



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 and the City Council
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

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

Tuesday, October 02, 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 5:43 pm.

2 Roll Call / City Council

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

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

There were 15 speakers called during open forum.

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

4.1 Subject: Freedom From Workplace Bullies Week
From: Council President Larry Reid
Recommendation: Adopt A Resolution Declaring October 14 - 20, 2012 "Freedom From Workplace Bullies Week"
[12-0056](#)

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

Votes: ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember Brooks

ORA\Councilmember Ayes: 6 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council President Kernighan and President Pro Tempore De La Fuente
There were speakers on this item.

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4.2 Subject: Honoring Stephanie Yun
 From: Councilmember Schaaf
 Recommendation: Adopt A Resolution Congratulating Stephanie Yun, Lifelong Oakland
 Resident As The City Of Oakland's First Official Youth Poet Laureate
 [12-0053](#)

**Withdrawn and Rescheduled to * Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City Council on 10/16/2012**

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4.3 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](#)

**Withdrawn and Rescheduled to * Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City Council on 10/16/2012**

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4.4 Subject: International City Of Peace Declaration
 From: Vice Mayor Nadel and Councilmember Kaplan
 Recommendation: Adopt A Resolution Declaring Oakland As An International City Of Peace,
 And September 21, 2012 As Oakland's International Day Of Peace
 [12-0047](#)

***Withdrawn with No New Date**

There were speakers on this item.

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5 APPROVAL OF THE DRAFT MINUTES FROM THE Regular and Special MEETINGS
 OF July 3, 17, 26, August 28, and September 18, 2012

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

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

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

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency
Syndrome ("AIDS") Epidemic
[12-0061](#)

This Matter was Adopted on the Consent Agenda.

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

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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
[12-0062](#)

This Matter was Adopted on the Consent Agenda.

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

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7.3-CC Subject: Commission On Persons With Disabilities Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Stephen
Beard, Amy Burns, Michelle R. Hernandez, Marlene C. Hurd And Denise Sherer Jacobson To
The Commission On Persons With Disabilities [NEW TITLE]
[12-0029](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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7.4-CC Subject: Port Commissioner Reappointment - Head
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of James W.
Head To The Board Of Port Commissioners
[12-0028](#)

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

Votes: ORA\Councilmember Abstained: 1 - Vice Mayor Nadel
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Councilmember Brunner, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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7.5-CC Subject: Library Advisory Commission Appointment - O'Neal
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kathryn
O'Neal As A Member Of The Library Advisory Commission
[12-0027](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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7.6-CC Subject: PFRS Board Appointment - Wilkinson
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of R. Steven
Wilkinson As A Member Of The Police And Fire Retirement Board
[12-0026](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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7.7-CC Subject: Ordinance 13008 C.M.S Amendment - One Time Funds Use
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13008 C.M.S., Which
Amended Council's General Purpose Fund (GPF) Financial Policies To Require That Council
Identify Funding Sources And Fully Approve Funding Prior To Any Council Action That Has
A Fiscal/Cost Impact, Adjust The Budget As Necessary To Maintain A Balanced Budget And
Otherwise Set Forth The GPF Policy In Full, To Revise Current Council Fiscal Policy Set Forth
In Ordinance No. 13008 C.M.S. For Use Of One Time Revenues
[11-0643](#)

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

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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7.8-CC Subject: Gallagher And Burk, Inc Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Gallagher &
Burke, Inc, The Lowest Responsible, Responsive Bidder, In Accord With Plans And
Specifications For Citywide Street Rehabilitation And Reconstruction Phase II Project No.
C369630 And Contractor's Bid Therefor, In The Amount Of Six Million, Five Hundred
Eighty-Seven Thousand, Five Hundred Eighty-Seven Dollars (\$6,587,587.00)
[12-0009](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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7.9-CC Subject: Four Bridges Construction Project
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract For Preventive Maintenance Of East 8th Street Bridge (Project No. G427030) To American Civil Constructors West Coast Inc., The Lowest Responsive And Responsible Bidder, In The Amount Of Three Hundred Fifty Nine Thousand, Four Hundred And Eighty Dollars (\$359,480.00) In Accord With The Project Plans And Specifications And The Contractor's Bid [12-0020](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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2) A Resolution Authorizing The City Administrator To Award A Construction Contract For Preventive Maintenance Of Hegenberger Road Bridge (Project No. G427020) To American Civil Constructors West Coast Inc., The Lowest Responsive And Responsible Bidder, In The Amount Of Three Hundred Twelve Thousand Nine Hundred And Fifty-Five Dollars (\$312,955.00) In Accord With The Project Plans And Specifications And The Contractor's Bid; And [12-0020-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
[84033 C.M.S.pdf](#)

