



City of Oakland Meeting Minutes

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

*** Concurrent Meeting of the Oakland Redevelopment
Successor Agency and the City Council
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

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

Tuesday, December 04, 2012

5:30 PM

City Council Chambers, 3rd Floor

1 Pledge of Allegiance

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

2 Roll Call / City Council
COUNCIL MEMBERS:

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

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

There were 29 speakers during Open Forum.

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

*Council President Reid took a point of personal privilege and requested that the
meeting be adjourned in memory of Francisco Rojas*

*Councilmember Schaaf took a point of personal privilege and requested that the
meeting be adjourned in memory of Bobbi Sartain and Raquel Gerstal.*

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

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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4.2 Subject: Congratulating Carmen Martinez
From: Council President Larry Reid
Recommendation: Adopt A Resolution Commending Carmen Martínez, Director Of The
Oakland Public Library, For Twelve Years Of Outstanding Service And Congratulating Her On
The Occasion Of Her Retirement
[12-0163](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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- 4.3 Subject: Recognizing Ise Lyfe
 From: Councilmember Desley Brooks
 Recommendation: Adopt A Resolution Recognizing Ise Lyfe For His Works And Significant Contributions To The City Of Oakland Through Spoken Word And Social Marketing Outreach
 [12-0171](#)

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

- Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council President Kernighan, President Pro Tempore De La Fuente and Councilmember Brooks
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE Special City Council Meetings Of October 30, and November 13, 2012

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

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

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

7. CONSENT CALENDAR (CC) ITEMS:

All items denoted with an "s-" were added pursuant to Rule 28a of Resolution 82580 C.M.S., Council's Rules of Procedures

7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency
Syndrome ("AIDS") Epidemic
[12-0172](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[12-0173](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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7.3-CC Subject: Settlement Agreement - Ancel
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Marilyn Ancel V. City Of Oakland, Alameda County
Superior Court Case No. RG11-608657 In The Amount Of \$6750.00 As A Result Of A Trip
And Fall Accident On College Avenue (OPW)
[12-0158](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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7.4-CC Subject: Settlement Agreement - Lake Royal Apartments
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Lake Royal Apartments In The Amount Of \$6,328.63,
As A Result Of Property Damage Sustained Caused By Tree Roots (Oakland Public Works)
[12-0160](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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7.5 Subject: Unlawful Search - Settlement Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Following Cases (Oakland Police Department - Unlawful Search) In The Aggregate Amount Of Four Million, Six Hundred Thousand Dollars And No Cents (\$4,600,000.00): James Taylor And Robert Forbes V. City Of Oakland, Et Al., United States District Court No. C04-04843 SI; City Attorney's File No. SS26446; Darnell Foster, Rafael Duarte And Yancie Young V. City Of Oakland, Et Al., United States District Court No. C05-03110 SI; City Attorney's File No. SS02705; Jimmy Rider V. City Of Oakland, Et Al. United States District Court No. C05-03204 SI; City Attorney's File No. SS02719; Tyrone Moore And Deandre Wash V. City Of Oakland, Et Al., United States District Court No. C06-02426SI; City Attorney's File No. SS24386; Jeffrie Miller, Richard Tillman. Jason Cagler, Jomal Reed, Curtis Freeman, Glenn Lovely And Kevin Bradley V. City Of Oakland. Et Al. United States District Court No. C07-01773 SI; City Attorney's File No. SS25571; John Smith, Robert Davis, Meheret Aneteneh, Jamel Parrish, Yusef Morris, Elbert Owens, Raheem Hill And Sherman Dunn V. City Of Oakland. Et Al., United States District Court No. C07-06298 Si; City Attorney's File No. SS25818; David Ward, James Tyson, And Tony Armstrong V. City Of Oakland, Et Al., United States District Court No. C07-04179 Si; City Attorney's File No. SS25880; Terrell Turner, Robert Young, Orlando Moore And Anthony Jackson V. City Of Oakland, Et Al., United States District Court No. C08-03114 SI; City Attorney's File No. SS26556; Lawrence Coley V. City Of Oakland, Et Al., United States District Court No. C08 04255 SI; City Attorney's File No. SS26767; Rahsan Kountz V. City Of Oakland, Et Al, United States District Court No. C09-05316 SI; City Attorney's File No. SS27508; Courtney Brown V. City Of Oakland, Et Al., United States District Court No. C11-04904; City Attorney's File No. SS26767-1; Larry Noble, Jr. V. City Of Oakland, Et Al., United States District Court No. C11-04906 SI; City Attorney's File No. SS26767-2; Nkukwe Okoli V. City Of Oakland, Et Al., United States District Court No. C11-04907 SI; City Attorney's File No. SS26767-3; Quincy Smith V. City Of Oakland, Et Al., United States District Court No. C11-04909 SI; City Attorney's File No. SS26767-4; Thomas Romerson V. City Of Oakland, Et Al., United States District Court No. C11-04908 Si; City Attorney's File No. SS27508-1; Stephen Johnson V. City Of Oakland, Et Al., United States District Court No. C11-04905; City Attorney's File No. SS27508-2; B. M., A Minor, By And Through His Next Friend, Felicia Williams V. City Of Oakland, Et Al, United States District Court No. C11-04903 SI; City Attorney's File No. SS27508-3
[12-0174](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Noes: 2 - President Pro Tempore De La Fuente and Councilmember Brooks
ORA\Councilmember Ayes: 5 - President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel and Council President Kernighan
There were 3 speakers on this item.

