

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

Vice Mayor Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Texas Helene Hurd Nixon, Mother in law of Councilmember Jane Brunner, Councilmembers Brooks and Pro Tempore De La Fuente requested association with this Tribute

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Stan Hall

Councilmember Kernighan took a point of personal privilege and requested that the meeting be adjourned in memory of Don LittleCloud Davenport and Alejandro Aguilera. Councilmember Brooks requested association with the Tribute for Don LittleCloud Davenport. Pro Tempore De La Fuente requested association with the Tribute for Alejandro Aguilera.

Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Dennis Dohnagin.

Councilmember Brooks made a motion seconded by Councilmember Nadel to approve the urgency finding on item 4.1 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.

- 4.1 Subject: National Top Ten Public Works Leaders Of The Year - Troyan
From: Council President Larry Reid
Recommendation: Adopt A Resolution Honoring Public Works Director Vitaly Troyan P.E. For Being Named To The American Public Works Association (APWA) National Top Ten Public Works Leaders Of The Year
[11-0489](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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4.2 Subject: Honoring Tanya Holland
From: Vice Mayor Nadel
Recommendation: Adopt A Resolution Honoring Tanya Holland For Her Significant Role In
Creating Community And Establishing Oakland As A Culinary Center
[11-0492](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF THE May 15, 2012

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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):

At the request of the Administration, item 17 will be withdrawn and rescheduled to the June 19, 2012 City Council agenda

Councilmember Brooks made a motion seconded by Council President Pro Tempore to withdraw item 7.23 and reschedule the matter to the June 19, 2012 City Council agenda

7. CONSENT CALENDAR (CC) ITEMS:

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency
Syndrome ("AIDS") Epidemic
[11-0505](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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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
[11-0506](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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7.3-CC Subject: Settlement Agreement - Kyrha Dahan
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Kyrha Mariah Dahan V. City Of Oakland, Et Al.,
Alameda County Superior Court Case No. RG11-565182, In The Amount Of \$18,500.00 As A
Result Of A Trip-And Fall Adjacent To 1615 Chestnut Street In Oakland On June 22, 2010
(Public Works Agency - Trip And Fall)
[11-0529](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

7.4-CC Subject: Budget Advisory Appointment - Zavala
From: Councilmember Brunner
Recommendation: Adopt A Resolution Appointing Richard Zavala As A Member Of The Budget Advisory Committee For The Term Beginning May 25, 2012 And Ending May 24, 2014
[11-0491](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.5-CC Subject: Cabaret Permits
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12 Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years And To Set Out Procedures For Immediate Suspension Of Any Cabaret Permit To Protect Patrons Or The Public
[11-0446](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.6-CC Subject: Tax And Revenue Anticipation Notes - 2012 -2013
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An Amount Not To Exceed \$85,000,000 And The Issuance And Sale Of 2012-2013 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters
[11-0435](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.7 ~~Subject: Vacant Residential Property Registration Program Amendment~~
~~From: Councilmember Brunner~~
~~Recommendation: Adopt The Following Pieces Of Legislation:~~
~~1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings To The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements And To Provide For Abatement Of Blight And Nuisances At Such Properties~~
~~[11-0429](#)~~

This Matter was *Withdrawn and Rescheduled on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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~~2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To
Establish New Fees For Registering Defaulted And Foreclosed Residential Properties
[11-0429-2](#)~~

