



- 4.1 Subject: National HIV Testing Day  
From: Vice Mayor Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of National HIV Testing Day And  
Declaring June 27, 2012, National HIV Testing Day In The City Of Oakland  
[11-0545](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 5, 2012

**A motion was made by Councilmember Kaplan, seconded by President Pro Tempore De La Fuente, to \*Approve as Submitted in accordance with the actions taken by Council at the prior 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

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

*There was no action necessary for this item.*

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

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic  
[11-0542](#)

**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: 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  
[11-0543](#)

**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: Performance Audits - Public Works And Residential Permit Parking Program  
From: Office Of The City Auditor  
Recommendation: Receive Follow-Up Reports: (1) Public Works Agency Performance Audit, "Administration" Category And (2) Residential Permit Parking Program Performance Audit  
[11-0539](#)

**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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7.4-CC Subject: Portable Restroom Rentals  
From: Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Approving A Transfer Of \$2,100.00 From Councilmember Patricia Kernighan's District Two Special Priority Funds To The Public Works Agency For Rental Of A Portable Restroom With Damage Waiver For Madison Square Park For Fiscal Year 2012 - 2013  
[11-0537](#)

**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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7.5-CC Subject: Habitat For Humanity Housing Project  
From: Office Of Planning, Building And Neighborhood Preservation  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Approving A Subdivision Improvement Agreement With Habitat For Humanity Of The East Bay For Deferred Construction Of Public Infrastructure Improvements For The Brookfield Court Tract No. 8056 Final Map Located At 9507 Edes Avenue  
[11-0533](#)

**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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2) A Resolution Conditionally Approving A Final Map For Brookfield Court Tract No. 8056 Located At 9507 Edes Avenue For An Affordable Housing Project For Habitat For Humanity Of The East Bay  
[11-0533-1](#)

**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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7.6-CC Subject: Emergency Medical Services Measure M  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M)  
[11-0478](#)

**This Matter was Approved for Final Passage 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: Paramedic Emergency Services Measure N  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The Paramedic Services Act Of 1997 (Measure N)  
[11-0479](#)

**This Matter was Approved for Final Passage 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: Library Services Retention And Enhancement Act Measure Q  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q)  
[11-0480](#)

**This Matter was Approved for Final Passage 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: Violence Prevention And Public Safety Act Measure Y  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2012-13 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services, In Accordance With The Consumer Price Index, And Pursuant To The Violence Prevention And Public Safety Act Of 2004 (Measure Y)  
[11-0481](#)

**This Matter was Approved for Final Passage 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: Classification Amendment- Law Corps Attorney  
From: Department Of Human Resources Management  
Recommendation: Adopt The Following Ordinance:  
1) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Neighborhood Law Corps Attorney;  
[11-0462](#)

**This Matter was Approved for Final Passage 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: Parks And Recreation Advisory Commission Appointment - Flores  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Mio Flores To The Parks And Recreation Advisory Commission  
[11-0553](#)

**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: Community Policing Advisory Board Appointment - Gulbransen  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Krista Gulbransen As A Member Of The Community Policing Advisory Board  
[11-0554](#)

**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: Library Advisory Commission Appointments  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of David Bolanos And Susanne M. Perkins And Reappointment Of Linda Taylor As Members Of The Library Advisory Commission  
[11-0555](#)

**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: Cannabis Regulatory Commission Appointments - Mintz and Hendrix  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Charlie Mintz And Marlon S. Hendrix As Members Of The Cannabis Regulatory Commission  
[11-0556](#)

**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: Election Consolidation  
From: Office Of The City Clerk  
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland  
General Municipal Election With The Statewide General Election To Be Held In The City Of  
Oakland On Tuesday, November 6, 2012  
[11-0551](#)

**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 - Sierra At Jack London Square Owners' Association  
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  
\$20,000.00 (Public Works Agency - Inverse Condemnation)  
[11-0557](#)

**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 - Sandhu, Tripathi, Son And Jetter  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Paul Sandhu, Manoj Tripathi, Kyung Son And William  
Jetter V. City Of Oakland, Alameda County Superior Court Case No. RG10544928, In The  
Amount Of \$60,000.00 (Public Works Agency - Inverse Condemnation)  
[11-0558](#)

