



# City of Oakland Meeting Minutes

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

## Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council/Joint Powers Financing Authority City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

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Tuesday, May 07, 2013

5:30 PM

City Council Chambers, 3rd Floor

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1 Pledge of Allegiance

*The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:43 pm.*

2 Roll Call / City Council

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

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

*There were 11 speakers during open forum.*

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

*Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Maddie Marie Munson.*

- 4.1 Subject: 2013 Bike To Work Day and Month  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Proclaiming Thursday, May 9, 2013, As The City Of Oakland's 20th Annual Bike To Work Day, And The Month Of May, 2013, As City Of Oakland Bike Month  
[12-0325](#)

**A motion was made by Vice Mayor 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 Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf

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- 4.2 Subject: 2013 East Bay Affordable Housing Week  
From: President Pro Tempore Rebecca Kaplan  
Recommendation: Adopt A Resolution Proclaiming May 10 To May 19, 2013 As The 17th Annual East Bay Affordable Housing Week "Affordable Housing: Empowering People, Strengthening Communities"  
[12-0423](#)

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

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

*There were 2 speakers on this item.*

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- 4.3           Subject:    Honoring The Clorox Company's Centennial  
              From:       Council President Patricia Kernighan  
              Recommendation: Adopt A Resolution Honoring The Clorox Company On Its Centennial  
                  12-0440

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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- 4.4           Subject:    Honoring American Indian Public High School  
              From:       Councilmember Noel Gallo  
              Recommendation: Adopt A Resolution Acknowledging Students, Teachers, And Parents Of American Indian Public High School (AIPHS) For Their Academic Achievements And For Their Contributions To American Indian Public High School's Recognition As The Nation's Best High School In 2013  
                  12-0471

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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4.5           Subject:    Honoring Oakland Charter High School  
              From:        Councilmember Noel Gallo  
              Recommendation: Adopt A Resolution Acknowledging Oakland Charter High School (OCHS)  
              For Its Academic Achievements And For Its Recognition As The Highest Performing High  
              School In Oakland In 2011-2012  
              [12-0472](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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4.6           Subject:    Municipal Clerk's Week  
              From:        Council President Patricia Kernighan  
              Recommendation: Adopt A Resolution Declaring May 5, 2013 Through May 11, 2013  
              Municipal Clerk's Week In The City Of Oakland  
              [12-0458](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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5            APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 16, 2013  
              AND APRIL 30, 2013

**A motion was made by Councilmember Gallo, seconded by  
Councilmember Kaplan, to \*Approve as Submitted. The motion carried  
by the following vote:**

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

*No action was taken in regard to the Draft Minutes for April 30, 2013.*

- 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:**

*There were 21 speakers for these items.*

- 7.1-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  
[12-0446](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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- 7.2-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  
[12-0447](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.3-CC      Subject:      Confer City Landmark Status On Two Properties  
From:        Department Of Building, Planning And Neighborhood Preservation  
Recommendation: Adopt An Ordinance Designating 5654 Margarido Drive, The Morse House,  
And 1782 8th Street, The Shorey House, As Landmarks Pursuant To Section 17.136.070 Of  
The Oakland Planning Code  
[12-0367](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.4-CC      Subject:      Violence Prevention & Public Safety Oversight Committee Reappointment  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing Joanne Brown As A Member Of The  
Violence Prevention And Public Safety Oversight Committee  
[12-0435](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.5-CC      Subject:      City Planning Commission Appointments - Moore, Weinstein, Bonilla  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jim Moore  
And Appointment Of Emily Weinstein And Jahaziel Bonilla To The City Planning Commission  
[12-0438](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.6-CC      Subject:      Board Of Port Commissioners Appointment - Colbruno  
From:          Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Michael  
Colbruno To The Board Of Port Commissioners  
[12-0439](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.7            Subject:      City Council Legislative Priorities 2013-2014  
From:          Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Establishing The Oakland City Council's Legislative  
Priorities For 2013-2014  
[12-0393](#)

