



City of Oakland Meeting Minutes

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

Meeting of the Oakland City Council

Tuesday, February 07, 2012

5:30 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

The Meeting of the Oakland City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:44pm

2 Roll Call / ORA & Council
COUNCIL MEMBERS:

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

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

There were speakers during Open Forum.

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

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Robyn Parker and Louise Ware.

4.1 Subject: Commending Jo-Ellen Spencer And Arlyce Currie
From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Recognizing And Commending Jo-Ellen Spencer And Arlyce Currie On The Occasion Of Their Retirement For Their Work At Bananas And Their Service To Parents And Child Care Providers Of Oakland
[11-0254](#)

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

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

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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF
January 17, 2012

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

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

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

*At the request of Councilmember Nadel, seconded by Councilmember Brunner
item 7.18 was pulled from the Consent Calendar to be rescheduled to the
February 21, 2012 City Council agenda as a non-consent item.*

*At the request of Councilmember Schaaf, seconded by Councilmember Nadel
item 7.4 was pulled from the Consent Calendar to be rescheduled to the
February 21, 2012 City Council agenda as a non-consent item.*

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
[11-0251](#)

This Matter was Adopted on the Consent Agenda.

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

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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
[11-0250](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.3-CC Subject: Supporting The California Cancer Research Act
From: Councilmember Brunner
Recommendation: Adopt A Resolution Supporting Proposition 29 "The California Cancer Research Act Of 2012" To Reduce Smoking, Especially Among Children And Fund Critical Research To Prevent And Treat Cancer, Heart Disease And Stroke, Lung Disease And Other Tobacco-Related Illnesses
[11-0234](#)

This Matter was Adopted on the Consent Agenda.

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

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on
2/21/2012
as a non-consent item.**

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~~7.5-CC~~

~~Subject: Two Tier Retirement Amendment – Safety
From: Department Of Human Resources
Recommendation: Adopt An Ordinance Of The City Of Oakland To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To: 1) Provide New City Of Oakland Safety Members Different Level Of Benefits (California Government Code Section 20475), 3% At 55 Full Formula And Government Code Section (California Government Code Section 21363.1), Three Year Final Compensation (California Government Code Section 20037) Applicable To Local Safety Members Entering Membership For The First Time In The Safety Classification After The Effective Date Of This Amendment To Contract; And 2) Include For City Of Oakland Fire Members A 4% Employees Cost Sharing Of Additional Benefits For Second Tier Local Fire Members (California Government Code Section 20516)~~
~~11-0191-1~~

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

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

Subject: Zero Waste Contract Amendment - R3 Consulting
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Advertising And Competitive Request For Proposal/Qualification Requirements And 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 Two Hundred Thousand Dollars (\$200,000.00) For A Total Contract Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) And Extending The Term By Two Years To September 1, 2015
[11-0212](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.7-CC Subject: Professional Services Contract Amendment - URS Corp
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Request For Proposal/Request For Qualifications ("RFP/RFQ") Competitive Selection Requirement And Authorizing The City Administrator To Amend The Professional Services Contract With URS Corporation To Add Design And Engineering Services For Bridge Seismic Retrofit Projects And Increase The Contract Amount By Six Hundred Thousand Dollars (\$600,000.00) For A Total Contract Amount Not To Exceed Eight Hundred Twenty-Nine Thousand Four Hundred Dollars (\$829,400.00)
[11-0215](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.8-CC Subject: Contract Increase - Design Community And Environment
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing An Amendment To Increase The Agreement With Design Community And Environment For As-Needed Landscape Architectural Services For An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Bringing The Total Contract Amount To Eight Hundred Fifty Thousand Dollars (\$850,000.00)
[11-0218](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.9-CC Subject: Fox Theater Renovation Audit
From: Council President Larry Reid
Recommendation: Receive An Informational Report On The Performance Audit Of The Fox Theater Renovation Project Released October 4, 2011 From The Office Of The City Auditor
[11-0196](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.10-CC Subject: Community Services Block Grant Renewal
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate A Renewal Grant In An Anticipated Amount Of \$1,253,958 In Anti-Poverty Community Services Block Grant (CSBG) Funds For Calendar Year 2012 From The State Of California Department Of Community Services And Development (CSD) And Any Additional CSBG Funding That May Become Available Without Returning To Council; And 2) Negotiate, Execute, And Amend Grant Agreements/Contracts With Service Providers In Alignment With The City's 2012-2013 State Approved Community Action Plan [TITLE CHANGE]
[11-0216](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.11-CC Subject: Oakland PATH Re-Housing Initiative Funding
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing An Agreement With The Oakland Housing Authority (OHA) To Accept Housing Assistance Program Funds In The Amount Of \$810,000 To Continue Implementing The Oakland PATH Re-Housing Initiative (OPRI) For The Period Of October 1, 2011 Through June 30, 2012; And Authorizing The City To Continue Its Collaboration With The OHA To Accept OHA Funds And Enter Into Contracts With OHA And Housing And Service Providers To Maintain And Expand The OPRI Program In Subsequent Years Without Returning To The City Council
[11-0217](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.12-CC Subject: Software And Support Contract Agreement - Foray Technologies
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Waiving The Advertising And Bidding Requirements And The Request For Proposal/Qualifications Process, 2) Waiving The Local And Small Local Business Enterprise Program Provisions, And 3) Awarding A Contract To Foray Technologies In An Amount Not To Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) For The Purchase Of Commercial Information Technology Equipment, Software Licensing, Management, Installation And Support Services For A Two Year Period
[11-0213](#)