This Matter was *Withdrawn and Rescheduled on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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7.8-CC 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](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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7.9-CC Subject: BAC Appointment - Henderson
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Appointing Ed Henderson To The Budget Advisory
Committee, As A Finance And Management Committee Representative, For The Term
Beginning May 26, 2011 And Ending May 25, 2013
[11-0497](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf
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7.10-CC Subject: Beliveau Engineering Contract-Trash Control Units
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc., The Lowest Responsive, Responsible Bidder For The Installation Of Stormwater Trash Control Units On High Street Near Tidewater Avenue And On Alameda Avenue Near Fruitvale Avenue (Project No. C424420) In The Amount Of Seven Hundred Forty Three Thousand And Two Hundred Dollars (\$743,200.00) And In Accord With Contractor's Bid
[11-0460](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.11-CC Subject: MacArthur BART Residential Permit Parking
From: Public Works Agency
Recommendation: Adopt A Resolution To Establish Residential Permit Parking Area "N" Near The Macarthur Bart Station
[11-0461](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.12-CC Subject: Linked Banking Services Certification
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Certifying Banks That Have Met Their 2011 Fair Share Goals Pursuant To The City's Linked Banking Services Ordinance
[11-0465](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.13-CC Subject: CALReUSE Strategic Partnership Agreement
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution To Authorize The City Administrator To Execute A Strategic Partnership Agreement With State Treasurer's Office, California Pollution Control Financing Authority, For The CALReUSE Environmental Assessment Loan Program
[11-0483](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.14-CC Subject: Brownfield Cleanup Revolving Loan Fund Closeout
From: Office Of Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:
1. A Resolution To Authorize The City Administrator To Execute A Close Out Agreement With The U.S. Environmental Protection Agency, Region 9, For The Brownfield Cleanup Revolving Loan Fund, Allowing The City Of Oakland Autonomy, While Committing To Follow EPA Eligibility And Environmental Standards, In The Execution Of Grants And/Or Loans To Private And Non-Profit Entities For The Environmental Clean-Up Of Contaminated Property; And
[11-0482](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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2. A Resolution To Authorize The City Administrator To Approve And Execute A Grant Agreement With The East Bay Asian Local Development Corporation In An Amount Up To \$260,000 For Environmental Clean-Up Of Contaminated Lands For The Future Development Of Affordable Housing In West Oakland
[11-0482-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.15-CC Subject: Eden I&R 2-1-1 Telephone Line Services Contract
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Competitive Process And Enter Into A Professional Services Contract With Eden I & R For The Provision Of 2-1-1 Telephone Line Services In The Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) Per Year For Fiscal Years 2011-2012 And 2012-2013 For A Total Contract Amount Of Two Hundred Thousand Dollars (\$200,000)
[11-0463](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.16-CC Subject: Head Start Training And Technical Grants
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2012-2013 From The U.S. Department Of Health And Human Services, Administration For Children And Families (In The Estimated Amount Of \$18,352,486 And Authorizing Grant Agreements With The Unity Council In The Estimated Amount Of \$4,973,177 And Salvation Army For The Estimated Amount Of \$259,891 And Brighter Beginnings In The Estimated Amount Of \$488,763 And Children's Hospital-Oakland In The Estimated Amount Of \$45,000 To Fund Comprehensive Child Development Services In Accord With Said Grants With: 1) Unity Council In An Estimated Amount Of Four Million Nine Hundred Seventy Three Thousand One Hundred Seventy Seven Dollars (\$4,973,177); 2) The Salvation Army In An Estimated Amount Of Two Hundred Fifty Nine Thousand Eight Hundred Ninety One Dollars (\$259,891); 3) Brighter Beginnings In An Estimated Amount Of Four Hundred Eighty Eight Thousand Seven Hundred Sixty Three Dollars (\$488,763); 4) Children's Hospital Oakland In An Estimated Amount Of Forty Five Thousand Dollars (\$45,000); 5) Authorizing The City Administrator To Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And To So Amend The Grant Agreements With Unity Council, Salvation Army, Brighter Beginnings, And Children's Hospital, Oakland, Without Returning To Council; And 6) To Review And Approve Oakland Head Start/Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually
[11-0421](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.17-CC Subject: OFCY Evaluations
From: Department Of Human Services
Recommendation: Receive An Informational Report From The Planning And Oversight Committee Of The Oakland Fund For Children And Youth And Submission Of The OFCY Evaluation 2010-2011 Final Reports And 2011-2012 Interim Reports
[11-0484](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.18-CC Subject: Automatic Emergency Aid Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Automatic Aid Agreement With Multiple Federal, State, And Local Emergency Response Agencies Throughout The San Francisco Bay Region For Responses To Marine Emergencies
[11-0466](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.19-CC Subject: Amicus Brief - Regulation Of Medical Cannabis Dispensaries
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland, To Join In An Amicus (Friend Of The Court) Brief In The Pack V. City Of Long Beach (B228781) Appeal To The California Supreme Court To Maintain A City's Ability To Regulate Medical Cannabis Dispensaries
[11-0528](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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7.20-CC Subject: Classification Amendment- Law Corps Attorney
From: Department Of Human Resources Management
Recommendation: Adopt The Following Two Pieces Of Legislation:
1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Neighborhood Law Corps Attorney;
[11-0462](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the * Meeting of the Oakland City Council, to be heard at the June 19, 2012 meeting on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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2) A Resolution Recommending That The Civil Service Board Exempt The Classification Of Neighborhood Law Corps Attorney From The Operation Of The Civil Service System
[11-0462-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.21-CC Subject: Settlement Agreement - Ida And Joe Scodella
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ida And Joe Scodella V. City Of Oakland, Alameda County Superior Court Case No. RG10552641, City Attorney's File No. 27787, In The Amount Of Forty-Five Thousand Dollars And No Cents (\$45,000.00). (Public Works - Trip And Fall)
[11-0530](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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7.22-CC Subject: Settlement Agreement - Alameda County v. City of Oakland- General Parking Taxes
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Settlement Of County Of Alameda V. City Of Oakland, City Of Oakland V. County Of Alameda (San Francisco Superior Court Case No. CPF-11-511142, Previously Alameda Superior Court Case No. RGO9460907), By: (1) Payment To The County Of Alameda Of 50% Of The Parking Taxes Collected At The Oakland-Alameda County Coliseum (Coliseum) Pursuant To Oakland Municipal Code (OMC) Section 4.16.030 (The 10% General Parking Taxes), Which Is \$1,121,115 From July 1, 2009 Through April 30, 2012, (2) Remittance To The Oakland-Alameda County Coliseum Authority (Coliseum Authority), On A Going-Forward, Basis As Of May 1, 2012, Of The 10% General Parking Taxes Collected At The Oakland-Alameda County Coliseum, (3) Retention By The City Of The Parking Surtax Collected At The Coliseum Pursuant To OMC Section 4.16.031 (The 8.5% Special Tax), (4) Agreement By The Parties To Work Cooperatively Through The Coliseum Authority To Oppose Any Rent Deduction Claims By The Coliseum Authority's Licensees, And (5) Dismissal Of The Litigation Between The City And County (Finance And Management Agency; Parking Taxes Imposed Under OMC Chapter 4.16)
[11-0531](#)

