



City of Oakland Meeting Minutes

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

* Special Meeting of the Oakland City Council

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

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

Tuesday, November 13, 2012

5:30 PM

City Council Chambers, 3rd Floor

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:40 pm.

2 Roll Call / City Council
COUNCIL MEMBERS:

Present: President Pro Tempore De La Fuente, President Reid, Councilmember Brunner, Vice Mayor Nadel, Councilmember Kernighan, Councilmember Brooks, Councilmember Kaplan and Councilmember Schaaf

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

There were 8 speakers during Open Forum.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Jane Powell and Francis Petrash

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Darnell Livingston. President Pro Tempore De La Fuente requested association with this tribute.

Councilmember Kernighan took a point of personal privilege and requested that the meeting be adjourned in memory of Warren Wilson. Council President Reid requested association with this tribute.

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- 4.1 Subject: Honoring Fukuoka, Japan
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Honoring Fukuoka, Japan, Sister City, On The 50th Anniversary Of Friendship With Oakland, And Our Joint Artist Exchange Program
[12-0057](#)

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

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF October 16, 2012

A motion was made by Councilmember Kaplan, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: 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
[12-0117](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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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
[12-0116](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid,
Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember
Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.3-CC Subject: Repealing Of Ordinance No. 4718 - Marathons
From: Councilmember Kaplan And Oakland City Attorney Barbara Parker
Recommendation: Adopt An Ordinance Repealing Ordinance No. 4718 N.S. And Section
9.08.200 Of The Oakland Municipal Code Prohibiting Marathons
[11-0589](#)

This matter was Approved for Final Passage. The motion carried.

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7.4-CC Subject: Foreclosure Prevention/Mitigation Activities
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section
15.68.100 (Affordable Housing Trust Fund) To (1) Permit Fines And Penalties Received
Pursuant To Section 8.54.620 (Foreclosed And Defaulted Residential Property Registration
Program) And Similar Programs To Be Used For Foreclosure Prevention And Mitigation
Activities, (2) Authorize The City Administrator To Make Grants Or Service Contracts Under
The Program Of Up To \$100,000 Without Returning To Council, And (3) Allow Affordable
Housing Trust Funds To Be Used To Assist Affordable Housing Projects At Risk Due To
Mortgage Default Or Foreclosure
[12-0070-1](#)

**A motion was made that this matter be Approved for Final Passage. The
motion carried.**

Votes:
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7.5-CC Subject: Pacific Trenchless, Inc., Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Pacific Trenchless, Inc., The Lowest Responsible, Responsive Bidder For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Mountain Boulevard, Greenridge Drive, And Keller Avenue (Sub-Basin 85-502 Project No. C312510) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Three Hundred Twenty Thousand Three Hundred Ninety-Four Thousand Dollars (\$1,320,394.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
[12-0082](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.6-CC Subject: Biggs Cardosa Associates Inc., Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Biggs Cardosa Associates, Inc., To Provide Professional Engineering Services For Seismic Retrofit Of Adeline Street Bridge (Project No. G426910) For An Amount Not To Exceed Seven Hundred Eighteen Thousand Dollars (\$718,000.00) In Accord With The Request For Proposal (RFP) And Its Amendment
[12-0084](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.7-CC Subject: Police Vehicle Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Appropriate Four Hundred Nineteen Thousand Six Hundred Ninety Two Dollars And Twenty Three Cents (\$419,692.23) In Interest Earnings From The 2000 And 2002 Equipment Master Lease-Purchase Agreements To Fund The Purchase Of Approximately Seven Marked Police Patrol Vehicles And (2) Enter Into Cooperative Purchase Agreements With Other Governmental Agencies To Purchase The Needed Vehicles And Equipment, And If Such Equipment Is Not Obtainable Through Cooperative Purchase Agreements, (3) Authorizing The Waiver Of The Oakland Purchasing Ordinance's Formal Advertising And Competitive Bidding Requirements And Allowing The City Administrator To Solicit Bids From Three Vendors And Award Contracts For The Purchase Of The Vehicles And Equipment, Without Returning To Council
[12-0076](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.8-CC Subject: Raiders Ticket Surcharge
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution Increasing Estimated Revenue And Offsetting Expenditures From The 2011 Raiders Ticket Surcharge To Reflect Actual Revenues Collected And Authorizing A Transfer Of \$165,407.55 Which Is The Actual Revenue Collect From The Non-Departmental Citywide Activities Budget To The Office Of Parks And Recreation Budget To Benefit Citywide Youth Activities
[12-0080](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.9-CC Subject: Open For Business Pledge
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Adopting The East Bay Economic Development Alliance's "Open For Business" Pledge
[12-0069](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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7.10-CC Subject: Crossroads Software, Inc. Contract
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution No. 83626 C.M.S., Approved By The City Council On November 15, 2011, Authorizing The City Administrator To 1) Waive The Advertising/Bidding And The Request For Proposal/Qualifications Requirements, And 2) Award A Professional Services Contract To Crossroads Software, Inc. For The Online Sales Of Traffic Collision Reports And Technical And Records Management Support For The City's Traffic Collision Database For Three Years, Plus Two Discretionary One-Year Extensions, For A Fee Of Twenty Thousand Dollars (\$20,000) Per Year And A Total Contract Amount Not To Exceed One Hundred Thousand Dollars (\$100,000).