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S-7.6 Subject: Architectural Services Agreements
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000.00) Each With 1) Architecture Dimensions, 2) Devi-Dutta-Choudhury, 3) Hibser Yamauchi Architects, And 4) Vargas Greenan Architecture For On-Call Architectural Services Over A Period Of Three Years

[12-0157](#)

**Withdrawn and Rescheduled to Meeting of the Oakland City Council on
12/18/2012**

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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) Each With 1) Byrens Kim Design Works, 2) Dougherty & Dougherty Architects, 3) Group 4 Architects Research, 4) Mve Institutional , Inc., 5) Muller Caulfield Architects, 6) Murakami & Nelson, 7) Noll & Tam Architects, 8) RPR Architects, And 9) Shah Kawasaki Architects For Oncall Architectural Services Over A Period Of Three Years

[12-0157-1](#)

**Withdrawn and Rescheduled to Meeting of the Oakland City Council on
12/18/2012**

There was 1 speaker on this item.

S-7.7-CC Subject: Metropolitan Transportation Commission Agreement
From: Public Works Agency
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator or Designee To Apply for \$60,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2) Appropriate \$50,780.00 From Measure B Funds In Local Match; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Consulting Services For An Amount Not To Exceed \$50,780.00
[12-0156](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.8-CC Subject: Curb and Sidewalk Repair Project
From: Public Works Agency
Recommendation: Adopt A Resolution: Authorizing The City Administrator, Or His Designee To Award A Construction Contract To Rosas Brother Construction, Inc. The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428011 And Contractor's Bid Therefor, In The Amount Of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-Four Dollars And Sixty Cents (\$1,733,264.60)
[12-0155](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 1 speaker on this item.
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S-7.9-CC Subject: Bicycle Friendly Community Campaign
From: Public Works Agency
Recommendation: Adopt A Resolution Certifying That The Bicycle Master Plan, Updated December 4, 2007, Is Current And In Compliance With The California Streets And Highways Code Section 891.2; Acknowledging Five Years Of Progress On Plan Implementation; Affirming The Current Priority Lane Conversion Projects; Recommending Solutions That Address Barriers To Plan Implementation; And Establishing The City's 2014 Bicycle Friendly Community Campaign
[12-0154](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There was one speaker on this item.