**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-CC Subject: Settlement Agreement - Aretha Thomas  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Aretha Thomas V. City Of Oakland, Alameda County Superior Court Case No. RG10540748 In The Amount Of \$100,000.00 (Public Works Agency - Trip And Fall)  
[11-0559](#)

**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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7.19-CC Subject: Settlement Agreement - Antonea Brown V. Officer S. Faleafine  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Antonea Brown V. Officer S. Faleafine, United States District Court Case No. CV113373JCS, City Attorney's File No. 27593, In The Amount Of Seven Thousand Five Hundred Dollars And Zero Cents (\$7,500.00). (Police Department)  
[11-0560](#)

**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: Settlement Agreement - Michael And Isabel Herman  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Michael And Isabel Herman, In The Amount Of \$12,778.32, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer Main. (Public Works Agency)  
[11-0561](#)

**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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7.21-CC Subject: Settlement Agreement - Marisela Mendoza  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Marisela Mendoza v. City Of Oakland, Alameda County  
Superior Court Case No. RG11586525 In The Amount Of \$7,500.00 (Oakland Police  
Department - Motor Vehicle Accident)  
[11-0562](#)

**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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7.22-CC Subject: Settlement Agreement - Smith  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution To Indemnify Former Oakland Police Officer Ingo  
Mayer For \$40,000 In Punitive Damages Awarded By The Federal Court In Smith Et Al. V.  
City Of Oakland Et Al., Case No. C 07-6298 MHP, Our File No. SS25818 (Oakland Police  
Department - "Strip" Search)  
[11-0563](#)

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

**Votes:** ORA\Councilmember Noes: 3 - Councilmember Brooks, Councilmember  
Kaplan and Vice Mayor Nadel  
ORA\Councilmember Ayes: 5 - Councilmember Brunner, President Pro  
Tempore De La Fuente, Councilmember Kernighan, Councilmember Schaaf  
and President of the Council Reid  
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S-7.23-CC Subject: East Bay Greenway Plan - ACTC/BART MOU  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute The Memorandum Of Understanding (MOU) Between The City Of Oakland, The Alameda County Transportation Commission (ACTC), And The San Francisco Bay Area Rapid Transit District (BART), Regarding The Administration, Design, Construction, Maintenance And Liability Terms For The Delivery Of The East Bay Regional Parks District's Regional Trail Segment 7a (75th Avenue To 85th Avenue Under The BART Tracks) Of Urban Ecology's 2008 East Bay Greenway Plan, As It Furthers The City's Interests In Providing Safe, Accessible, And Multiple Modes Of Access Between East Oakland Neighborhoods And The Coliseum BART Station  
[11-0514](#)

**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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[83914 CMS.pdf](#)

S-7.24-CC Subject: Alameda Countywide Clean Water Program Agreement Amendment  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Amend And Renew The Existing Agreement Providing For Implementation Of The Alameda Countywide Clean Water Program (Clean Water Program)  
[11-0513](#)

**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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S-7.25-CC Subject: Collaborative And Clean Creeks Program Agreement  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Accept And Appropriate Two Hundred And Eighty Thousand Dollars (\$280,000.00) Annually From The Alameda County Flood Control And Water Conservation District (District) And To Enter Into An Agreement With The District To Implement The Collaborative Creek Improvement And Clean Creeks Programs (Programs) For The Period July 1, 2012 Through June 30, 2017  
[11-0512](#)

**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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S-7.26-CC Subject: California Hotel Encroachment Permit  
From: Department Of Neighborhood Investment  
Recommendation: Adopt A Resolution Granting California Hotel Oakland LP A Revocable And Conditional Permit To Allow Portions Of An Existing Building Located At 3501 San Pablo Avenue To Encroach Into The Public Right Of Way Along San Pablo Avenue And Chestnut Street  
[11-0515](#)

**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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S-7.27-CC Subject: Salary Schedule Ordinance Amendment - Sewer Maintenance Planner  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Add The Classification Of Sewer Maintenance Planner  
[11-0510](#)