[12-0098](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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7.11-CC Subject: Community Policing Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of John Garvey, Barbara Hunter And Renia Webb As Members Of The Community Policing Advisory Board

[12-0115](#)

This Matter was Continued on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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7.12-CC Subject: Persons With Disabilities Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Scott J. Blanks, Phyllis Stevenson And Grace E. Wright To The Commission On Persons With Disabilities (MCPD)

[12-0114](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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7.13-CC Subject: Oversight Committee Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Reappointing Joanne Brown As A Member Of The
Violence Prevention And Public Safety Oversight Committee
[12-0113](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid,
Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember
Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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7.14-CC Subject: Community Jobs Oversight Commission
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Establishing The Community Jobs Oversight
Commission To Monitor And Enforce Compliance With The Construction And Operations
Jobs Policies For The Former Oakland Army Base
[12-0071](#)

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

Votes: No; 1 - President Pro Tempore De La Fuente
Aye; 7 - Councilmember Kaplan, Councilmember Brunner, President Reid,
Councilmember Brooks, Councilmember Schaaf, Vice Mayor Nadel and
Councilmember Kernighan

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S-7.15-CC Subject: Settlement- Alliance Recycling, Inc.
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Alliance Recycling, Inc. v. City Of Oakland Et Al.
Alameda County Superior Court No. RG10509612 In The Amount Of \$73,800 (City
Administrator, Police Services Agency)
[12-0108](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid,
Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember
Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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S-7.16-CC Subject: Settlement-State Farm
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of State Farm Mutual Automobile Insurance Company v. City Of Oakland, Alameda County Superior Court Case No. RG11578636 In The Amount Of \$13,763.00 (Public Works Agency Tree Limb)
[12-0107](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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S-7.17-CC Subject: Settlement-Ruby Ng
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ruby Ng v. City Of Oakland, Et Al, Alameda County Superior Court Case No, RG11589245, City Attorney's File No. 28280, In The Amount Of Thirty-Five Thousand Dollars And No Cents (\$35,000.00). (Public Works).
[12-0106](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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S-7.18-CC Subject: Settlement-Veronica Hodge
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Veronica Hodge V. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG11579929, City Attorney's File No. X03702, In The Non-Wage Settlement Amount Of Forty-Eight Thousand Dollars And No Cents (\$48,000.00) (Personnel, Human Resources)
[12-0105](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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S-7.19-CC Subject: Settlement - Samantha And Gary Wise
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Samantha And Gary Wise, In The Amount Of \$26,000.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency)
[12-0111](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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S-7.20-CC Subject: Settlement - Terilyn And Felipe Gudino
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Terilynn And Felipe Gudino, In The Amount Of \$11,823.37, As A Result Of Property Damage Sustained Caused By Raw Sewage Surcharge. (Public Works Agency)
[12-0110](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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S-7.21-CC Subject: Citizens' Police Review Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Denise K. Top And Dominic V. Signorotti As Members And Larissa Casillas As Alternate On The Citizens' Police Review Board
[12-0128](#)

This Matter was Adopted on the Consent Agenda.