**Withdrawn and Rescheduled to \* Concurrent Meeting of the Oakland  
Redevelopment Successor Agency and the City Council on 5/21/2013**  
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7.8-CC      Subject:      Support For SB 283: Successful Re-Entry & Access To Jobs  
From:          Office Of Councilmember Desley Brooks  
Recommendation: Adopt A Resolution In Support Of Senate Bill 283 (Hancock) Which  
Provides Individuals, Previously Convicted Of A Nonviolent Drug Felony, And Who Meet All  
Other Eligibility And Asset Rules And Are Successfully Complying With The Conditions Of  
Probation Or Parole, Or Have Successfully Completed Their Probation Or Parole, Would Be  
Considered Eligible For California Works Opportunity And Responsibility For Kids  
(CalWorks) And CalFresh Programs  
[12-0389](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.9-CC      Subject:      Support For AB 180  
From:          Councilmember Libby Schaaf, President Pro Tempore Rebecca Kaplan And The  
Office Of The City Attorney  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 180 ("AB 180")  
(Registration And Licensing Of Firearms: Exclusive Regulation, Rob Bonta), Which Would  
Amend Government Code Section 53071 To Allow The City Of Oakland To Enact And  
Enforce Regulations Or Ordinances Which Are More Restrictive Than State Law  
[12-0400](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.10-CC      Subject:      Support Of AB 188  
From:          Councilmember Libby Schaaf  
Recommendation: Adopt A Resolution In Support Of AB 188 (Property Taxation: Change In  
Ownership, Ammiano), Which Would Amend Sections 64, 480.1, 480.2, And 482 Of, And To  
Add Sections 480.9, 486, 486.5, And 488 To, The Revenue And Taxation Code, Relating To  
Taxation, Which Would Trigger Reassessments Of Real Property When 100% Of The  
Ownership Interests In A Legal Entity, As Defined, Are Sold Or Transferred In A Single  
Transaction, Whether Or Not Any One Legal Entity Or Person That Is A Party To The  
Transaction Acquires More Than 50% Of The Ownership Interests  
[12-0402](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.11-CC Subject: Freeway Agreement With CalTrans  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee,  
The Director Of Public Works, To Execute A Superseding Freeway Agreement And  
Maintenance Agreement With The State Of California, Department Of Transportation, For The  
Interstate 880/23rd /29th Avenue Interchange Project  
[12-0406](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.12-CC Subject: Amending Residential Permit Parking Area N  
From: Public Works Agency  
Recommendation: Adopt A Revised Resolution To Establish Residential Permit Parking Area  
"N" Near The MacArthur BART Station  
[12-0408](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.13-CC Subject: Fiscal Year 2011-2012 WIA Funds Reallocation  
From: Office Of Economic And Workforce Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator 1) To Reallocate  
Fiscal Year 2011-2012 Workforce Investment Act Formula Funds That Are At Risk Of  
De-Obligation, With The Approval Of The Workforce Investment Board, Without Returning  
To City Council And 2) To Amend The Comprehensive One Stop Career Center Contract With  
The Oakland Private Industry Council, Inc. To Include An Additional \$200,000 In Fiscal Year  
2011-2012 Workforce Investment Act Dislocated Worker Funds For Training Services For  
Dislocated Workers Effective April 1, 2013 To June 30,2013  
[12-0422](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.14-CC      Subject:      Extend And Assign Sears LDDA  
From:            Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Authorizing: 1) An Amendment To A Lease  
Disposition And Development Agreement With Sears Development Company To Extend  
Development Deadlines For An Automotive Service Project Located At 2000-2016 Telegraph  
Avenue And 490 Thomas L. Berkeley Way; And 2) An Assignment Of The Lease Disposition  
And Development Agreement To The Strategic Urban Development Alliance, LLC, Or An  
Affiliated Entity  
[12-0428](#)

**This Matter was Approved On Introduction and Scheduled for Final  
Passage to the \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council, to be heard at the May 21, 2013  
meeting on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.15-CC      Subject:      Army Base Purchase And Sale Agreement  
From:            Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And  
Execute A Purchase And Sale Agreement(s) With The Port Of Oakland For The Purchase Of  
Up To Approximately 4 Acres Of Former Oakland Army Base Property And Authorizing Up  
To \$50,000 For Appraisal And Real Estate Closing Costs  
[12-0425](#)