This Matter was Adopted on the Consent Agenda.

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

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7.13-CC Subject: Sobriety Check Points Grant Award
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Thirty Six Thousand Five Hundred Dollars (\$36,500) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety, To The Oakland Police Department For The 2011 Sobriety Checkpoint Program for The Project Term Of October 1, 2011 Through September 30, 2012, And 2) Waiving The Central Services Overhead (CSO) Charges Associated With This Grant In The Amount Of Four Thousand Nine Hundred Seventy Nine Dollars (\$4,979)
[11-0214](#)

This Matter was Adopted on the Consent Agenda.

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

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7.14-CC Subject: Budget Advisory Committee Appointment - Houston
From: Vice Mayor Desley Brooks
Recommendation: Adopt A Resolution Appointing Ken Houston As A Member Of The
Budget Advisory Committee
[11-0248](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and
President of the Council Reid
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7.15-CC Subject: Settlement Agreement - Burgardt
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Burgardt V. City Of Oakland, Alameda County Superior
Court Case No. RG11555191 In The Amount Of \$23,000.00 (Public Works Agency - Inverse
Condemnation)
[11-0259](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and
President of the Council Reid
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7.16-CC Subject: Settlement Agreement - City Of Berkeley
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of City Of Berkeley V. City Of Oakland (Gail Lowry V.
City Of Berkeley, Et Al.), Alameda County Superior Court Case No. RG10552946 In The
Amount Of \$10,000.00 (Public Works Agency - Trip And Fall)
[11-0260](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and
President of the Council Reid
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7.17-CC Subject: Settlement Agreement - Eagles
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing and Directing the City Attorney to Compromise and Settle the Claim of Fannie Eagles, in the Amount of \$6,100.00 as a Result of Property Damage Sustained When Roots From a City Tree Damaged the Claimant's Sewer Lateral on October 5, 2011. (PWA)
[11-0261](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.18 Subject: Economic Development Strategy For The City Of Oakland
From: Councilmember Brunner
Recommendation: A Follow-Up Report And Proposed Action On The Community And Economic Development Director's Economic Development Strategy For The City Of Oakland
[10-0814](#)

***Withdrawn and Rescheduled to Meeting of the Oakland City Council on 2/21/2012**

as a non-consent item.

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7.19-CC Subject: Commending Andrea Youngdahl
From: Council President Larry Reid
Recommendation: Adopt A Resolution Commending Andrea Youngdahl, Director Of The Department Of Human Services, For 11 Years Of Outstanding Service And Congratulating Her On The Occasion Of Her Retirement
[11-0258](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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7.20-CC Subject: Resolution In Favor Of A.B. 1148
From: Councilmembers Kernighan And Schaaf
Recommendation: Adopt A Resolution In Favor Of A.B. 1148, The California Disclosure Act
[11-0224](#)

This Matter was Adopted on the Consent Agenda.

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

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Passed The Consent Agenda

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

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 President Pro Tempore De La Fuente, to *Approve as Submitted the 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 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

**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 6:48 p.m.

No individuals spoke on this item.

Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember De La Fuente, 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: Declaring Property Interests - Alameda Ave, High St., Jensen St.
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Of Necessity Declaring Property Interests At 600 High Street (Portions Of Apn 034-2295-001-03) Necessary For Public Use In The 42nd Avenue And High Street Access Improvement Project And Authorizing The City To Initiate Condemnation Proceedings For The Acquisition Of Those Property Interests.