3) A Resolution Authorizing The City Administrator To Award A Construction Contract For Preventive Maintenance Of Oakport Street Bridge (Project No. G427040) To American Civil Constructors West Coast Inc., The Lowest Responsive And Responsible Bidder, In The Amount Of Seventy Nine Thousand, Four Hundred And Seventy Dollars (\$79,470.00) In Accord With The Project Plans And Specifications And The Contractor's Bid; And [12-0020-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
[84034 C.M.S.pdf](#)

4) A Resolution Authorizing The City Administrator To Award A Construction Contract For The Preventive Maintenance Of West Grand Avenue Bridge (Project No. G427010) To American Civil Constructors West Coast Inc., The Lowest Responsive And Responsible Bidder, In The Amount Of Five Hundred Seventy Thousand Six Hundred And Twenty-Five Dollars (\$570,625.00) In Accordance With The Project Plans And Specifications And The Contractor's Bid

[12-0020-3](#)

This Matter was Adopted on the Consent Agenda.

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

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7.10-CC

Subject: Cash Management Report

From: Finance And Management Agency

Recommendation: Receive The Cash Management Report For The Quarter Ended June 30, 2012

[12-0019](#)

This Matter was Adopted on the Consent Agenda.

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

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7.11-CC

Subject: Macias Gini And O'Connell, LLP Contract Amendment

From: Office Of The City Administrator

Recommendation: Adopt A Successor Agency Resolution Amending Redevelopment Agency Resolution No. 2010-0048 C.M.S., Which Authorized A Contract With Macias Gini, & O'Connell, LLP, For Audit Services In An Amount Not To Exceed \$464,467, To Increase The Contract By An Amount Not To Exceed \$100,000 To Provide Due Diligence Asset Review Services As Required By Health & Safety Code Section 34179.5, And Other Audit Services, And Waiving Competitive Requirements For Such Services

[11-0670](#)

This Matter was Adopted on the Consent Agenda.

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

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7.12-CC Subject: Rent Relief - Metropolitan Golf Links Operations
From: Department Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2011 Through June 30, 2012 In The Amount Of \$142,908 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008
[11-0077](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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7.13-CC Subject: Weatherization Assistance Program
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending Resolution No. 82636 C.M.S. To Authorize The City Administrator To Accept And Appropriate Additional Grant Funds From The American Recovery And Reinvestment Act Of 2009 ("ARRA") In The Amount Of \$45,000 From The California Community Services And Development Department's Weatherization Assistance Program To Provide Weatherization Services To Low-Income Residents Of Alameda County, And To Authorize An Increase Of Up To \$100,000 In The Amount Of The Subcontract With The County Of Alameda For Eligible Weatherization Assistance Program Activities
[12-0012](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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7.14-CC Subject: East 14th Affordable Housing Project
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending A \$1,517,000 Loan To East 14th Street
Housing Associates For The Hismen Hin-Nu Terrace Affordable Housing Project To 1) Extend
The Maturity Date From June 7, 2019 To June 7, 2043, 2) Convert The Loan Into A Residual
Receipts Loan, And 3) Reduce The Interest Rate From 6% To 3%
[12-0011](#)

This Matter was Adopted on the Consent Agenda.