**This Matter was Approved On Introduction and Scheduled for Final  
Passage to the \* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council, to be heard at the May 21, 2013  
meeting on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.16-CC     Subject:     Extend ENA With Recyclers  
              From:       Office Of Neighborhood Investment  
              Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And  
                                  Execute An Amendment To The City's Exclusive Negotiating Agreement (ENA) With  
                                  California Waste Solutions, And Custom Alloy Scrap Sales, Inc. (Or CASS, Inc.) Regarding A  
                                  Proposed Recycling Project On Up To Approximately 20 Acres In The North Gateway Area Of  
                                  The Former Oakland Army Base Extending The ENA To December 15, 2013  
[12-0426](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.17-CC     Subject:     5000 Clarewood Drive Development  
              From:       Department Of Planning And Building  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7891 Located At 5000 Clarewood Drive For An Eight Lot Residential Subdivision For Clarewood Associates LLC;  
And  
[12-0409](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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2) A Resolution Approving A Subdivision Improvement Agreement With Clarewood Associates LLC For Deferred Construction Of Public Infrastructure Improvements For The Final Map For Tract No. 7891 Located At 5000 Clarewood Drive  
[12-0409-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.18-CC      Subject:      Oakland Ice Center Flooring Replacement  
From:            Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Appropriating Funds In The Amount Of \$202,000 For  
The Replacement Of Rubber Flooring At The Oakland Ice Center  
[12-0427](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.19-CC      Subject:      Summer Food Service Program Grant  
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 Eighty Thousand, Seven Hundred Five Dollars (\$380,705); 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 Seventy-Five Thousand, Two Hundred Fifty-Six Dollars (\$175,256) To Provide Food Services For The 2013 Summer Food Service Program For Children; And 3) To Negotiate And Execute A Professional Service Agreement Between The City And Epicurean Group In An Amount Not To Exceed Ninety Eight Thousand, Twenty One Dollars (\$98,021) To Provide Food Services For The 2013 Summer Food Service Program For Children  
[12-0429](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.20-CC     Subject:     30 Day Recruitment Report  
              From:       Councilmembers Desley Brooks And Patricia Kernighan  
              Recommendation: Receive A Monthly Informational Report From The Oakland Police  
              Department On Recruiting And Police Department Staffing Levels Over The Last 30 Days  
              [07-1080-25](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.21-CC     Subject:     Alameda County Abandoned Vehicle Abatement Authority (AVA)  
              From:       Oakland Police Department  
              Recommendation: Adopt A Resolution Authorizing: 1) The Extension Of The Alameda  
              County Vehicle Abatement Authority (AVA) Until May 31, 2023; 2) The City Administrator  
              Or Her Designee To Continue The Oakland Police Department's Participation In The AVA;  
              And 3) Authorizing The City Administrator Or Her Designee To Accept The City Of Oakland's  
              Share Of California State Vehicle Registration Service Fee Funds As Authorized By Vehicle  
              Code Section 9250.7 And Distributed Through The AVA  
              [12-0421](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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7.22-CC      Subject:      Edward Byrne Memorial Justice Local Assistance Grant (JAG)  
From:          Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee  
To: 1) Enter Into A Grant Agreement With The U.S. Department Of Justice, Office Of Justice  
Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant  
Local Program Funds For The Period Of July 1, 2012 Through June 30, 2013 (FY 2012-2013  
JAG Funds); And 2) To Accept, Appropriate, And Administer FY 2012-2013 JAG Fund  
Allocations In An Amount Not To Exceed Five Hundred And Thirty Six Thousand, And Thirty  
Six Dollars (\$536,036) To Supplement Frontline Policing Services For The Oakland Police  
Department; And 3) Expend Funds In Accord With The JAG Fund Spending Plan  
[12-0430](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.23-CC      Subject:      Center For Employment Opportunity (CEO) Grant  
From:          Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And  
Execute A Grant Agreement With The Center For Employment Opportunities (CEO) To  
Provide Violence Prevention Services In Accordance With The Measure Y Violence  
Prevention & Public Safety Act (VPPSA), In The Amount Of One Hundred And Fifty  
Thousand Dollars (\$150,000) For The Period May 1, 2013 To June 30, 2014 With A One-Year  
Option To Renew For A Total Amount Not To Exceed \$300,000  
[12-0431](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.24-CC      Subject:      Settlement Agreement - Sui Bill Lee  
From:            Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of Sui Bill Lee, City Attorney's Claim No. C29454, In The  
Amount Of Six Thousand Eight Hundred Forty And 00/100 Dollars (\$6,840.00) (Public Works  
Agency - City Tree Roots)  
[12-0468](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.25-CC      Subject:      Settlement Agreement - Jaymes Evans  
From:            Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Jaymes Evans, Et Al. v. City Of Oakland, Et Al.,  
Alameda County Superior Court Case No. RG11-610704 In The Amount Of \$10,00.00 As A  
Result Of A Motor Vehicle Collision On High Street And Courtland Avenue (Oakland Police  
Department - Motor Vehicle Collision)  
[12-0469](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and  
Councilmember Schaaf  
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7.26-CC Subject: Settlement Agreement - Jacqueline Dixon  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jacqueline Dixon v. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG11-559368, In The Amount Of Sixty-One Thousand Six-Hundred Sixty-Seven Dollars And No Cents (\$61,667.00) As A Result Of A Fall On A City Sidewalk At 2859 Mandela Parkway On June 10, 2009 (Public Works Agency - Trip And Fall)  
[12-0470](#)