A motion was made that this matter be Adopted as Amended. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Noes: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 5 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Passed The Consent Agenda

A motion was made by Councilmember Schaaf, seconded by Councilmember Kernighan, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

S-7.23 Subject: Safe Medication Disposal Support
From: Councilmembers Brunner And Brooks
Recommendation: Adopt A Resolution Of Support For Extended Producer Responsibility And
The Alameda County Safe Medication Disposal Ordinance, Which Would Require Producers
Selling Pharmaceutical Drugs In Alameda County To Participate In A Drug Stewardship
Program
[11-0490](#)

**Withdrawn and Rescheduled to * Meeting of the Oakland City Council on
6/19/2012**

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

**A motion was made by Vice Mayor Nadel, seconded by Councilmember
Kernighan, to *Approve as Submitted the report of Council of 4 final
decisions made during closed session. The motion carried by the following
vote:**

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of
the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Vice Mayor Nadel and Councilmember Schaaf

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

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

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened
at 6:41 p.m.*

No individuals spoke on this item.

*Councilmember Brooks made a motion, seconded by Councilmember Kaplan,
to close the Public Hearing, and upon call of the roll, the motion passed by
Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and
Schaaf - 6 Excused: Brunner, President Reid -2*

9.1 Subject: LLAD Annual Report And Assessments
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping
And Lighting Assessment District For Fiscal Year 2012-13 And The Levying Of Assessments
[11-0494](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 6:42 p.m.

No individuals spoke on this item.

Councilmember Brooks made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and upon call of the roll, the motion passed by Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and Schaaf - 6 Excused: Brunner, President Reid -2

9.2 Subject: WPAD Annual Report And Assessments
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Confirming The Information In The Annual Report For The City Of Oakland Wildfire
Prevention Assessment District For Fiscal Year 2012-13 And The Levying Of Assessments
[11-0493](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 6:43 p.m.

No individuals spoke on this item.

Councilmember Schaaf made a motion, seconded by Councilmember Kernighan, to close the Public Hearing, and upon call of the roll, the motion passed by Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and Schaaf - 6 Excused: Brunner, President Reid -2

9.3 Subject: Emergency Medical Services Measure M
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M)
[11-0478](#)

A motion was made by Councilmember Schaaf, seconded by Councilmember Kernighan, 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 June 19, 2012 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 6:44 p.m.

No individuals spoke on this item.