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

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7.15-CC Subject: Army Base Residency Definition
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Changing The Definition Of "Resident" In The Army
Base Community Jobs Policy To Mean An Individual Domiciled In The City For At Least Six
Months And Authorizing The City Administrator To Negotiate And, If Necessary, Execute
Amendments To All Relevant Army Base Development Agreements To Effectuate This
Change In Definition Of "Resident"
[12-0008](#)

This Matter was Adopted on the Consent Agenda.

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

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7.16-CC Subject: Early Head Start Food Services Agreement
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator On Behalf Of The City Of Oakland 1) To Enter Into Professional Services Agreements With The Following Food Vendors: Sysco San Francisco Inc., In An Amount Not To Exceed \$165,000; Allied Pringle Food Sales Company In An Amount Not To Exceed \$80,000; And Le Blanc Dairy In An Amount Not To Exceed \$80,000 For The Provision Of Food And Food Related Commodities For The City Of Oakland ECEAD Start/Early Head Start Program, In A Combined Amount Not To Exceed The Total Annual Food Budget Of \$325,000 Covering The 2012-2013 Program Year; 2) With An Option For Two Additional One Year Extensions Of The Same Individual Contract Amounts Not To Exceed The Total Annual Food Budget Of \$325,000 Each Year Covering The 2013-2014 And 2014-2015 Program Years, With The Combined Amounts Of Years 2012-2013, 2013- 2014, And 2014-2015 Not To Exceed The Overall Total Food Budget Of \$975,000, Based On Performance And Contingent On The City Of Oakland Being In Receipt Of Funds From The U.S. Department Of Agriculture/Child And Adult Care Food Program (USDA/CACFP); And 3) Authorizing The City Administrator To Select Another Qualified Bidder(s) From The Request For Proposal Process If The Above Named Vendors Are Not Able To Provide The Food Item Needed In The Necessary Timeframe Without Returning To Council
[12-0006](#)

This Matter was Adopted on the Consent Agenda.

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

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7.17-CC Subject: DNA Backlog Reduction Grant Program
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Enter Into A Grant Administration Agreement With The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Distribution Of Fiscal Year 2012 Forensic Casework DNA Backlog Reduction Grant Program Funds; 2) Accept And Appropriate USDOJ/NIJ Grant Funds In An Amount Not To Exceed Four Hundred And Eight Thousand Two Hundred And Ninety Five Dollars (\$408,295.00) For Implementation Of The Fiscal Year 2012 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department For The Period Of October 1, 2012 Through March 31, 2014;3) Enter Into Contracts For The Purchase Of DNA Typing Supplies With The Following Vendors: Life Technologies In The Amount Of Fifteen Thousand Six Hundred Dollars (\$15,600.00); VWR/Fisher In The Amount Of Two Thousand Three Hundred Seventy Dollars (\$2,370.00), Qiagen/Aurora In The Amount Of Twelve Thousand Seven Hundred Dollars (\$12,700.00), And Promega In The Amount Of Eight Thousand Seven Hundred Dollars (\$8,700.00); 4) Waive The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Typing Supplies In The Proposed Contracts With Life Technologies, VWR/Fisher, Qiagen/Aurora And Promega
[12-0005](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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7.18-CC Subject: Federal Emergency Management Agency Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into A Grant Cooperative Agreement With The Federal Emergency Management Agency (FEMA) To Accept And Appropriate Fiscal Year 2012 Urban Search And Rescue (US&R) Grant Funds In The Amount Of One Million Two Hundred Sixty-One Thousand One Hundred Eight Dollars (\$1,261,108) To The Oakland Fire Department For The Period August 1, 2012 Through January 31, 2014; 2) Authorizing The City Administrator To Expend Funds In Accordance With The Preliminary Spending Plan Without Further City Council Approval, Including The Purchase Of US&R Equipment From The General Services Administration Agency And Other Government Pricing Schedules; 3) Waiving The City's Advertising And Competitive Bidding Requirements For The Purchase Of The US&R Equipment; And 4) Approving Travel For City Personnel Who Provide Services Under The FEMA Grant And Cooperative Agreement On Short Notice Without Further Council Authorization
[12-0002](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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7.19-CC Subject: Support Of Senate Bill 1172
From: President Pro Tem Ignacio De La Fuente
Recommendation: Adopt A Resolution Supporting Senate Bill 1172 (LIEU) Limiting Sexual Orientation Conversion "Treatment" Which Would Prohibit A Psychotherapist From Engaging In Sexual Orientation Change Efforts With A Minor Patient, Regardless Of A Parent's Willingness Or Desire To Authorize Such "Treatments."
[12-0017](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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7.20-CC Subject: Settlement Agreement - Martinez
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Melinda Martinez V. City Of Oakland, Alameda County
Superior Court Case No. RG09-443084 In The Amount Of \$6,000.00 As A Result Of A Motor
Vehicle Collision At Or Near 18th And West Streets. (Oakland Police Department - OPD)
[12-0060](#)

