  
From: Councilmember Jane Brunner  
Recommendation: Receive A Report And Approve Recommendation On The Implementation Of A Street Sweeper Camera Pilot Project, Including The Anticipated

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Start Date Of The Project  
(11-0290)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-7.17-CC Subject: Landscaping And Lighting Fiscal Year Assessment  
From: Office Of Budget  
Recommendation: Adopt A Resolution Initiating The FY 2012-13 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District And Authorizing The City Administrator To Order A Preliminary Engineer's Report Pursuant To The California Streets And Highways Code  
(11-0369)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-7.18-CC Subject: Salary Schedule Amendment - Recreation Specialist III  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Permanent Part Time And Temporary Part Time Designations For The Classification Of Recreation Specialist III  
(11-0371)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE**

**Final Passage (Second Reading) is scheduled for May 15, 2012**

S-7.19-CC Subject: WPAD 2012-2012 Initiating Assessment Process  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Initiating The FY 2012-13 Assessment Confirmation Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland Municipal Code  
(11-0370)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-7.20-CC Subject: Successor Agency Authority  
From: Office Of Neighborhood Investment  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Macarthur Bart Transit Village Project And

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Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program

[\(11-0384\)](#)

2) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Function And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Macarthur Bart Transit Village And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program

[\(11-0384-1\)](#)

3) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Macarthur Bart Transit Village And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program

[\(11-0384-2\)](#)

4) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Macarthur Bart Transit Village, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program

[\(11-0384-3\)](#)

5) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program

[\(11-0384-4\)](#)

6) A Resolution Authorizing The City Of Oakland To Serve As Successor To The

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Housing Assets. Function And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program  
[\(11-0384-5\)](#)

7) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart Station Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program  
[\(11-0384-6\)](#)

8) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart Transit Village Project, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify. Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program  
[\(11-0384-7\)](#)

**The April 24, 2012 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-7.21-CC Subject: Ralphs/Food 4 Less ENA - 66th And San Leandro St.  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Ralphs/ Food 4 Less Grocery Company For Development Of A Supermarket And Fuel Station At 66th Avenue And San Leandro Street  
[\(11-0398\)](#)

**The April 24, 2012 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-7.22-CC Subject: Summer Food Service Program Grant Award  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Apply For, Accept, And Appropriate The Summer Food Service Program Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of Three Hundred Fifty Seven Thousand, One Hundred Thirty Five Dollars



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(\$357,135); And 2) To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed One Hundred Twenty Six Thousand, One Hundred Fifty Dollars (\$126,150); And 3) To Negotiate And Execute A Professional Service Agreement Between The City And Revolution Foods In An Amount Not To Exceed One Hundred Thirty Three Thousand, Nine Hundred Eighty Dollars (\$133,980) To Provide Food Services For The 2012 Summer Food Service Program For Children  
[\(11-0383\)](#)

**The April 24, 2012 Life Enrichment Committee approved recommendations; 4 Ayes**

S-7.23-CC Subject: COPS Technology Grant Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept And Appropriate Grant Funds An Amount Not To Exceed One Million Three Hundred And Twenty-Five Thousand Dollars (\$1,325,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) Fiscal Year 2010-2011 COPS Technology Grant Program, To The Oakland Police Department, 2) Authorizing The City Administrator To Enter Into A Two-Year Contract With Forensic Logic, Inc. For The Purchase Of Their Law Enforcement Analysis Portal (LEAP) Crime Analysis System, Software Licensing, Support, And Consulting Services, In An Amount Not To Exceed One Hundred Ninety-Five Thousand Dollars (\$195,000), And 3) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business Enterprise Program (L/SLB) Provisions For The Proposed Contract With Forensic Logic  
[\(11-0336\)](#)