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

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

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S-7.27-CC Subject: Support Of AB 711: Prohibiting Lead Ammunition For Hunting Wildlife  
From: Office Of The City Attorney and Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Of The Oakland City Council (1) Expressing Support Of California Assembly Bill No. 711 ("AB 711"), Introduced By Assemblymember Anthony Rendon On February 21, 2013, Which Prohibits The Use Of Lead Projectile Firearms Ammunition When Hunting Wildlife, Including Mammals And Birds, Which Will Reduce The Negative Health Effects Of Lead On Endangered Species And Reduce The Potential For Lead To Be Introduced Into The Human Food Chain And (2) Authorizing The City Administrator, Or Her Designee, To Instruct The City's Legislative Lobbyist To Support Passage Of California Assembly Bill No. 711  
[12-0436](#)

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

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

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**Passed The Consent Agenda**

**A motion was made by Vice Mayor Reid, seconded by Councilmember Kaplan, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid 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 Brooks, seconded by Councilmember Kaplan, to \*Approve as Submitted the report of the City Attorney of 5 final decisions made during closed session. The motion carried by the following vote:**

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

*At this time, it was determined that item 9.2 would be heard before item 9.1*

*Upon the reading of Item 9. 2 by the City Clerk, the Public Hearing was opened at 8:25 p.m.*

*57 individuals spoke on this item.*

*Vice Mayor Reid made a motion, seconded by Councilmember Brooks, to close the Public Hearing at 10:01 p.m., and hearing no objections, the motion passed by 8 Ayes: Councilmembers: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Reid, Schaaf, and President Kernighan*

9.2           Subject:    Extension Of Emergency Ordinance For Crematoria  
              From:       Department Of Planning & Zoning  
              Recommendation:  Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls That Require A Major Conditional Use Permit To Establish A Crematorium, As It Is Currently Defined As Manufacturing And Industrial Usage To Remain In Effect Through May 10, 2013, Or When Permanent Regulations Are Adopted, Whichever Occurs First  
[12-0463](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 10:02 p.m.*

*No individuals spoke on this item.*

*President Pro Tempore Kaplan made a motion, seconded by Councilmember Gibson McElhaney to close the Public Hearing at 10:03 p.m., and hearing no objections, the motion passed by 7 Ayes: Councilmembers: Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Schaaf, and President Kernighan; 1 Absent - Reid*

- 9.1 Subject: HUD Annual Action Plan  
From: Department Of Housing And Community Development  
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 2013-2014; 2) Accepting And Appropriating Funds Totaling \$12,293,150 For The HOME, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With AIDS (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating \$1,556,393 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 2013-2014 For The Community Development Block Grant Program

[12-0419](#)

**A motion was made by Councilmember Kaplan, seconded by Councilmember Gibson McElhaney, that this matter be Adopted to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan and Councilmember Schaaf

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

10 THIS NUMBER INTENTIONALLY NOT USED

- 11 Subject: New Dog Play Area Appeal  
From: Department Of Planning And Building  
Recommendation: Adopt One Of The Following Pieces Of Legislation:  
1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or

[11-0624](#)

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2) A Resolution Denying The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission And Denying The Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208)  
[11-0624-1](#)