**This Matter was Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the July 3, 2012 meeting 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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S-7.28-CC Subject: Semi-Annual Vacancy Report  
From: Department Of Human Resources Management  
Recommendation: Receive The Semi-Annual Vacancy Report  
[11-0511](#)

**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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S-7.29-CC Subject: Preservation And Rehabilitation Development Loans  
From: Department Of Housing And Community Development  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,200,000 To Chelsea Investment Corporation For The C.L. Dellums Project Located At 644 14th Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project  
[11-0534](#)

**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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2) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$989,000 To East Bay Asian Local Development Corporation For The Madrone Hotel Project Located At 477 8th Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project  
[11-0534-1](#)

**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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3) A Resolution Increasing The Amount Of An Affordable Housing Preservation And Rehabilitation Loan To Dignity Housing West, Inc. For The James Lee Court Affordable Housing Development Located At 690 15th Street By \$1,105,000 For A Total Loan Amount Of \$3,501,000, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project  
[11-0534-2](#)

**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  
[83920 CMS.pdf](#)

4) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$382,000 To East Bay Asian Local Development Corporation For The Marcus Garvey Commons Project Located At 1769 Goss Street And 1766 7th Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project  
[11-0534-3](#)

**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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5) A Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$669,000 To East Bay Asian Local Development Corporation For The Slim Jenkins Court Project Located At 700 Willow Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Loans For The Project  
[11-0534-4](#)

**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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S-7.30-CC Subject: Lifeline Transportation Grant  
From: Oakland Public Library  
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Accept And Appropriate Grant Funds In An Amount Not To Exceed \$185,000 To Continue An Existing Program Providing Transportation To And From The West Oakland Branch Library For Preschool And Kindergarten Children For A Period Of Three Years And (2) Authorizing The Filing Of An Application For Federal Funding Through The Metropolitan Transportation Commission's Lifeline Transportation Program, Committing The Necessary Non-Federal Match And Stating The Assurance To Complete The Project  
[11-0508](#)

**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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S-7.31-CC Subject: Oakland Senior Aides Program Grant  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds In The Estimated Amount Of \$1,076,058 From Senior Services America, Inc., For The City Of Oakland Senior Aides Program For Fiscal Year 2012-2013  
[11-0516](#)

**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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S-7.32-CC Subject: Oakland Senior Companion Assessment & Referral Program Grant  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds For Fiscal Year 2012-2013 From: 1) The Corporation For National And Community Services (CNCS) In The Amount Of \$329,801 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP); 2) From The Alameda County Transportation Commission (ACTC) In The Amount Of \$92,000 For The SCP/Taxi Up & Go (TUGO) Project; And 3) From The Community Development Block Grant (CDBG) In The Amount Of \$24,000 For The SCP/Oakland Senior Companion Assessment & Referral (OSCAR) Project

[11-0517](#)

**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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S-7.33-CC Subject: Measure B Funds - Transportation Reimbursement Agreements  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Measure B Pass- Through Funds In The Amount Of \$872,810, Measure B Minimum Service Level Grant Funds Up To \$25,000 And Measure B Gap Grant Funds Up To \$162,000 From The Alameda County Transportation Commission (ACTC) For Fiscal Year 2012-2013 To Provide Paratransit Services; And Authorizing The City Administrator To Negotiate And Execute Reimbursement Agreements In Amounts Of: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$200,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company, Metro Yellow Cab Company And Yellow Cab Company, And 3) \$200,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Company; And Authorizing The City Administrator To Execute Amendments To The Agreements For Any Additional Amounts Received Under Measure B Or Reallocation Of Funds Without Returning To City Council

[11-0521](#)

**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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S-7.34-CC Subject: Multipurpose Senior Services Program - Professional Services Agreements  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into Standard Agreement Number MS-1213-01 With The State Of California, Department Of Aging, For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2012-2013, 2) Waive The Central Service Overhead Cost Of \$166,414 And 3) Enter Into Professional Service Agreements With Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2012 Through June 30, 2012, With Two-One Year Options To Extend, In An Amount Of \$210,821 Annually For Continued Program Implementation Of The MSSP  
[11-0522](#)