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S-7.10-CC Subject: Gallagher & Burke, Inc., Construction Contract
From: Public Works Agency
Recommendation: Adopt A Resolution: Awarding A Construction Contract To Gallagher & Burk, Inc. In Accord With Plans And Specifications For Various Street Resurfacing And Bikeway Facilities No. G427410 And Contractor's Bid Therefor, For Six Million Two Hundred Seventy-Nine Three Hundred Sixty-One Dollars (\$6,279,361.00)
[12-0153](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.11 Subject: Contract Award For LED Light Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Waiving Advertising And Bidding And Authorizing The City Administrator To Award Contracts To Suppliers And Contractors Through An Advertised Request For Proposals ("RFP") Selection Process For The Replacement Of Existing HPS Cobra Head Street Lights With LED Street Lights Citywide, Without Return To Council; (2) Awarding Contracts To: (A) Amland Corporation For Three Million, Nine Hundred, Ninety Thousand Dollars (\$3,990,000.00) For The Installation Of The LED Street Lights, For Lighting And Electrical Engineering Services And For Documentation Services For This Project, And (B) Graybar For Ten Million, Eight Hundred And Fifty Two Thousand, Six Hundred And Fifty Dollars (\$10,852,650.00) For The Supply Of LED Street Lights, And (C) Authorizing The City Administrator To Increase Said Contracts By Up To An Amount Not To Exceed Seven And One Half Percent (7.5%) Of The Original Contract Price, Without Returning To Council; And (3) Authorizing The City Administrator To Waive Advertising And Request For Proposal/Qualification Process Requirements And Award A Project Loan Contract For Financing, For An Amount Of \$16,000,000.00, At An Interest Rate Not-To-Exceed Four And One-Tenth Percent (4.10%) For A Term Of Not More Than Twelve (12) Years, To Be Repaid By Energy Savings From Landscape And Lighting Assessment District (LLAD) Funds, Without Return To Council To Amland Corporation, Or To A Lender Selected By The City Administrator Through A Request For Proposal/Qualifications Process, Without Return To Council; And (4) Accepting, Appropriating And Directing Rebates From The Utility Company Estimated At Two Million, Nine Hundred And Twenty-Five Thousand Dollars (\$2,925,000.00) To Be Deposited In The Landscape And Lighting Assessment District Funds (LLAD)
[12-0146](#)

**Withdrawn and Rescheduled to Meeting of the Oakland City Council on
12/18/2012**

There were 4 speakers on this item.