Vice Mayor Nadel made a motion, seconded by Councilmember Schaaf, to close the Public Hearing, and upon call of the roll, the motion passed by Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and Schaaf - 6 Excused: Brunner, President Reid -2

9.4 Subject: Paramedic Emergency Services Measure N
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The Paramedic Services Act Of 1997 (Measure N)
[11-0479](#)

A motion was made by Vice Mayor Nadel, seconded by Councilmember Schaaf, that this matter be Approved On Introduction and Scheduled for Final Passage to the * Meeting of the Oakland City Council, to be heard at the June 19, 2012 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 6:45 p.m.

No individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Councilmember Brooks, to close the Public Hearing, and upon call of the roll, the motion passed by Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and Schaaf - 6 Excused: Brunner, President Reid -2

9.5 Subject: Library Services Retention And Enhancement Act Measure Q
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q)
[11-0480](#)

A motion was made by Councilmember Kaplan, seconded by Councilmember Brooks, 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 June 19, 2012 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 6:46 p.m.

1 individual spoke on this item.

Councilmember Kaplan made a motion, seconded by Vice Mayor Nadel, to close the Public Hearing, and upon call of the roll, the motion passed by Ayes: Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, and Schaaf - 6 Excused: Brunner, President Reid -2

9.6 Subject: Violence Prevention And Public Safety Act Measure Y
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Violence
Prevention And Public Safety Services, In Accordance With The Consumer Price Index, And
Pursuant To The Violence Prevention And Public Safety Act Of 2004 (Measure Y)
[11-0481](#)

A motion was made by Councilmember Kaplan, seconded by Vice Mayor Nadel, 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 June 19, 2012 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Single Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Single Audit Report For
The Fiscal Year Ended June 30, 2011
[11-0432](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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12 Subject: Effects On Redevelopment Projects And Funds
From: Councilmember Brunner
Recommendation: Action On A Report On The State's Efforts To "Clawback" Redevelopment Funds And The Effects On Redevelopment Projects And Funds
[11-0501](#)

***Withdrawn and Rescheduled to * Meeting of the Oakland City Council on 6/19/2012**
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13 Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended March 31, 2012
[11-0477](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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14 Subject: Two Tier - Port Of Oakland Miscellaneous
From: Office Of The City Administrator
Recommendation: Adopt 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](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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15 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](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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16 Subject: Zero Waste RFP Economic Benefit Measures
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting Zero Waste System Request For Proposals Economic Benefit Measures: Competitive Wages And Benefits, Job Retention, Local Business Participation, Local Hire Preference Points, Labor Peace, In-County Landfill Preference Points; And Seeks Proposals From All Qualified Firms To Establish Competition To Avoid Significant Additional Costs To City Rate Payers [TITLE CHANGE]
[11-0379](#)

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17 Subject: Sale Of Pension Obligation Bonds
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The Issuance And Sale Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 For The City Of Oakland Police And Fire Retirement System (PFRS) And Approving Certain Related Matters; And [TITLE CHANGE]
[11-0431](#)

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2) A Resolution Approving The Issuance And Sale Of Not To Exceed \$250,000,000 Aggregate Principal Amount Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 For The City Of Oakland Police And Fire Retirement System (PFRS); Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Third Supplemental Trust Agreement, Funding Agreement, Pension Obligation Debenture, | Continuing Disclosure Certificate And Bond Purchase I Contract; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto
[11-0431-1](#)

Withdrawn and Rescheduled to * Meeting of the Oakland City Council on 6/19/2012

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18 Subject: OFCY Grant Renewal
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2012-2013 In An Amount Not To Exceed \$9,859,152
[11-0485](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf
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19 Subject: Violence Prevention Grant Agreements
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Violence Prevention Services For The Period July 1, 2012 To June 30, 2013, With Two One Year Options To Renew In Accordance With The Measure Y Violence Prevention And Public Safety Act, In An Amount Not To Exceed \$5,475,000; Additional Street Outreach Services Through The Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention (OJJDP) In An Amount Not To Exceed \$204,000 For The Period July 1, 2012 To September 30, 2013, And A One-Time Grant In The Amount Of \$225,000 To Alameda County Health Care Services Agency For A Safe House For Commercially Sexually Exploited Children From Measure Y Carryforward Funds
[11-0486](#)

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

Votes: ORA\Councilmember Excused: 2 - Councilmember Brunner and President of the Council Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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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 Texas Helene Hurd Nixon, Stan Hall, Don LittleCloud Davenport, Alejandro Aguilera, and Dennis Donagin at 8:26 p.m.

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