



# 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

## Meeting of the Oakland City Council

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Tuesday, March 20, 2012

5:30 PM

City Council Chambers, 3rd Floor

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1 Pledge of Allegiance

*The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:00 pm.*

2 Roll Call / ORA & Council  
COUNCIL MEMBERS:

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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

*There were 18 speakers during open forum.*

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

*There were 2 speakers on this item.*

4.1 ~~Subject: Marcel Uzegbu Retirement  
From: Council Member Brooks, Council President Reid, and Pro Tem De La Fuente  
Recommendation: Adopt A Resolution Acknowledging The Retirement Of Marcel Uzegbu After Twenty Six Years Of Dedicated Service To The City Of Oakland  
11-0323~~

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4.2 Subject: Oakland Walk Of Fame  
From: Council Member Nancy Nadel  
Recommendation: Adopt A Ceremonial Resolution Commending And Recognizing The "Music They Played On 7th Street, Oakland Walk Of Fame" As A Permanent Historical Piece Of 7th Street In The City Of Oakland  
11-0328

**\*Withdrawn with No New Date**

*There were 1 speaker on this item.*

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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING HELD on March 6, 2012
- A motion was made by Councilmember Kaplan, seconded by Councilmember Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

- 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):
- There was no action necessary for this item.*

**7. CONSENT CALENDAR (CC) ITEMS:**

**ALL ITEMS DENOTED WITH AN S- WERE ADDED PURSUANT TO RULE 28a OF RESOLUTION 82580 C.M.S., COUNCIL'S RULES OF PROCEDURE**

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  
[11-0318](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, 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  
[11-0319](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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7.3-CC Subject: Parks And Recreation Advisory Commission Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Judith Belcher, Barry Miller And Ellen Wu And Appointment Of Paul Rosenbloom, Toshia Marshall, Mandolin Kadera-Redmond And Faith Du Bois To The Parks And Recreation Advisory Commission  
[11-0320](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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7.4-CC Subject: PFRS Board Designation  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution (1) Rescinding Resolution Number 83195 C.M.S. Which Authorized The Director Of The Finance And Management Agency To Serve As The Mayor's Designee On The Police And Fire Retirement Board And (2) Approving The Mayor's Designation Of The Controller To Serve In The Mayor's Place And Stead As A Member Of The Police And Fire Retirement Board  
[11-0326](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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7.5-CC Subject: Public Art Advisory Committee Appointment - Cummings  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Allison Cummings As A Member Of The Public Art Advisory Committee  
[11-0325](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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7.6-CC Subject: Settlement Agreement - DeGuzman  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Deguzman V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG07355626, City Attorney's File No. 25715, In The Amount Of Three Hundred Ninety-Eight Thousand Five Hundred Dollars (\$398,500.00). (Public Works Agency) - Inverse Condemnation/Dangerous Condition  
[11-0346](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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S-7.7-CC Subject: Housing Related Parks Program  
From: Department Of Housing And Community Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The California Department Of Housing And Community Development In An Amount Not To Exceed \$600,000 For The Housing Related Parks Program (Program Years 2010-2011)  
[11-0299](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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S-7.8-CC Subject: Cultural Services Grants  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Sixty-Two (62) Cultural Services Grants To Fifty-Two (52) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2011-2012 In A Total Amount Not To Exceed \$854,862.00  
[11-0312](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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S-7.9-CC Subject: Mccullum Youth Court Agreement  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed \$172,141 From The State Of California, Corrections Standards Authority, Title II Formula Grant Program To The Oakland Police Department, 2) Waive The Competitive Request For Proposals/Qualifications (Rfp/Q) Process, And 3) Enter Into A Professional Services Agreement With Mccullum Youth Court For The Period January 1,2012 Through December 31, 2012, With Two-One Year Options To Extend, In An Amount Not To Exceed \$83,638 Annually For Continued Program Implementation Of The Oakland Youth Court  
[11-0298](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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S-7.10-CC Subject: Measure Y Violence Prevention Report  
From: Finance And Management Agency  
Recommendation: Receive An Informational Report Presenting The Measure Y - Violence Prevention & Public Safety Act Of 2004 Audit And Program Status Report For Fiscal Year Ended June 30, 2011  
[11-0268](#)