This Matter was Adopted on the Consent Agenda.

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

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7.21-CC Subject: Chabot Science Center Joint Powers Appointment
From: Council President Larry Reid
Recommendation: Adopt A Resolution Appointing Council Member Libby Schaaf To The
Chabot Science Center Joint Powers Authority Replacing Outgoing Member Marisol Lopez
[12-0058](#)

This Matter was Adopted on the Consent Agenda.

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

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7.22-CC Subject: Settlement Agreement - Sierra At Jack London
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Sierra At Jack London Square Owners' Association V.
City Of Oakland, Alameda County Superior Court Case No. RG10520586 In The Amount Of
\$21,000.00 (Public Works Agency - Inverse Condemnation)
[12-0064](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.23-CC Subject: Ray's Electrical Contract
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsible And Responsive Bidder, For Countdown PED Heads (Project No. C316230) Under 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 In Accordance With Project Plans, Specifications, Federal Requirements, And Contractor's Bid In The Amount Of Forty Five Thousand Three Hundred And Ninety Dollars (\$45,390.00);
And
[12-0033](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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2) A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsible And Responsive Bidder, For Left Turn Phasing (Project No. C316220) Under 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 In Accordance With Project Plans, Specifications, Federal Requirements, And Contractor's Bid In The Amount Of Two Hundred Thirty Nine Thousand And Twenty Seven Dollars (\$239,027.00)
[12-0033-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
[84048 C.M.S.pdf](#)

S-7.24-CC Subject: Andes Construction, Inc., Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Andes
Construction, Inc., The Lowest Responsible, Responsive Bidder, For The Rehabilitation Of
Sanitary Sewers In The Area Bounded By Macarthur Boulevard, Coolidge Avenue, Coolidge
Terrace And Laguna Avenue (Sub-Basin 80-113 - Project No. C312410) In Accord With Plans
And Specifications For The Project And Contractor's Bid In The Amount Of Two Million Nine
Hundred Seventy-Five Thousand Dollars (\$2,975,000.00)
[12-0035](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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S-7.25-CC Subject: PEG Distribution
From: Department Of Information Technology
Recommendation: Adopt A Resolution (1) Appropriating \$ 1.6 Million For Fiscal Years 2008-2009 And 2009-2010, And Approximately \$3.5 Million Total Estimated For Fiscal Years 2012-2013 Through 2016-2017, From Funds Paid By Cable And Video Franchise Holders Comcast And AT&T, ("PEG Funds"), For The Capital Expenses Of Public, Education, And Government ("PEG") Cable Television Channels Operating In The City Of Oakland; (2) Authorizing Apportionment Of Equal Shares Of The PEG Funds To PEG Channels Of The City Of Oakland ("KTOP"), Of The Oakland Unified School District ("KDOL"), And Of The Peralta Community College ("Peralta TV") For Their PEG Channel Cable And Video Television Facilities, Subject To Equal Reapportionment In Fiscal Years When There Are Fewer Or More PEG Channels Operating In Oakland; And (3) Authorizing The City Administrator To Execute Memoranda Of Understanding To Effectuate The Distribution Of Said Funds
[12-0036](#)