**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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S-7.35-CC Subject: Regional Catastrophic Preparedness Grant Program  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Enter Into An Agreement With The City And County Of San Francisco To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred And Fifty Thousand, Four Hundred And Twenty-Two Dollars (\$250,422) From The U.S. Department Of Homeland Security, Fiscal Year 2010 Regional Catastrophic Preparedness Grant Program (RCPGP) To The Oakland Fire Department, Office Of Emergency Services For The Period Of April 1, 2012 To March 31, 2013, To Develop And Establish A Pilot Program, "Building Community Readiness And Resiliency" (BCRR); 2) Waiving Central Services Overhead Costs Estimated At \$8,500; And 3) Authorizing The City Administrator To Expend Funds In Accordance With The Preliminary Spending Plan Which Includes But Is Not Limited To The Purchasing Of Program Supplies, Materials, Equipment, And Professional Services As Needed, And The Hiring Of A Senior Emergency Planning Coordinator, And Up To Three High School Interns And Three College Interns For Program Development And Implementation Through March 31, 2013, Without Further Council Authorization Provided City Policies And City Purchasing, Contracting And Hiring Requirements Are Followed  
[11-0507](#)

**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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S-7.36-CC Subject: Late Night Live In The Parks Project  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Measure Y Community Engagement Programs Including City-County Neighborhood Initiative (CCNI), Messengers4change And The Late Night Live In The Parks Project Utilizing Two Hundred Fifty Thousand Dollars (\$250,000) In Measure Y, The Violence Prevention And Public Safety Act Of 2004 Funds From July 1, 2012 - June 30, 2015 [TITLE CHANGE]  
[11-0242-1](#)

**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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S-7.37-CC Subject: Vacant Residential Property Registration Program Amendment  
From: Councilmember Brunner  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings To The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements And To Provide For Abatement Of Blight And Nuisances At Such Properties  
[11-0429](#)

**This Matter was Approved for Final Passage 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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2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Residential Properties  
[11-0429-2](#)

**This Matter was Approved for Final Passage 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 Brunner, 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

*There were no final decisions made during closed session.*

**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 7:12 p.m.*

*No individuals spoke on this item.*

*Vice Mayor Nadel made a motion, seconded by Pro Tempore De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7  
Noes: Council Member Brooks*

9.1 Subject: Army Base LDDA  
From: Office Of Neighborhood Investment  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following  
Pieces Of Legislation:

1) A Resolution Approving Amendments To The (Former) Oakland Army Base Final Reuse  
Plan Relating To A Revised Conceptual Land Use Strategy Emphasizing  
Warehousing/Logistics, And Authorizing City Staff To Make Any And All Necessary  
Conforming Changes Without Returning To The City Council, And;  
[11-0536](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, President Pro  
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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2) A Resolution Authorizing The City Administrator To Negotiate And Execute A  
Memorandum Of Agreement With The East Bay Municipal Utility District And CCIG Oakland  
Global, LLC, A California Limited Liability Company And/Or Oakland Bulk Oversized  
Terminal, LLC, A California Limited Liability Company (Or Their Related Entities Or  
Affiliates) Relating To Mutual Cooperation In The Development Of The Former Oakland  
Army Base In A Form And Content Substantially In Conformance With The Attached  
Documents, Without Returning To The City Council  
[11-0536-1](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, President Pro  
Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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3) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amended And Restated Cost Sharing Agreement Between The Redevelopment Agency Of The City Of Oakland (Agency) And The Port Of Oakland Pertaining To Infrastructure Improvements At The Former Oakland Army Base, To Reflect The Transfer Of The Property From The Agency To The City Of Oakland, To Acknowledge An Amendment To The Trade Corridor Improvement Funds (TCIF) Baseline Agreement, To Establish Respective Roles And Responsibilities Between The Port And City As To Grant Funding; To Identify The Funding Sources To Match The TCIF Grant; And To Commit An Additional \$22.5 Million In City Funds To Match The TCIF Grant, In A Form And Content Substantially In Conformance With The Attached Agreement, Without Returning To The City Council