*No action on this item was taken.*

12 Subject: Debarment Process For Goldman Sachs  
From: Finance And Management Agency  
Recommendation: Receive An Informational Report With Possible Action Updating And Explaining The Process Of Debarring Goldman Sachs From Doing Any Future Business With The City  
[12-0314](#)

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

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

*A second motion was made by Councilmember Brooks, seconded by President Pro Tempore Kaplan, to reaffirm the sentiment of Resolution 83962 C.M.S., and directed staff to return to the May 21, 2013 City Council meeting with an amendment to the second to last RESOLVED to read, "within 60 days, then the City will pursue all appropriate recourse to exclude them from any future business with the City of Oakland..."*

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13 Subject: MOU With The CHP For Crime Suppression Assistance  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Extend The Memorandum Of Understanding (MOU) With The California Highway Patrol (CHP) For Ninety (90) Days Of Crime Suppression Assistance Whereby CHP Will Deploy 10 Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up To Four Days Per Week, At A Cost Not To Exceed Five Hundred And Fourteen Thousand Dollars (\$514,000), With One Option To Renew For An Additional 90 Days For A MOU Extension Total Amount Not To Exceed One Million And Twenty Eight Thousand Dollars (1,028,000), Subject To The Availability Of Funds As Appropriated By The Council  
[12-0473](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Absent: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 6 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan and Councilmember Schaaf  
*There was one speaker on this item.*

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14 Subject: Modification of the Taxi Vehicle Permit (Medallion) Fee  
From: Vice Mayor Reid and Councilmember De La Fuente  
Recommendation: Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Modify The Annual Fee Of The Taxi Vehicle Permit (Medallion) Assessed By The Office Of The City Administrator  
[12-0216](#)

**A motion was made by Vice Mayor Reid, seconded by Councilmember Kaplan, that this matter be Continued to the \* Special Meeting of the Oakland City Council, due back on May 23, 2013. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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*At the direction of the Council President item 23 was heard prior to item 15.*

23           Subject:     Purchase Affordable Housing Parcels At Oak To Ninth  
              From:        Department Of Housing And Community Development  
              Recommendation: Adopt A Resolution (1) Authorizing Exercise Of The Early Purchase  
                          Option To Purchase Affordable Housing Parcels At The Oak To Ninth/Brooklyn Basin  
                          Development, And (2) Authorizing A Put Agreement Providing For The Resale Of The Parcels  
                          To Oakland Harbor Partners At The City's Option  
              [12-0420](#)

**A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Kaplan, that this matter be Adopted as Amended to include "WHEREAS the Redevelopment Agency in 2006 entered into a Cooperation Agreement with the Oak to Ninth Community Benefits Coalition, a consortium of four community organizations, requiring the Agency to purchase Project Parcels F and G (the "Affordable housing parcels") for affordable housing development and to ensure, subject to economic feasibility, the development of at least 465 affordable housing units, of which at least 388 are to be built on the affordable housing parcels, unless the Coalition consents to the off-site construction of some or all of these units." The motion carried by the following vote:**

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

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15 Subject: Ordinance Amending OMC Chapter 5.64 "Taxicab Operations"  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.64 (Taxicabs) To A) Establish Criteria, As Required By State Law, To Investigate Unpermitted Taxicab Operations; B) Clarify Provisions Regarding Use Of Credit Cards; C) Removal Of Dispatch Service Requirement For Companies With Fewer Than Five Taxis; D) Add Option Of Electronic Waybills For Documenting Taxi Usage; E) Establish A Fleet Of Ramped Taxis For Transporting Passengers With Disabilities And A Ratio Of Such Taxis To Oakland's Regular Taxis; F) Establish Vehicle Age And Alternative Fuel Requirements; G) Authorize The City Administrator To Promulgate Standards Of Comportment For Drivers And To Provide For Permit Suspension, Revocation, And Non-Renewal On The Basis Of Violations; And H) Eliminate Expired Section Of OMC Chapter 5.64  
[12-0328](#)

**A motion was made by Councilmember Gallo, seconded by Councilmember Kaplan, to Approved As Amended On Introduction and Scheduled for Final Passage to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard at the May 21, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
*Council approved the recommendation as amended as follows:*