[11-0230](#)

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

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

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2) A Resolution Of Necessity Declaring Property Interests At 4200 Alameda Avenue (Portions Of Apns 033-2203-006-00 And 033-2203-004-02) Necessary For Public Use In The 42nd Avenue And High Street Access Improvement Project And Authorizing The City To Initiate Condemnation Proceedings For The Acquisition Of Those Property Interests.

[11-0230-1](#)

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

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

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3) A Resolution Of Necessity Declaring Property Interest At Jensen Street (Between Apns 033-2250-013-01 And 033-2203-002) Necessary For Public Use In The 42nd Avenue And High Street Access Improvement Project And Authorizing The City To Initiate Condemnation Proceedings For The Acquisition Of Those Property Interests.

[11-0230-2](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 Subject: Port of Oakland Shut-Downs
From: President Pro Tem De La Fuente and Councilmember Schaaf
Recommendation: Adopt A Resolution Opposing Any Purposeful Upcoming Or Future Port Of Oakland Shut-Downs, Directing The City Administrator And Urging The Mayor To Use Whatever Lawful Tools We Have, Including Enforcement Of State Laws And Local Municipal Code Regulations And Requirements, To Prevent Future Shut Downs Or Disruptions Of Any Port Operations
[11-0206](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, that this matter be Adopted as Amended to include the following after the end of their first "Resolved" paragraph: ", provided that this resolution does not apply to lawful activities including but not limited to labor strikes." The motion failed by the following vote:

Votes: ORA\Councilmember Abstained: 2 - Councilmember Kernighan and President of the Council Reid
ORA\Councilmember Noes: 2 - Councilmember Kaplan and Vice Mayor Nadel
ORA\Councilmember Ayes: 4 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente and Councilmember Schaaf
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11 Subject: Employment-Related Community Benefits - Former Oakland Army Base
From: Community And Economic Development Agency
Recommendation: Report and Recommendations from the Jobs Working Group on
Employment-Related Community Benefits for the Development and Operations at the Former
Oakland Army Base
[11-0177-2](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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12 Subject: Army Base Development and Operations
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendation On Community Benefits Policy Framework Associated With The Development And Operations At The Former Oakland Army Base
[11-0177](#)

A motion was made by Councilmember Brunner, seconded by Vice Mayor Nadel, that this matter be *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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13 Subject: Oakland Fund for Children and Youth Improvement Plan
From: Department of Human Services
Recommendation: An Informational Report on the Oakland Fund for Children and Youth Program Quality Initiative and Improvement Plans for Service Providers
[10-0335-4](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid
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14 Subject: Sustainable Communities Planning Grant
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To One Million Dollars (\$1,000,000) From The State Of California Strategic Growth Council For The Sustainable Communities Planning Grant And Incentive Program Funds For The International Boulevard Transit-Oriented Development Implementation Plan
[11-0255](#)

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

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

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S-15 Subject: Two Tier Retirement Amendment - Safety
From: Department Of Human Resources
Recommendation: Adopt An Ordinance Of The City Of Oakland To Approve An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) To: 1) Provide New City Of Oakland Safety Members Different Level Of Benefits (California Government Code Section 20475), 3% At 55 Full Formula And Government Code Section (California Government Code Section 21363.1), Three-Year Final Compensation (California Government Code Section 20037) Applicable To Local Safety Members Entering Membership For The First Time In The Safety Classification After The Effective Date Of This Amendment To Contract; And 2) Include For City Of Oakland Fire Members A 4% Employees Cost Sharing Of Additional Benefits For Second Tier Local Fire Members (California Government Code Section 20516)
[11-0191-1](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

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Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Kaplan to approve the urgency finding on item S-16 for the following reasons: That there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

Upon call of the roll, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, and President Reid -7, No - Schaaf - 1

S-16 Subject: Registration Of Foreclosed And Vacant Residential Buildings
From: Council President Reid
Recommendation: Adopt An Ordinance Re-Enacting Oakland Municipal Code Chapter 8.54
Requiring The Registration Of Foreclosed And Vacant Residential Buildings
[11-0274](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the February 21, 2012 meeting. The motion carried by the following vote:

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

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the Council)

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Louise Ware and Robyn Parker at 10:18p.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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