[11-0536-2](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
[83932 CMS.pdf](#)

4) An Ordinance: (1) Authorizing The City Administrator To Negotiate And Execute A Lease Disposition And Development/Billboard Franchise Agreement, Ground Leases, Site Management Pass-Through Lease, And Related Documents (Collectively "LDDA") Between The City Of Oakland, And Prologis CCIG Oakland Global, LLC, A Delaware Limited Liability Company (Or Its Related Entities Or Affiliates), For The Development Of A Mixed-Use Industrial (Warehousing And Logistics), Commercial, Including Billboard, Maritime, Rail, And Open Space Project On Approximately 130 Acres In The Central, East, And West Gateway Areas Of The Former Oakland Army Base ("Project"); (2) Amending In Part The City's Employment And Contracting Programs For The Army Base Project; And (3) Waiving The Advertising And Request For Proposal Process For A Design-Build Contract For The Construction Of Public Improvements As Described In The LDDA ("Public Improvements"), And Authorizing The City Administrator To Enter Into A Contract For The Design-Build Of The Public Improvements With CCIG Oakland Global, LLC, In An Amount To Be Determined Pursuant To The Terms Of The LDDA; All Of The Forgoing Documents To Be In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To City Council

[11-0536-3](#)

**A motion was made by Vice Mayor Nadel, seconded by President Pro Tempore De La Fuente, that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the July 3, 2012 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks

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

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5) A Resolution Authorizing The City Administrator To Negotiate And Execute A Cooperation Agreement Among The City Of Oakland, Alameda County Building And Construction Trades Council, Alameda County Central Labor Council, And Specified Oakland Community-Based Organizations Relating To The Application Of Specified Community Benefits Regarding The Development Of The Former Oakland Army Base, In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To City Council

[11-0536-4](#)

**This matter was Adopted as Amended**

[83933 CMS.pdf](#)

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

ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*Council amended the legislation to include the following language read into the record by City Staff:*

*Substantive Changes*

- *ADDED (II.B): "At least four (4) weeks before any amendments are made to the Policies or the LDDA in a manner that impacts the Policies, the City will provide the proposed amendments to the Community Parties and the Oversight Commission for review."*

- *CHANGED the provision regarding City commitment to enforce the jobs Policies.*

*Second sentence of that provision (II.G.3] now reads:*

*"Where evidence clearly establishes than an Employer or Contractor is substantially non-compliant with the Policies after a warning by the City and a reasonable opportunity to cure, the City will pursue remedies against the subject Employer or Contractor that are reasonably designed to bring about compliance."*

- *CHANGED the provision regarding proposed composition of the Oversight Committee (II.K.3], to read as follows:*

*"Composition. Membership on the Oversight Commission shall consist of eleven niembers appointed by the Mayor and confirmed by the City Council, and will include representatives from the Oakland and West Oakland communities, organized labor, government, and employers. One community representative position will be reserved for an individual nominated by each of the following organizations or associations: (i) the West Oakland Community Advisory Group; (ii) collectively, the organizations signatory hereto other than labor unions that, as of the Effective Date, were members of the Revive Oakland coalition; and (iii) collectively, the organizations signatory hereto that, as of the Effective Date, were members of the OaklandWORKS coalition."*

- *ADDED authority of the Oversight Committee to review proposed changes to the jobs Pohcies or portions of the LDDA that affect the jobs policies (II.K.4]*

*Marginally substantive changes:*

- *[II.C] technical changes to the City's commitments regarding what*

language will be in the LDDA re labor peace during construction.