*Section 5.64.100(A), the "% of fare over 15 miles out of City: 150%" will be deleted to correct typographical error;*

*Section 5.64.040(B)(4), "Use of alternative radio technology for fleets consisting more than five vehicles will be authorized under the discretion of the City Administrator" will be added;*

*Section 5.64.055(E)(1), Operating Permit Holders will be required to be in full compliance with this section by January 1, 2017;*

*Section 5.64.055(E)(2), will be amended to change vehicle efficiency requirements to 30% by the end of 2015 and up to 50% by 2017.*

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16 Subject: Redistricting Of City Council Election Districts  
From: Office Of Council President Patricia Kernighan  
Recommendation: Receive An Informational Report On The Legal Requirements And  
Standard Practices For Redistricting Of City Council Districts Every Ten Years, Including The  
Extent And Nature Of Community Outreach, And Adopt Recommendations For Council  
Action To Begin The 2013 Redistricting Process In Oakland  
[12-0388](#)

**A motion was made by Councilmember Schaaf, seconded by  
Councilmember Gibson McElhaney, that this matter be \*Received and  
Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Vice Mayor Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb,  
Councilmember Kaplan, Council President Kernighan and Councilmember  
Schaaf  
*Council also directed staff to return to the first full council meeting in June  
2013 with a resolution consistent with the City Charter and case law for the  
proposed redistricting criteria and process, which must including a minimum of  
one meeting in each district, with no meetings occurring before the Council  
adopts the resolution.*  
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*The Roll Call was modified to note Councilmember Brooks absent at 11:57 p.m.*

17 Subject: Support For AB 229: Infrastructure And Revitalization Financing District  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 229 (Perez, Atkins,  
Bonilla, Bonta, Cooley, Dickinson, Gordon And Torres) Authorizing The Creation Of  
Infrastructure And Revitalization Financing Districts To Finance Projects In Redevelopment  
Project Areas And Former Military Bases  
[12-0336](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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18 Subject: Replacement Of Cash Reserve With An Insurance Policy  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland City Council Resolution Authorizing The Use Of An Insurance Policy To Be Provided By Assured Guaranty Municipal Corp. ("Assured") To Replace The Cash In The Reserve Fund Securing The Oakland Joint Powers Financing Authority's Lease Revenue Refunding Bonds (Oakland Administration Buildings) 2008 Series B (The "Bonds"), Authorizing The Amendment Of The Rating Requirement In Such Trust Agreement Applicable To The Provider Of Such An Insurance Policy With Respect To Assured, And Authorizing The Reimbursement Of Assured From Base Rental Payments Made By The City Of Oakland Pursuant To The Sublease Relating To The Bonds; And

[12-0441](#)

**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 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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2) An Oakland Joint Powers Financing Authority Resolution Authorizing The Use Of An Insurance Policy To Be Provided By Assured Guaranty Municipal Corp. ("Assured") To Replace The Cash In The Reserve Fund Securing The Oakland Joint Powers Financing Authority's Lease Revenue Refunding Bonds (Oakland Administration Buildings) 2008 Series B (The "Bonds"), Authorizing The Amendment Of The Rating Requirement In Such Trust Agreement Applicable To The Provider Of Such An Insurance Policy With Respect To Assured, And Authorizing The Reimbursement Of Assured From Base Rental Payments Made By The City Of Oakland Pursuant To The Sublease Relating To The Bonds

[12-0441-1](#)

**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 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
[2013-001 JPFA.pdf](#)

19           Subject:    2013-2014 Tax And Revenue Anticipation Notes  
              From:       Office Of The City Administrator  
              Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal  
                                  Year 2013-2014 In An Amount Not To Exceed \$100,000,000 And The Issuance And Sale Of  
                                  2013-2014 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related  
                                  Matters  
                                  [12-0407](#)

**A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council, to be heard at the May 21, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
          ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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20           Subject:    2012 Infrastructure Report Card  
              From:       Public Works Agency  
              Recommendation: Receive The 2012 Infrastructure Report Card For The City Of Oakland  
                                  [12-0404](#)

**A motion was made by Vice Mayor Reid, seconded by Councilmember Kalb, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
          ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
          [View Report.pdf](#)