**The April 24, 2012 Public Safety Committee approved recommendations; 4 Ayes**

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

**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: OMC Amendment – Department Names-  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC)-  
Chapter 2.29 "City Agencies, Departments And Offices" To Establish The Departments  
And Offices Of Housing And Community Development, Economic And Workforce  
Development, Neighborhood Investment, And Planning, Building And Neighborhood  
Preservation  
[\(11-0380\)](#)~~

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**This item was held in the Finance and Management Committee.**

9.2 Subject: 2012-2013 HUD Annual Action Plan  
From: Office Of Neighborhood Investment  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution-  
1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department  
Of Housing And Urban Development The Annual Action Plan For Fiscal Year-  
2012-2013; 2) Accepting And Appropriating Funds Totaling \$12,940,158.00 For The  
Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids-  
(HOPWA), And The Community Development Block Grant Programs; 3) Appropriating  
\$556,408.00 In Program Income , Reprogrammed Funds And Any Amounts In Excess-  
Thereof For Housing Rehabilitation Revolving Loan Fund; And 4) Authorizing The City  
Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Year-  
2012-2013 For The Community Development Block Grant Program  
[\(11-0397\)](#)

9.3 Subject: ~~City Of Oakland's Fiscal Year Consolidated Plan~~  
From: Department Of Human Services  
Recommendation: ~~Conduct A Public Hearing And Upon Conclusion Adopt A Resolution-  
Amending The City Of Oakland's Fiscal Year 2011-2012 Consolidated Plan Annual  
Action Plan Submitted To The U. S. Department Of Housing & Urban Development, To  
Include Additional Funds Awarded To The City Under The U. S. Department Of Housing  
& Urban Development's 2011 Homeless Emergency And Rapid Transition To Housing-  
(HEARTH) Emergency Solutions Grant (ESG), A Formula Grant (Formerly The  
Emergency Shelter Grant), Requiring A Substantial Amendment To The City's Fiscal  
Year 2011-2012 Annual Action Plan~~  
[\(11-0386\)](#)

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

10 Subject: United Service Workers West, Local 1877  
From: President Pro Tempore Ignacio De La Fuente  
Recommendation: Adopt A Resolution Supporting Janitors (SEIU - United Service  
Workers West, Local 1877) In Their Efforts To Secure A New Contract With Living  
Wage And Health Benefits  
[\(11-0451\)](#)

**This item was placed on this agenda by the April 26, 2012 Rules and  
Legislation Committee.**

11 Subject: OMC Amendment - Port Board Of Commission Authority  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Ordinance No. 8979 C.M.S. Which Is  
Codified At Oakland Municipal Code Chapter 2.08 To Clarify The Authority Of The Port  
Board Commissioners And The Oakland Civil Service Board With Regard To The  
Establishment, Modification, And Elimination Of Classifications Included In The City's  
Civil Service System  
[\(11-0373\)](#)

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**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE**

**Final Passage (Second Reading) is scheduled for May 15, 2012**

- 12        Subject:    Priority Project Funds Award Beautification Project  
            From:        Vice Mayor Nancy Nadel  
            Recommendation: Adopt A Resolution: (1) Authorizing An Immediate Grant Of \$2,500 From Councilmember Nancy Nadel's Priority Project Funds To The Koreatown/Northgate Community Benefit District To Offset Expenses Incurred For The Public Right Of Way Beautification Project On Telegraph Avenue From 20th To 27th Street, And (2) Amending Resolution No. 80283 C.M.S., Which Allocated \$60,000 Of Councilmember Nadel's Priority Project Funds To The City's Neighborhood Commercial Revitalization Program To Be Used To Hire An Executive Director For The West Oakland Main Street Program To Make The Priority Project Funds Available For Other Uses By Councilmember Nadel  
[\(11-0382\)](#)
- 13        Subject:    Depository And Custodial Banking Services Contract  
            From:        Councilmembers Brunner And Kaplan  
            Recommendation: Adopt A Resolution To Amend Resolution 82060 Rescinding The City Administrator's Authority To Extend The City's Primary Depository And Custodial Banking Services Contracts And To Require That Any Action To Extend Shall Come Back To The City Council For Approval  
[\(11-0300\)](#)
- 14        Subject:    Community Policing Advisory Board  
            From:        Office Of the Mayor  
            Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jennifer Pae And John Nichols And Appointment Of Alex Miller-Cole As Members Of The Community Policing Advisory Board  
[\(11-0363\)](#)
- 15        Subject:    Frazier Group, LLC - Complaints Review Investigation  
            From:        Oakland Police Department  
            Recommendation: Adopt A Resolution 1) Waiving The Advertising And Request For Proposals/Qualifications Requirements And 2) Authorizing The City Administrator On Behalf Of The City To Increase The Existing Contract With Frazier Group, LLC In The Amount Of Two Hundred Fifty Thousand Dollars (\$250,000) For Conducting Administrative Misconduct Investigations Related To Police Complaints Received During Occupy Oakland Events In The City Of Oakland  
[\(11-0352\)](#)