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

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
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S-7.11-CC Subject: Newly Built Fire Truck Purchase  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator Or Her Designee To Accept And Appropriate Grant Funds From The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance To Firefighters Grant (AFG) Program For The Period Of December 30, 2011 To December 29, 2012 In The Amount Of Seven Hundred Eighty-Nine Thousand Three Hundred Sixty Dollars (\$789,360) With Matching City Of Oakland Funds In The Amount Of One Hundred Ninety-Seven Thousand Three Hundred Forty Dollars (\$197,340) For The Purchase Of A Newly Built Fire Truck; 2) Approving The Expenditure Of Matching City Of Oakland Funds In The Amount Of One Hundred Ninety Seven Thousand Three Hundred Forty Dollars (\$197,340); 3) Waiving The Advertising And Competitive Bidding Requirements; And 4) Awarding A Contract To Pierce Manufacturing Incorporated Via Golden State Apparatus, Incorporated In An Amount Not To Exceed Nine Hundred Thirty-Two Thousand Dollars (\$932,000), For The Purchase Of A Newly Built Fire Truck And In Compliance With City Of Oakland Purchasing Policies And Procedures.

[11-0296](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, 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 Brooks, seconded by Councilmember Kaplan, to \*Approve as Submitted, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf

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

**A motion was made by Councilmember Kaplan, seconded by Councilmember Schaaf, to \*Approve as Submitted the report of the City Attorney of final decisions made during closed session and confirmation of no non-confidential closed session discussion. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, 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:**

- 9.1 -Subject: Newly Built Fire Truck Purchase  
From: Oakland Fire Department  
Recommendation: ~~Adopt A Resolution 1) Authorizing The City Administrator Or Her Designee To Accept And Appropriate Grant Funds From The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance To Firefighters Grant (AFG) Program For The Period Of December 30, 2011 To December 29, 2012 In The Amount Of Seven Hundred Eighty Nine Thousand Three Hundred Sixty Dollars (\$789,360) With Matching City Of Oakland Funds In The Amount Of One Hundred Ninety Seven Thousand Three Hundred Forty Dollars (\$197,340) For The Purchase Of A Newly Built Fire Truck; 2) Approving The Expenditure Of Matching City Of Oakland Funds In The Amount Of One Hundred Ninety Seven Thousand Three Hundred Forty Dollars (\$197,340); 3) Waiving The Advertising And Competitive Bidding Requirements; And 4) Awarding A Contract To Pierce Manufacturing Incorporated Via Golden State Apparatus, Incorporated In An Amount Not To Exceed Nine Hundred Thirty Two Thousand Dollars (\$932,000), For The Purchase Of A Newly Built Fire Truck And In Compliance With City Of Oakland Purchasing Policies And Procedures.~~

~~11-0296~~

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*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:32 p.m.*

*There were 2 individuals spoke on this item.*

*Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf - 7 Absent: President Reid -1*

9.2 Subject: Local Hazard Mitigation Plan  
From: Department Of Planning And Neighborhood Preservation  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Approving The Association Of Bay Area Governments' Report "Taming Natural Disasters" As Oakland's Local Hazard Mitigation Plan  
[11-0313](#)

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

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
*Council President Reid was noted present at 7:38 pm*

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*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:32 p.m.*

*There were 5 individuals spoke on this item.*

*Agency/Councilmember Brunner made a motion, seconded by Agency/Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf and President Reid - 8*



9.3 Subject: Amending Master Fee For Mobile Food Vending Parking Use  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Establish Or Modify Fees Assessed By The Office Of The City Administrator To Establish An Interim Mobile Food Vending Parking Use Fee For Permits Issued Pursuant To Chapter 5.51  
[11-0292-1](#)

**A motion was made by Councilmember Brunner, 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 April 3, 2012 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:40 p.m.*

*2 individuals spoke on this item.*

*Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember Kernighan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid*  
-8

9.4 Subject: Secondhand Jewelry Dealers Moratorium Extension  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt Extension Of Ordinance No. 13095 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of Businesses Engaged In And/Or Conducting Buying, Selling, And/Or Exchanging Old Gold, Old Silver, Platinum Or Articles Of Platinum, Silverware, Secondhand Jewelry Or Other Precious Metals Or Stones (Secondhand Jewelry Dealers), Through September 4, 2012 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First

[11-0337](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:45 p.m.*

*1 individual spoke on this item.*

*Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Nadel, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid*