- [111] added dates for community responsibilities in assisting the City in getting the Jobs Center going
- additional minor revisions throughout

*Outstanding deal point:*

- *Issue: If a state or federal funding agency prohibits application of all or a portion of the jobs Policies, the city will negotiate with the funding agency to adapt the jobs Policies to the agency's requirements. In such a case, will the Community Parties have the right to approve the adapted policies? [II.J.2]*

*Council further amended the legislation to include the following language provided by Council Member Brunner:*

*2.2 Third Party agreements, approvals and permits:*

*“The following is a summary of the agreements, approvals and permits that the Parties acknowledge are essential to the success of the Project. The Parties shall cooperate as set forth in Section 2.1 above with respect to the City's pursuit and acquisition of such matters. For each such matter, during the time period between the execution or acquisition of the same and the termination of this Agreement: (a) the City shall use its best efforts to perform its obligations and secure the material benefit of its rights under such matter, each prior to the times set forth in the Schedule of Performance, if applicable, and (b) the City shall not seek or agree to amend the provisions of such matter except for any amendment to the cooperation agreement which would require a third party's prior consent to the city's agreement to amend the LDDA or related agreements without Developer's prior written consent which may not be unreasonably withheld, conditioned or delayed.*

*10.11 Amendment*

*Neither this Agreement nor any of its terms may be terminated, amended or modified except by a written instrument executed by the Parties. The City Administrator shall be authorized to determine, on a case by case basis at his or her discretion, if a requested amendment is minor in nature, and may be authorized by the City Administrator or is major in nature and must be authorized by the City Council. Any amendment to the Community Benefits or any term impacting the Community Benefits must be authorized by the City Council.*

*Council directed staff to amend language to clarify that “any change that would amend a council Ordinance, resolution, or the community benefits agreement shall be approved by council (sec 10.11)*



*Council further directed staff to provide a report to the June 10, 2012 Community and Economic Development Committee on LCP Tracker and its application to this project.*

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:08 p.m.*

*No individuals spoke on this item.*

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

9.2 Subject: Delinquent Mandatory Garbage Fees  
From: Office Of The City Administrator  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[11-0524](#)

**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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2) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 8.28 Of The Oakland Municipal Code; Or  
[11-0524-1](#)

**Not Adopted**

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

[11-0524-2](#)

**Not Adopted**

*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:09 p.m.*

*X individuals spoke on this item.*

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

9.3

Subject: Delinquent Real Property Transfer Taxes  
From: Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

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

[11-0523](#)

**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 Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary-Pursuant To Chapter 4.20 Of The Oakland Municipal Code;  
Or  
[11-0523-1](#)

**Not Adopted**

3) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection  
[11-0523-2](#)

**Not Adopted**

*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:10 p.m.*

*No individuals spoke on this item.*

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

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9.4 Subject: Delinquent Business Taxes  
From: Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or  
[11-0525](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Kernighan, 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 Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or  
[11-0525-1](#)

**Not Adopted**

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code  
[11-0525-2](#)

**Not Adopted**

*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:11 p.m.*

*X individuals spoke on this item.*

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

9.5 Subject: Assessment Of Liens - Transient Occupancy Taxes  
From: Office of the City Administrator  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent  
Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of  
Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs  
Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming  
The Recordation Of Liens With Administrative And Assessment Charges As Necessary -  
Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien  
And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[11-0526](#)

**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 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 Overruling Protests And Objections And Accepting And Confirming Reports  
Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent  
Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative  
And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal  
Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The  
County Tax Collector For Collection; Or  
[11-0526-1](#)

**Not Adopted**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent  
Transient Occupancy Taxes And The Recordation Of Liens With Administrative And  
Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal  
Code  
[11-0526-2](#)

**Not Adopted**

*Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 7:12 p.m.*

*X individuals spoke on this item.*

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

9.6 Subject: General Plan Safety Element Amendment  
From: Department Of Planning, Building, And Neighborhood Preservation  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending The Safety Element Of The Oakland General Plan To Incorporate The Oakland Local Hazard Mitigation Plan As An Implementation Annex  
[11-0509](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Kernighan, 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 THIS NUMBER INTENTIONALLY NOT USED

~~11 Subject: Safe Medication Disposal Support  
From: Councilmembers Brunner And Brooks  
Recommendation: Adopt A Resolution Of Support For Extended Producer Responsibility And The Alameda County Safe Medication Disposal Ordinance, Which Would Require Producers Selling Pharmaceutical Drugs In Alameda County To Participate In A Drug Stewardship Program  
[11-0490](#)~~