**This item was withdrawn and rescheduled from the April 3, 2012 City Council Agenda.**

- 16        Subject:    Emeryville Emergency Services Contract  
            From:        Oakland Fire Department

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Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into A Five-Year Contract With Alameda County Fire Department For The Oakland Fire Department To Provide Emergency Services Within The City Of Emeryville Boundary For The Period July 1, 2012 Through June 30, 2017, For The Amount Of One Hundred Forty-Five Thousand Eight Hundred And Seven Dollars (\$145,807) For The First Year, And For An Amount Of One Hundred Seventy Thousand Dollars(\$170,000) By The Fifth Year Of The Agreement, With Two-One Year Options To Extend In The Amount Of The Service Cost, But Not To Exceed The Percentage As Stated In The Most Current Labor Agreement, And 2) Enter Into A One-Year Agreement With Alameda County Fire Department For The Period July 1, 2012 Through June 30, 2013 For The Oakland Fire Department To Provide Fire Dispatch Services For The City Of Emeryville For The Amount Of Seventy thousand Dollars (\$70,000), Should Dispatch Services Be Required As Of July 1, 2012

[\(11-0402\)](#)

17

Subject: Salary Schedule Amendment - Fire Suppression Line Employees  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S (The Salary Ordinance) To Restore A 52-Hour Workweek To Fire Suppression Line Employees In Unit FQL Effective June 13, 2012

[\(11-0403\)](#)

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE**

**Final Passage (Second Reading) is scheduled for May 15, 2012**

18

Subject: Two Tier - Port Of Oakland Miscellaneous  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Ordinance Of The City Of Oakland To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To Provide New City Of Oakland And Port Of Oakland Miscellaneous Members Different Level Of Benefits (California Government Code Section 20475), 2.5% At 55 Full Formula (California Government Code Section 21354.4) And Three-Year Final Compensation (California Government Code Section 20037) Applicable To Local Miscellaneous Members Entering Membership For The First Time In The Miscellaneous Classification After The Effective Date Of This Amendment To Contract

[\(11-0409\)](#)

**This item was placed on this agenda pursuant to Rule 28a of Resolution 82580 C.M.S., Council's Rules of Procedures.**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE**

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**Final Passage (Second Reading) is scheduled for May 29, 2012 or a future date.**

2) Adopt A Resolution Approving A CalPERS Resolution Of Intention To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To Provide New City Of Oakland And Port Of Oakland Miscellaneous Members Different Level Of Benefits (California Government Code Section 20475), 2.5% At 55 Full Formula (California Government Code Section 21354.4) And Three-Year Final Compensation (California Government Code Section 20037) Applicable To Local Miscellaneous Members Entering Membership For The First Time In The Miscellaneous Classification After The Effective Date Of This Amendment To Contract  
[\(11-0409-1\)](#)