A motion was made by Councilmember Brooks, seconded by President Pro Tempore De La Fuente, that this matter be Adopted as Amended to limit and disburse funding through the 2012-2013 fiscal year.and further direct staff to return to the November 27th Finance and Management committee with a Report on PEG allocations and an allocation plan for those funds and a full report on KTOP operations which includes information on PEG and staffing. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Vice Mayor Nadel
ORA\Councilmember Noes: 1 - Councilmember Schaaf
ORA\Councilmember Ayes: 6 - President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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[84050 C.M.S.pdf](#)

S-7.26-CC Subject: Local Housing Trust Fund Program
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending Resolution Nos. 81782 C.M.S. And
2009-0006 C.M.S., Under Which The City And Redevelopment Agency Accepted Up To
\$2,000,000 From The California Department Of Housing And Community Development's
Local Housing Trust Fund Program, To Modify The Relative Portions Of The Required City
Matching Funds Coming From The First Time Homebuyer Program And The Affordable
Rental And Ownership Development Program
[12-0050](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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[84051 C.M.S.pdf](#)

S-7.27-CC Subject: SAFER Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An
Agreement With The Federal Emergency Management Agency (FEMA) To Accept,
Appropriate, And Administer Grant Funds In The Amount Of Three Hundred Seven Thousand
Two Hundred Twenty Four Dollars (\$307,224) From The Federal Emergency Management
Agency Staffing For Adequate Fire Emergency Response Grant Program (SAFER) To The
Oakland Fire Department To Fund One Firefighter For The Period Of July 31, 2011 Through
July 30, 2013
[12-0037](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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S-7.28-CC Subject: Secondhand Jewelry Regulations
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.46 To Establish New Regulations For Secondhand Jewelry Dealers In The Following Areas: (1) Permitting; (2) Operating Standards; And (3) Regulatory Enforcement Actions; And
[12-0038](#)

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 October 16, 2012 meeting on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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2) 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 Businesses Conducting Activities As Secondhand Jewelry Dealers, Secondhand Dealers, And Exchange Dealers Pursuant To Oakland Municipal Code Chapter 5.46
[12-0038-1](#)

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 October 16, 2012 meeting on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
[13137 CMS.pdf](#)

Passed The Consent Agenda

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, 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 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember Brunner, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks

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

A motion was made by President Pro Tempore De La Fuente, seconded by Council President Kernighan, to *Approve as Submitted The oral report of the City Attorney of no final decisions and no non-confidential Closed session discussion. The motion carried by the following vote:

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

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

At 8:03 pm Council President Reid was noted out of chambers and President Pro Tem De La Fuente presided over the meeting.

**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 8.00 p.m.

No 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: Reid - 1

- 9.1 Subject: Annual CAPER Report
From: Department Of Housing And Community Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive The Consolidated Annual Performance And Evaluation Report (CAPER) For Fiscal Years 2010-2011, As Required By The Department Of Housing And Urban Development (HUD)
12-0031

***Received and Filed**
[View Report.pdf](#)

9.2 ~~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](#)~~

**Withdrawn and Rescheduled to * Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City Council on 10/16/2012**

*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened
at 8:05 p.m.*

17 individuals spoke on this item.

*Agency/Councilmember Brooks made a motion, seconded by
Agency/Councilmember Brunner, 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: Non-Owner-Occupied Ordinance
From: Councilmember Desley Brooks
Recommendation: Conduct A Public Hearing And Upon Conclusion 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](#)

**Continued to * Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council on 10/16/2012**

SRA/Councilmember Brooks made a motion, seconded by SRA/Councilmember Brunner, to amend the Ordinance on Introduction on Item 9.3 to:

1. Revise Article III: Scope and Exclusions to read as follows:

Section 8.58.210 - Exclusions

The provisions of this Chapter shall not apply to Properties: E. Where the Owner has applied for a City building permit in order to rehabilitate the property within ninety (90) days from the date of acquisition of the property. Should the property be occupied by tenants and access to the property delayed due to issues with the tenants, the Owner can seek additional time through a request to the Building Official. If the permits expire without the permitted work being completed, this exclusion no longer applies and the Owner must register the property with thirty (30) days following the expiration of the permits; and