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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Passed The Consent Agenda

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

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

- 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 Kernighan, to *Approve as Submitted the report of the City Attorney of 4 final decisions made during closed session. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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

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

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 6:39 p.m.

No individuals spoke on this item.

Agency/Councilmember Brooks made a motion, seconded by Agency/Councilmember Kaplan, 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

9.1 Subject: Community Development Block Grant District Boards
From: Department Of Housing And Community Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Authorizing The City Administrator To Restructure The Community Development Block Grant
District Boards; And Rescinding Any Inconsistent Provisions Of Resolutions No. 76276 And
78102
[12-0030](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Adopted with the amendment clarifying that staff will provide technical assistance to district board meetings conducted by the respective Councilmembers on matters related to CDBG. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 6:46 p.m.

5 individuals spoke on this item.

Agency/Councilmember De La Fuente 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

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9.2

~~Subject: Tree Appeal
From: Public Works Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Denying The Appeal Filed By Ernest And Okhoo Hanes And Mary McCallister Against The
Decision Of The Public Works Agency Approving The Removal Of Fifteen (15) Trees, To
Remove The Tops Of Twenty One (21) Trees And To Preserve Forty Two (42) Trees On City
Lots Adjacent To 6807 Wilton Drive To Resolve A View Claim From Phyllis Bishop
12-0024~~

A motion was made by Councilmember Schaaf, seconded by Councilmember Kernighan, that this matter be Adopted with removal of item 21 identified in the conditions of approval. The motion carried by the following vote:

Votes: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:26 p.m.

X individuals spoke on this item.

Agency/Councilmember ---- made a motion, seconded by Agency/Councilmember ---, 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

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9.3

Subject: Safeway Project Appeal
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeals A12-146 & A12-148, Thus Upholding The Planning Commission's Approval Of Case Numbers CMDV09-107, TPM-09889, ER09-0006 And Certification Of The EIR For The College Avenue Safeway Project Located At 6310 College Avenue
12-0085

Continued to Meeting of the Oakland City Council on 12/18/2012

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Non-Owner-Occupied Ordinance
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code To Establish A New Chapter 8.58 Requiring The Registration And Inspection Of Transferred, Improved Residential Real Property Of One To Four Units That Is Not Occupied By The New Owner And The Abatement Of Health And Safety Violations And Amending The Master Fee Schedule To Provide New Fees For This Ordinance
[11-0541-1](#)