S-19

Subject: Open Data Policy

From: Councilmember Schaaf

Recommendation: Adopt A Resolution Directing The City Administrator To Develop A Plan For Evaluating And Disseminating Data Sets Generated Within City Departments As "Open Data" In Accessible Raw Formats Which Will Be Made Available To The Public Through A Designated Website And Will Lead To The Establishment Of A Comprehensive Open Data Policy  
[\(11-0235\)](#)

**The April 24, 2012 Finance and Management Committee approved recommendations as amended to change the language of the Resolution and the title to read: "That the Oakland City Council hereby directs the City Administrator to provide a report within 90 days on the cost and benefits of implementation of an open data system and an analysis of the steps necessary to implement an open data system."**

**The committee further directed staff to eliminate all other Further Resolves; 3 Ayes, 1 Excused - De La Fuente**

S-20

Subject: Montclair Garage Operation And Management Contract Extension

From: Office Of Budget

Recommendation: Adopt A Resolution Waiving The Informal Advertising And Request For Proposals/Request For Qualifications ("RFP/RFQ") Requirements And Authorizing The City Administrator To Continue To Extend The Existing Contract On A Month-To-Month Basis For A Period Of Eight Months From May 1, 2012 Through December 31, 2012 At A Compensation Rate Of Up To \$15,900.00 A Month (Including A \$900.00 Per Month Management Fee And Up To \$15,000.00 A Month In Garage Operating Expenses) With A Total Not-To-Exceed Contract Amount Of \$127,200.00 With The Montclair Village Association For The Operation And Management Of Montclair Garage Located On 6235 La Salle And Scout Lot Located On 2250 Mountain Boulevard Until A New Parking Facility Operator Is Selected Through A Competitive Process  
[\(11-0393\)](#)

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**The April 24, 2012 Finance and Management Committee approved recommendations and directed staff to specify the date for the issuance of the RFP at April 30, 2012 Council meeting; 3 Ayes, 1 Excused - De La Fuente**

S-21 Subject: Army Base Community Benefits Program Recommendations  
From: Office Of Neighborhood Investment  
Recommendation: Receive A Report And Approve Recommendations That The City Council: Direct Staff To Include The Environmental And Green Development Recommendations From The Army Base Community Benefits Workshops Convened By Vice Mayor Nadel In 2011, Through The City's Standard Conditions Of Approval Imposed On All Development Projects And/Or The California Environmental Quality Act (CEQA) Mitigation Measures; And/Or Other Measures; And Make A Commitment To Ongoing Air Quality Monitoring At The Oakland Army Base.  
[\(11-0374\)](#)

**The April 24, 2012 Community and Economic Development Committee received the report and approved staff recommendations to negotiate with the developer and directed staff to return to a future Community and Economic Development Committee with a report on how all Community Benefits are to be implemented; 3 Ayes; 1 Excused - De La Fuente**

S-22 Subject: Trade Corridor Improvement Fund Baseline Agreement Amendment  
From: Office Of Neighborhood Investment  
Recommendation: Adopt The Following Resolutions:  
(1) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The California Transportation Commission (CTC) Trade Corridor Improvement Fund (TCIF) Baseline Agreement Between The Port Of Oakland (Port) And CTC Regarding The Oakland Army Base Project, To Add The City As A Party And As A Grant Recipient, To Combine The Two TCIF Grant Allocations Into One \$242.1 Million Allocation, To Change The Scope And Areas Of The Former Oakland Army Base Where TCIF Funds Will Be Used, And To Identify Funding Sources To Match The TCIF Grant; And  
[\(11-0400\)](#)

**The April 24, 2012 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

(2) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The Cost Sharing Agreement Between The Oakland Redevelopment Agency (Agency) And The Port Of Oakland Pertaining To Infrastructure Improvements At The Former Oakland Army Base, To Reflect The Transfer Of The Property From The Agency To The City Of Oakland, To Acknowledge An Amendment To The Trade Corridor Improvement Funds (TCIF) Baseline Agreement, To Establish Respective Roles And Responsibilities Between The Port And City As To Grant Funding; To Identify The Funding Sources To Match The TCIF Grant; And To Commit An Additional \$22.5 Million In City Funds To Match The TCIF Grant  
[\(11-0400-1\)](#)