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12 Subject: Effects On Redevelopment Projects And Funds  
From: Councilmember Brunner  
Recommendation: Action On A Report On The State's Efforts To "Clawback" Redevelopment  
Funds And The Effects On Redevelopment Projects And Funds  
[11-0501](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember 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: Zero Waste RFP Economic Benefit Measures  
From: Public Works Agency  
Recommendation: Adopt A Resolution Adopting Zero Waste System Request For Proposals  
Economic Benefit Measures: Competitive Wages And Benefits, Job Retention, Local Business  
Participation, Local Hire Preference Points, In-County Landfill Preference Points; And Seeks  
Proposals From All Qualified Firms To Establish Competition To Avoid Significant Additional  
Costs To City Rate Payers  
[11-0379](#)

**Not Adopted**

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*Council Member Kaplan made a motion, seconded by Pro Tem De La Fuente to extend the meeting past midnight. The motion passed with a vote of 8 Ayes.*

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14 Subject: Sale Of Pension Obligation Bonds  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The Issuance And Sale Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 For The City Of Oakland Police And Fire Retirement System (PFRS) And Approving Certain Related Matters; And [TITLE CHANGE]  
[11-0431](#)

**A motion was made by Vice Mayor Nadel, 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 July 3, 2012 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 3 - Councilmember Brunner, President Pro Tempore De La Fuente and Councilmember Schaaf  
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and President of the Council Reid  
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2) A Resolution Approving The Issuance And Sale Of Not To Exceed \$250,000,000 Aggregate Principal Amount Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 For The City Of Oakland Police And Fire Retirement System (PFRS); Prescribing The Terms Of Sale Of Said Bonds; Approving The Form Of And Authorizing The Execution And Delivery Of A Third Supplemental Trust Agreement, Funding Agreement, Pension Obligation Debenture, | Continuing Disclosure Certificate And Bond Purchase I Contract; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing The Execution And Delivery Of An Official Statement; And Authorizing Necessary Actions Related Thereto  
[11-0431-1](#)

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

**Votes:** ORA\Councilmember Noes: 3 - Councilmember Brunner, President Pro Tempore De La Fuente and Councilmember Schaaf  
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and President of the Council Reid  
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15      ~~Subject: Vacant Residential Property Registration Program Amendment~~  
~~From: Councilmember Brunner~~  
~~Recommendation: Adopt The Following Pieces Of Legislation:~~  
~~1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings To The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements And To Provide For Abatement Of Blight And Nuisances At Such Properties~~  
~~11-0429~~  
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[View Supplemental Report.pdf](#)  
[13126 CMS.pdf](#)  
~~2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Residential Properties~~  
~~11-0429-2~~  
[13127 CMS.pdf](#)

S-16      Subject: Classification Plan Report  
From: Department Of Human Resources Management  
Recommendation: Receive An Informational Report On The City's Classification Plan  
[11-0527](#)

**\*Received and Filed**

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S-17      Subject: Coast Landscape Management Contract  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Coast Landscape Management, A Corporation, For The Maintenance Of The Mandela Parkway Landscape In The City Of Oakland For An Annual Amount Not To Exceed One Hundred Seven Thousand, Eight Hundred Thirty Two Dollars (\$107,832.00), For The Period Of July 1, 2012 To July 31, 2013, Per Request For Quotation 1825-02, Specification No. 11-988-36-02, And The General Conditions Therefore On File In The Purchasing Section According To Its Bid Filed With The City On August 3, 2011, And To Reject All Bids Received In Response To RFQ 1825.  
[11-0532](#)

**A motion was made by Vice Mayor Nadel, seconded by Councilmember Kaplan, that this matter be Adopted as Amended. 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-18      Subject:      Construction Contract For Army Base Building 6 - Downrite Corp  
From:          Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A  
Construction Contract With Downrite Corporation For An Amount Not-To-Exceed One  
Million Seven Hundred Thirty-Four Thousand Five Hundred Sixty-Five Dollars (\$1,734,565)  
For The Oakland Army Base Building 6,6t, 60, And 70 Demolition And Remediation Project  
(P294110)  
[11-0520](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 Council adjourned the meeting in memory of Herb Kennedy and Fendy Guan at 1:17 a.m.*

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*City Clerk and Clerk of the Council*