*-8*

9.5

Subject: Delinquent Mandatory Garbage Fees  
From: Finance And Management Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[11-0321](#)

**A motion was made by President of the Council Reid, seconded by Vice Mayor Nadel, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or

[11-0321-1](#)

**Not Adopted**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection

[11-0321-2](#)

**Not Adopted**

*Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 7:49 p.m.*

*X individuals spoke on this item.*

*Council President Reid made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

9.6 Subject: Delinquent Real Property Transfer Taxes  
From: Finance And Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[11-0322](#)

**A motion was made by President of the Council Reid, seconded by Councilmember Kaplan, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 4.20 Of The Oakland Municipal Code; Or  
[11-0322-1](#)

**Not Adopted**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection  
[11-0322-2](#)

**Not Adopted**

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

10 THIS NUMBER INTENTIONALLY NOT USED

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11 Subject: Oakland High School Career Pathway And Community Collaborative  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute Grant Agreements With The Spanish Speaking Citizens Foundation In An Amount Not To Exceed \$226,241, Oakland Unified School District In An Amount Not To Exceed \$8,000, Laney College In An Amount Not To Exceed \$10,000 And Private Industry Council In An Amount Not To Exceed \$26,000, And To Appropriate \$19,639 For Fiscal Management Costs To The City Of Oakland To Administer The Grant, Provide Project Oversight, Management And Liaison Work With State Grant Administrators, From The California Emergency Management Agency (Cal-EMA) Grant Funds For The Oakland High School Career Pathway And Community Collaborative At Fremont High School And Castlemont High School  
[11-0343](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Adopted as Amended to delete the 4th Further Resolved in the resolution, to add a further resolved that provides that no spending shall occur above \$383,000; and an additional Further Resolved that states:" BE IT FURTHER RESOLVED, that no payments shall be issued to any of the listed grantees without the City first obtaining and verifying information that details; 1) The number of youth served, 2) The services received by the Youth participating in the program; 3) Hours of participation in the program by each youth participant, and 4) Number of youth placed in positions of paid employment". The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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12 Subject: Vice Mayor Appointment  
From: Council President Larry Reid  
Recommendation: Adopt A Resolution For The City Council To  
Appoint \_\_\_\_\_ As Vice Mayor For The City Of Oakland, Term  
Commencing From \_\_\_\_\_, 2012, Until \_\_\_\_\_, 2012  
[11-0311](#)

**A motion was made by Councilmember Schaaf, seconded by Councilmember Brooks, that this matter be Adopted as Amended to appoint Councilmember Nadel as the Vice - Mayor for the City of Oakland for the remainder of the term beginning March 20, 2012 through December 31, 2012 The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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13 Subject: Supporting Assembly Bill 828  
From: Councilmember Nadel  
Recommendation: Adopt A Resolution In Support Of AB 828 (Swanson), Which Would End The Lifetime Ban On Benefits And Services Provided Through The CalFresh Program, Formerly Known As Food Stamps, For People Who Have A Prior Drug-Related Felony Conviction  
[11-0344](#)

**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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14 Subject: Supporting Senate Bill 1060  
From: Councilmember Nadel  
Recommendation: Adopt A Resolution In Support Of SB 1060 (Hancock), Which Would End The Lifetime Ban On Benefits And Services Provided Through The California Work Opportunity And Responsibility To Kids (CalWORKS) Program For People Who Have A Prior Drug-Related Felony Conviction As Long As They Are Participating In Or Have Successfully Completed A Government Recognized Treatment Program  
[11-0345](#)

**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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15 Subject: Support Of Senate Bill 1545  
From: Council President Reid And Councilmember Kaplan  
Recommendation: Adopt A Resolution In Support Of Senate Bill 1545 (DeSaulnier) That Would Prohibit Public Money From Being Used On The Development Or Improvement Of An Office Building At 390 Main Street, San Francisco, Until After The State Auditor Has Completed A Specified Audit Relating To The Move Of The Headquarters Of The Metropolitan Transportation Commission  
[11-0324](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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16 Subject: Support Of Assembly Bill 1831  
From: Council Member Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of AB 1831 (Dickinson/Swanson), Which Expands California's "Ban The Box" Policy For State Public Employees To City And County Workers Across The State  
[11-0327](#)