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

Votes: Abstained; 1 - President Reid
Aye; 7 - Councilmember Kaplan, Councilmember Brunner, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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12 ~~Subject: Settlement Alliance Recycling, Inc.
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Alliance Recycling, Inc. v. City Of Oakland Et Al, Alameda County Superior Court No. RG10509612 In The Amount Of \$73,800 (City Administrator, Police Services Agency)
[12-0108](#)
[View Report.pdf](#)
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13 ~~Subject: Settlement State Farm
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of State Farm Mutual Automobile Insurance Company v. City Of Oakland, Alameda County Superior Court Case No. RG11578636 In The Amount Of \$13,763.00 (Public Works Agency Tree Limb)
[12-0107](#)
[View Report.pdf](#)
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14 ~~Subject: Settlement Ruby Ng
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ruby Ng v. City Of Oakland, Et Al, Alameda County Superior Court Case No, RG11589245, City Attorney's File No. 28280, In The Amount Of Thirty Five Thousand Dollars And No Cents (\$35,000.00). (Public Works).
[12-0106](#)
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- 15 ~~Subject: Settlement Veronica Hodge~~
~~From: Office of the City Attorney~~
~~Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To~~
~~Compromise And Settle The Case Of Veronica Hodge V. City Of Oakland, Et Al, Alameda~~
~~County Superior Court Case No. RG11579929, City Attorney's File No. X03702, In The~~
~~Non Wage Settlement Amount Of Forty Eight Thousand Dollars And No Cents (\$48,000.00)~~
~~(Personnel, Human Resources)~~
[12-0105](#)
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- 16 Subject: Hydraulic Fracturing Moratorium
From: Vice Mayor Nancy Nadel
Recommendation: Adopt A Resolution Requesting The Governor And The State Of
California's Division Of Oil, Gas And Geothermal Resources ("DOGGR") To Move Swiftly To
Place A Moratorium On Hydraulic Fracturing And On The Disposal Of Fracking Wastewater
By Injection Wells Until The DOGGR, In Conjunction With State And Local Authorities,
Makes A Determination That Such Processes Are Safe For Public Health, For The State's
Water Supply, And For The Environment
[12-0045](#)
**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: No; 1 - Councilmember Brooks
Aye; 7 - Councilmember Kaplan, Councilmember Brunner, President Reid,
President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor
Nadel and Councilmember Kernighan
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- 17 ~~Subject: Settlement Samantha And Gary Wise~~
~~From: Office Of The City Attorney~~
~~Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To~~
~~Compromise And Settle The Claim Of Samantha And Gary Wise, In The Amount Of~~
~~\$26,000.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer~~
~~Main. (Public Works Agency)~~
[12-0111](#)
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- 18 ~~Subject: Settlement Terilyn And Felipe Gudino~~
~~From: Office Of The City Attorney~~
~~Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To~~
~~Compromise And Settle The Claim Of Terilynn And Felipe Gudino, In The Amount Of~~
~~\$11,823.37, As A Result Of Property Damage Sustained Caused By Raw Sewage Surcharge.~~
~~(Public Works Agency)~~
[12-0110](#)
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19 Subject: Public Library Trust Fund
From: Oakland Public Library
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Close Project C325110, In The Oakland Public Library Trust Fund (7540), And Transfer The Remaining Uncommitted Revenue And Appropriation Of Up To \$325,000 To A New Project To Be Used For Upgrades And Refurbishment Of Three Oakland Public Library Branches: Brookfield, Dimond And Montclair, And (2) To Apply For, Accept And Appropriate Additional Grants And Donations To Be Used For The Same Purpose.
[12-0088](#)

***Rescheduled to Meeting of the Oakland City Council on 12/4/2012**

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20 Subject: Oakland Alliance Report
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report From The Oakland Alliance For Boys And Men Of Color
[12-0104](#)

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: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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21 Subject: Union Pacific Railroad Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing City Administrator, Or Her Designee, To: (1) Accept And Appropriate \$200,000.00 From, And (2) Enter Into An Agreement With, Union Pacific Railroad Company (UPRR) For The Reimbursement Of The City's Costs Of: (A) Resurfacing Certain Portions Of Embarcadero West Between Webster Street And Clay Street That Adjoin UPRR's Railroad Track Repair And Improvement Project, And (B) Providing Traffic Control For The Resurfacing Work And UPRR Project, In An Amount Not To Exceed \$200,000.00
[12-0120](#)

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: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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22 Subject: Coliseum Wireless License Agreement
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between Verizon Wireless And The Oakland Alameda County Coliseum Authority And Certain Related Matters
[12-0119](#)

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: Aye; 8 - Councilmember Kaplan, Councilmember Brunner, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan
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~~23~~ ~~Subject: Citizens' Police Review Board~~
~~From: Office Of The Mayor~~
~~Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Denise K. Top And Dominic V. Signorotti As Members And Larissa Casillas As Alternate On The Citizens' Police Review Board~~
~~[12-0128](#)~~

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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 Jane Powell, Francis Petrash and Warren Wilson at 8:51 p.m.

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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