2. Revise Article III: Registration, Inspection and Abatement: Section 8.58.300(C) to read as follows:

"Initial registration shall include providing information attesting to the conditions of the property, including readily apparent violations of the Oakland Building Construction Code, Building Maintenance Code, Property Maintenance Code, Fire Code, and Planning Code, as listed in Attachment A and subject to change from time to time as state and local building codes standards change. For the annual registration, the Owner need only report any new substandard conditions and an inspection by the City is not required unless there are reported or otherwise discovered substandard conditions."

With direction to staff to return to Council in one year with an evaluation on the program including a review of its efficacy and an analysis of owners with 6 or fewer properties and whether they are less likely to have blighted properties.

SRA/Councilmember Kaplan made a SUBSTITUTE MOTION motion, seconded by SRA/Councilmember Schaaf, to amend the Ordinance on Introduction on Item 9.3 to

1. To revise Article III: Scope and Exclusions to read as follows:

Section 8.58.210 - Exclusions

The provisions of this Chapter shall not apply to Properties: E. Where the Owner has applied for a City building permit in order to rehabilitate the property within ninety (90) days from the date of acquisition of the property. Should the property be occupied by tenants and access to the property delayed due to issues with the tenants, the Owner can seek additional time through a request to the Building Official. If the permits expire without the permitted work being completed, this exclusion no longer applies and the Owner must register the property with thirty (30) days following the expiration of the permits.

2. To revise Article III: Registration, Inspection and Abatement: Section 8.58.300(C) to read as follows:

"Initial registration shall include providing information attesting to the conditions of the property, including readily apparent violations of the Oakland Building Construction Code, Building Maintenance Code, Property Maintenance Code, Fire Code, and Planning Code, as listed in Attachment A and subject to change from time to time as state and local building codes standards change. For the annual registration, the Owner need only report any new substandard conditions and an inspection by the City is not required unless there are reported or otherwise discovered substandard conditions."

Staff was also directed to return to Council in one year with an evaluation on the program including a review of its efficacy and an analysis of owners with 6 or fewer properties and whether they are less likely to have blighted properties.

And further require this ordinance to include short sales preceded by a notice of default and to remove the exclusion for those owning fewer than 6 units.

and upon call of the roll, the motion tied by Ayes: Agency/Councilmember: Kaplan, Kernighan, Nadel, Schaaf - 4 Noes: Brooks, Brunner, De La Fuente, Reid - 4

Pursuant to Rule 29 of Council's Rules of Procedures this matter is held over to allow the Mayor to cast the tie-breaking vote.

If the Mayor votes in favor of the SUBSTITUTE motion, the Ordinance will be introduced as amended and final passage will be scheduled for the next City Council meeting.

If the Mayor votes in opposition of the SUBSTITUTE motion, Council will return to the consideration of the motion made by Councilmember Brooks and

seconded by Councilmember Brunner.

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9.4

~~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
[12-0021](#)~~

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

Council President Reid was noted as present at 9:30pm and returned to presiding of the Council meeting.

11 Subject: Ratifying Action Of Council Recess
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The
Oakland City Council 2012 Annual Recess In Conformance With The Council's Rules Of
Procedure Codified In Resolution No. 82580 C.M.S., Passed March 9, 2010
[12-0048](#)

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

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

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[84053 C.M.S.pdf](#)

12 Subject: Lease Disposition And Development Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution Ratifying
And Approving The Lease Disposition And Development Agreement And Related Documents
With The City Of Oakland And Prologis CCIG
Oakland Global, LLC, For A Mixed-Use Development On Approximately 130 Acres In The
Central, East, And West Gateway Areas Of The Former Oakland Army Base
[12-0063](#)

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

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[2012-006.pdf](#)