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**The April 24, 2012 Community and Economic Development Committee approved recommendations as amended to delete every instance of "and execute" from the resolution and approved the terms sheet which will allow staff to proceed with negotiations.**

**The committee directed staff to provide in a supplemental to the April 30, 2012 Special City Council, a terms sheet that highlights the terms that have changed from the previous iteration of the agreement; 3 Ayes, 1 Excused - De La Fuente**

S-23      Subject:      Sunfield Development LLC - DDA Property Seminary And Foothill  
From:          Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Authorizing A Disposition And Development Agreement With Sunfield Development, LLC, For The Sale Of Property At Foothill Boulevard And Seminary Avenue For \$6,000 For Development As A Retail Shopping Center, And Allocating \$150,000 For Remediation Of The Site  
(11-0372)

**The April 24, 2012 Community and Economic Development Committee approved recommendations; 2 Ayes; 1 Abstain - Kernighan; 1 Excused - De La Fuente**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE**

**Final Passage (Second Reading) is scheduled for May 15, 2012.**

S-24      Subject:      Crime Reduction Strategic Plan  
From:          Oakland Police Department  
Recommendation: Action On A Report From The Office of Chief of Police Providing an Update On The Oakland Police Department Strategic Plan And Other Crime Reduction Strategies Including The 100 Blocks Initiative  
(11-0367)

**The April 24, 2012 Public Safety Committee received and forwarded the report to the April 30, 2012 Special City Council Agenda. The Committee directed staff to return to the May 22, 2012 Public Safety Committee with a report on the previous 90-day program which includes crime statistics (possibly by beat) for homicides, shootings, robberies, and burglaries. The Committee further directed staff to:**

- 1. Work towards implementing a "cease fire" program that closely mirrors the Kennedy model, including "the carrot and the stick"**
- 2. Present a report to ABAG on the availability of guns in the region**
- 3. Continue to cooperate closely with ATF**

**Schedule through Rules a report on the 2010 - 2011 clearance rate for part 1 crimes and a comprehensive report on guns and gun crimes in Oakland and strategies to respond to them; 4 Ayes**

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S-25 Subject: Oakland-Alameda County Coliseum Authority Bond Issuance  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Relating To The Issuance Of One Or More Series Of Bonds By The Oakland-Alameda County Coliseum Authority For The Purpose Of Refunding The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds (Oakland Coliseum Project) 2000 Refunding Series C-1 And 2000 Refunding Series C-2; Approving Execution And Delivery By The City Of A Letter Of Representations; Approving The Form And Distribution Of An Official Statement; And Approving The Taking Of All Necessary Actions In Connection Therewith  
(11-0376)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

S-26 Subject: Oakland-Alameda County Coliseum Authority's Lease Revenue Bonds  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Regarding The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds (Oakland Coliseum Arena Project) 1996 Series A-1 And 1996 Series A-2, Approving The Form And Authorizing The Execution And Delivery By The City Of Oakland Of One Or More Letters Of Representations; Approving Such Other Documents And The Taking Of All Necessary Actions By The City In Connection With A Restructuring, Including The Replacement Of One Or More Letters Of Credit And Approving The Form And Distribution Of A Remarketing Memorandum In Respect Of The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds; And Approving The Taking Of All Necessary Actions In Connection Therewith  
(11-0377)

**The April 24, 2012 Finance and Management Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente**

## 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)

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.

Office of the City Clerk - Agenda Management Unit  
Phone: (510) 238-3226



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Fax: (510) 238-6699

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(TTD)

**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 8:30AM TO 5:00PM**

**LaTonda Simmons  
City Clerk and  
Clerk of the Council**