**A motion was made by Vice Mayor Nadel, seconded by President Pro Tempore De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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17 Subject: Sanjiv Handa Sunshine Ordinance  
From: President Reid and Vice Mayor Brooks  
Recommendation: Adopt An Ordinance Amending Ordinance No. 11957 C.M.S., As Amended By Ordinance No. 12483 C.M.S., To Change The Citation And Title Of The "Oakland Sunshine Ordinance" To The "Sanjiv Handa Oakland Sunshine Ordinance" In Memory Of Sanjiv Handa, A Longtime Oakland Resident Who Devoted More Than 20 Years Of His Life To Advocating For Open Government And Transparency To Assure That Deliberations Of The City's Council, Commissions, Boards, And Advisory Bodies And The City's Operations Were Open To The Public  
[11-0236](#)

**A motion was made by Councilmember Brooks that this matter be Approved for Final Passage. The motion failed by the following vote:**

**Votes:** ORA\Councilmember Noes: 4 - President Pro Tempore De La Fuente, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
ORA\Councilmember Ayes: 4 - Councilmember Brooks, Councilmember Brunner, Councilmember Kaplan and President of the Council Reid  
*UPON CALL OF THE ROLL THE VOTE TIED WITH 4 AYES, BROOKS, BRUNNER, KAPLAN, REID - 4, NOES: DE LA FUENTE, KERNIGHAN, NADEL, SCHAAF - 4. IN ACCORDANCE WITH COUNCIL'S RULES OF PROCEDURES 82580 C.M.S. AND CHARTER SECTION 200 THIS MATTER WILL BE PLACED ON THE NEXT CITY COUNCIL MEETING AGENDA ON APRIL 3, 2012 TO ALLOW THE MAYOR TO CAST THE TIE BREAKING VOTE.*  
[View Report.pdf](#)  
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18 Subject: Regional Sustainable Communities Strategy  
From: Community And Economic Development Agency  
Recommendation: Receive A Report And Approve Recommendations To Provide An Update On The Development Of The Regional Sustainable Communities Strategy (SCS) Pursuant To California Senate Bill 375, Including Alternative Land Use And Transportation Scenarios, The OneBayArea Grant Program, Results Of The Performance Targets And Equity Analyses, And Key Considerations For The City Of Oakland  
[11-0271](#)

**A motion was made by Councilmember Brunner, seconded by Councilmember Kaplan, that this matter be \*Approve with the following amendments to accept items 1, 3, and 4 as presented and to amend item 2 to delete the last 2 lines of text. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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19 Subject: Central District Plan  
From: Office Of Neighborhood Investment  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance, By The City Of Oakland Under Its Own Auspices, Adopting The Seventeenth Amendment To The Central District Redevelopment Plan, Designated And Adopted As The "Central District Urban Renewal Plan" In 1969, To (1) Extend The Time Limits On Plan Effectiveness And The Receipt Of Tax Increment Revenues By Ten Years, (2) Increase The Cap On Tax Increment Revenues, (3) Extend The Time Limit For Use Of Eminent Domain And Restrict Eminent Domain To Nonresidential Properties, (4) Amend Affordable Housing Provisions, And (5) Make Other Required Changes; And

[11-0341](#)

**A motion was made by Councilmember Kaplan, seconded by President Pro Tempore De La Fuente, 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 April 3, 2012 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
[View Report.pdf](#)  
[13109 CMS.pdf](#)

2) An Ordinance, By The City Under Its Own Auspices, Adopting The Eighteenth Amendment To The Central District Redevelopment Plan, Designated And Adopted As The "Central District Urban Renewal Plan" In 1969, To Extend The Time Limits On Plan Effectiveness And The Receipt Of Tax Increment Revenues By One Year; And  
[11-0341-1](#)

**A motion was made by Councilmember Kaplan, seconded by President Pro Tempore De La Fuente, 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 April 3, 2012 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
[13110 CMS.pdf](#)

3) A Resolution Certifying And Making Findings As To The Final Environmental Impact Report On Proposed Amendments To The Central District Redevelopment Plan, Designated And Adopted As The "Central District Urban Renewal Plan" In 1969, And Adopting Mitigation Measures And A Mitigation Monitoring And Reporting Program  
[11-0341-2](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
[83767 CMS.pdf](#)

**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 Agency/Council adjourned the meeting in memory of Rhonda Archibald at 9:38 p.m.*

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