13 Subject: Professional Services Agreement Davillier-Sloan, Inc.
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A
Professional Services Agreement With Davillier Sloan, Inc. To Advise On And Facilitate The
Development Of A Comprehensive Community Benefits Program For The Oakland Army
Base, In An Amount Not-To-Exceed \$95,000
[12-0010](#)

A motion was made by Councilmember Brunner, seconded by Councilmember Brooks, that this matter be Adopted as Amended add the following language: "1) Davillier-Sloan (DSI) will be helping to develop the resource center's referral systems, ensure that the PLA, union referral system, and contracted hiring processes are aligned with the jobs policy. In addition, DSI will help to establish the processes and mechanisms for ongoing monitoring and compliance with the jobs policies, and developing a uniform dispute resolution process. And DSI will be coordinating the resource center's activities with other parts of the system to deliver jobs. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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14 ~~Subject: Crime Reduction Strategies Report~~
~~From: Oakland Police Department~~
~~Recommendation: Receive A Report From The Office Of Chief Of Police Providing An~~
~~Update On The Oakland Police Department's Crime Reduction Strategies~~
[12-0004](#)
[View Report.pdf](#)
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15 Subject: Grand Jury Response
From: Oakland Police Department
Recommendation: Receive A Report From The Office Of Chief Of Police Providing Response
To The Alameda County Grand Jury Report On Crime Labs In Alameda County
[12-0022](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Council President Kernighan, that this matter be *Received and Filed Councilmembers Brooks and Brunner were noted as absent at 9:59pm The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-16 Subject: R3 Consulting Group Agreement Amendment
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend An
Agreement With R3 Consulting Group To Provide Zero Waste System Technical Assistance
Services Increasing The Amount Not To Exceed By Six Hundred Thousand Dollars
(\$600,000.00) For A Total Contract Amount Not To Exceed One Million One Hundred
Thousand Dollars (\$1,100,000.00) And Waiving The Advertising And Competitive Request
For Proposal/Qualification Requirements
[12-0034](#)

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

Votes: ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember
Brooks
ORA\Councilmember Ayes: 6 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan and President Pro Tempore De La Fuente
Councilmembers Brooks and Brunner were noted present at 10:03pm
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S-17 Subject: Municipal Identification Agreement
 From: Office Of The City Administrator
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Authorizing The City Administrator To Execute A Licensing Agreement With SF Global To Provide Official City Of Oakland Municipal Identification And Debit Cards To Oakland Residents; And
[12-0039](#)

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

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

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2) 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 A Municipal Identification Application Fee For Identifications Issued Pursuant To Chapter 2.34
[12-0039-2](#)

A motion was made by Council President Kernighan 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 October 16, 2012 meeting. The motion carried by the following vote:

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

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S-18 Subject: Pilot Lien Program
 From: Department Of Planning And Building
 Recommendation: Adopt A Resolution Approving The Potential Removal Of Liens On 75
 Properties To Facilitate The Sale Of These Properties In The Alameda County Auction
 Program
 [12-0043](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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[84057 C.M.S.pdf](#)

S-19 Subject: Shotspotter, Inc., Detection System
 From: Oakland Police Department
 Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Her
 Designee To Enter Into A Professional Services Agreement With Shotspotter, Inc. For The
 Period Of September 1, 2012 Through August 31, 2013 In An Amount Not To Exceed
 Three-Hundred And Forty-Eight Thousand Dollars (\$348,000) For An Expansion In Service
 Area Coverage Of The Shotspotter Gunshot Detection System; And 2) Waiving The
 Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And
 Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB)
 Provisions For The Proposed Professional Services Agreement With Shotspotter, Inc.
 [12-0032](#)

A motion was made by Councilmember Brooks, 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 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Councilmember
Brunner, Council President Kernighan, President Pro Tempore De La Fuente
and Councilmember Brooks
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Continuation of Open Forum

There were 4 speakers during the 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 Darlene Jo Lee, Len Canty, Robert Dell, Lorenzo Hoopes, Vonna Bagner, and Shelly Garza's sister - Connie Serna at 10:54 p.m.

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