21           Subject:    On-Call Environmental And Hazardous Materials Consulting Contracts  
              From:       Public Works Agency  
              Recommendation: Adopt The Following Pieces Of Legislation Which Authorize The City Of  
Oakland To Enter Into Professional Services Agreements For On-Call Environmental  
Consulting Services In An Aggregate Amount Not To Exceed Four Million Dollars  
(\$4,000,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016:  
[12-0405](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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Adopt The Following Pieces Of Legislation Which Authorize The Oakland Redevelopment  
Successor Agency To Enter Into Professional Services Agreements For On-Call Environmental  
Consulting Services In An Aggregate Amount Not To Exceed Four Million Dollars  
(\$4,000,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016:  
[12-0405-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid and Councilmember Schaaf

22           Subject:    Latham Square Pilot Project  
              From:       Public Works Agency  
              Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To 1)  
Implement The Latham Square Pilot Project (LSPP) To Temporarily Close Telegraph Avenue  
Between 16th Street And Broadway For The Purposes Of Creating A Pedestrian Plaza For At  
Least Six (6) Months Following An Opening Date In Summer 2013; And 2) Report Back To  
City Council In The Fall Of 2013 As To The Success Of The Pilot Plaza  
[12-0410](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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24           Subject:    Prospective Handgun Owner Letters  
              From:       Councilmember Desley Brooks  
              Recommendation: Adopt A Resolution Urging The City Administrator To Request That The  
Chief Of Police Send Letters To Prospective Handgun Purchasers Who Reside In The  
Jurisdiction Informing Them Of Their Responsibilities As Firearm Owners  
[12-0232](#)

**A motion was made by Councilmember Gallo, seconded by  
Councilmember Schaaf, that this matter be Adopted as Amended to  
replace "requesting the City Administrator ask" with "urging the City  
Administrator to request." The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid and Councilmember Schaaf  
*Council further amended the resolution to include "or actual" after  
"Prospective."*  
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[84350 CMS.pdf](#)

25 Subject: Lease Financing Of The LED Streetlight Project  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland City Council Resolution Authorizing Lease Financing Of The LED Streetlight Project Authorized By Resolution No. 84186 C.M.S. With A Financial Institution Selected By Competitive Process, In An Amount Not To Exceed \$16,500,000 Through: (1) Execution And Delivery Of City Of Oakland 2013 Certificates Of Participation (LED Streetlight Acquisition), Comprised Of Series A (Federally Taxable Qualified Energy Conservation Bonds - Direct Payment) And Series B (Tax Exempt); Or (2) Execution Of Lease/Purchase Agreements And Related Agreements And Documents; And (3) Authorizing The City Administrator To Enter Such Lease Financing Arrangements In Substantially The Form Of The Agreements And Documents On File With The City Clerk Relating To The Selected Lease Financing Arrangement, Which Documents May Include One Of More Of The Following: A Trust Agreement, A Lease, Sublease, A Lease/Purchase Agreement, A Paying Agent Agreement And Ancillary Security Documents; (4) Confirming The Selection Of Special Counsel And Financial Advisor; (5) Authorizing Payment Of Related Costs; (6) Declaring Intention To Reimburse Expenditures; (7) Authorizing Modification To Agreements And Documents; And (8) Ratifying Prior Actions And Authorizing The City Administrator To Take Necessary Actions In Connection Therewith

[12-0449](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
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(2) An Oakland Joint Powers Authority Resolution Approving The Form And Authorizing Execution Of Certain Lease Financing Documents In Connection With Execution, Sale And Delivery Of Certificates Of Participation Relating To The City Of Oakland Streetlight Project And Authorizing And Directing Certain Actions With Respect Thereto.

[12-0449-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President Kernighan, Vice Mayor Reid and Councilmember Schaaf  
[2013-002 JPFA.pdf](#)

26 Subject: Alameda County Mosquito Abatement District Board Appointment - Anders  
From: Council President Patricia Kernighan  
Recommendation: Adopt A Resolution Appointing Elizabeth Anders As The City Of  
Oakland's Trustee To The Alameda County Mosquito Abatement District Board  
[12-0432](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, Councilmember Kaplan, Council President  
Kernighan, Vice Mayor Reid 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 Maddy Marie Munson at 12:09 a.m.*

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**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**

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*City Clerk and Clerk of the Council*