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S-7.12-CC Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended September 30, 2012
[12-0144](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.13-CC Subject: 2011 - 2012 Fourth Quarter Revenue Results
From: Office Of The City Administrator
Recommendation: Receive A Report On Fiscal Year 2011-2012 Fourth Quarter Revenue And Expenditure Results And Year-End Summaries For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General Purpose Fund (1010) And All Funds
[12-0077](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.14-CC Subject: The Savoy Project Units
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending Resolution Nos. 82914 And 2011-0096 C.M.S. (Authorizing Development Loans) And Resolution No. 2010-0095 C.M.S. (Approving Replacement Housing Plan) To Reduce The Number Of Units From 102 To 101 At The Savoy Project (Formerly Jefferson Oaks Apartments) Located At 1424 Jefferson Street
[12-0097](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.15-CC Subject: 2013-2014 Rockridge Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For
Fiscal Year 2013/2014 For The Rockridge Business Improvement District, Approving The
Annual Report Of The Rockridge Business Improvement District Advisory Board
[12-0139](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.16-CC Subject: 2013-2014 Montclair Business Improvement District Assessment
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For
Fiscal Year 2013/2014 For The Montclair Business Improvement District, Approving The
Annual Report Of The Montclair Business Improvement District Advisory Board
[12-0138](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.17-CC Subject: 1-C Grant Pass Through - Streetscape And Infrastructure Improvements
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Oakland Redevelopment Successor Agency Resolution (1) Authorizing A Passthrough Grant To The City In An Amount Up To \$9,403,000 From The Uptown Proposition 1-C Grant Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For Streetscape And Infrastructure Improvements In The Central Business District, And (2) Authorizing A Grant In The Amount Of \$500,000 To Harrison Street Senior Housing Corporation Or Affiliated Entity From The Uptown Proposition 1-C Grant For The Development Of Parking At The Harrison Senior Housing Project At 1633 Harrison Street;
And
[12-0166](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution (1) Accepting A Pass-Through Grant From The Oakland Redevelopment Successor Agency In An Amount Up To \$9,403,000 From The Uptown Proposition 1-C Grant Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program, And Appropriating The Funds For Streetscape And Infrastructure Improvements In The Central Business District, And (2) Rescinding Resolution No. 83855 C.M.S. Granting \$500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California For The Harrison Senior Housing Project At 1633 Harrison Street
[12-0166-1](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.18-CC Subject: Mills Act Contracts
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Approving Four (4) Mills Act Contracts Between The City Of Oakland And The Properties At 818 Trestle Glen Road (Estimated - \$2,036/Year Property Tax Reduction), 1550 5th Avenue (Estimated - \$747/Year Property Tax Reduction), 3627 Majestic Avenue (Estimated - \$935/Year Property Tax Reduction), And 3635 Majestic Avenue (Estimated - \$709/year Property Tax Reduction) Pursuant To Ordinance No. 12987 C.M.S., To Provide These Owners With Property Tax Reductions In Exchange For Their Agreement To Repair And Maintain Their Historic Property In Accordance With Submitted Work Programs.
[12-0165](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.19-CC Subject: 2012-2013 Cultural Services Grants
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Seventy-Nine (79) Cultural Services Grants To Sixty-Nine (69) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2012-2013 In A Total Amount Not To Exceed \$950,001
[12-0140](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.20-CC Subject: Professional Services Agreement - 12th Street Reconstruction Project
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist John Colle Rogers For Public Art Design And Fabrication Services For The 12th Street Reconstruction Project To (1) Extend The Termination Date To December 31, 2013, And (2) Increase The Contract For A Total Amount Not To Exceed One Hundred Thirty Thousand Five Hundred Dollars (\$130,500) In Measure DD Series B Bond Funds
[12-0142](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.21-CC Subject: Professional Services Agreement - Roloff
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Professional Services Agreement With Artist John Roloff For Public Art Design And Fabrication Services For The Lake Merritt - Oakland Estuary Channel Project To (1) Extend The Termination Date To December 31, 2016, And (2) Increase The Contract For A Total Amount Not To Exceed Three Hundred Twenty-Six Thousand Nine Hundred Forty Dollars (\$326,940) In Measure DD Series B Bond Funds
[12-0141](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-7.22-CC Subject: Oakland Youth Court Program Agreement
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution Number 83756 C.M.S., Which Accepted And Appropriated State Of California Corrections Standards Authority Title II Formula Grant Program Funds (Title II Grant Funds) In The Amount Of One Hundred Seventy Two Thousand One Hundred Forty One Dollars (\$172,141) For The Oakland Youth Court And Authorized A Professional Services Agreement With McCullum Youth Court Corporation To Administer And Operate The Program, To: 1) Authorize A Services Agreement With Centerforce Corporation (Centerforce), In An Amount Not To Exceed Eighty Three Thousand Six Hundred And Thirty Eight Dollars (\$83,638) For The Period July 20, 2012 Through December 31, 2012 For The Administration And Operation Of The Oakland Youth Court Program; And 2) Waive The Advertising And Request For Proposals/Qualifications (RFP/Q) Process For The Proposed 2012 Centerforce Agreement
[12-0150](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
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S-7.23-CC Subject: Sobriety Checkpoint Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Fifty Five Thousand Dollars (\$55,000.00) 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, For The 2012-2013 Sobriety Checkpoint Program To Be Conducted By The Police Department. The Department Also Requests A Waiver Of The Central Overhead Charges
[12-0149](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 2 speakers on this item.
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S-7.24-CC Subject: Oakland Housing Authority MOU - Shotspotter
From: Oakland Police Department
Recommendation: Adopt A Resolution: Authorizing The City Administrator Or Her Designee To 1) Enter Into An MOU With The Oakland Housing Authority (OHA) To Establish And Define The Working Relationship And Shared Responsibilities Between The Oakland Police Department (OPD) And The Oakland Housing Authority Police Department (OHAPD). 2) Accept \$150,000 From OHAPD For The OPD For A Joint Planned Expansion Of Shotspotter (SST) And For OHAPD To Have Access To The System And Its Data
[12-0164](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 2 speakers on this item.

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[84119 CMS.pdf](#)

S-7.25 Subject: 2nd Generation Early Warning System
From: Department Of Information Technology
Recommendation: Adopt A Resolution For Awarding A Contract To Sierra Systems Inc. In An Amount Not To Exceed Nine Hundred Thousand Dollars (\$900,000.00) For A Two Year Term For As-Needed Technical And Project Management Services In The Implementation Of A Second Generation Early Warning System For The Oakland Police Department
[12-0148](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Schaaf, that this matter be Adopted as Amended to add an additional resolved to the resolution The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 2 speakers on this item.

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[84120 CMS.pdf](#)

S-7.26 Subject: Oakland Army Base Environmental Review Services Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An
Amendment To The Professional Services Agreement With LSA Associates, Inc. To Increase
The Contract By An Amount Not To Exceed \$66,606 For A Total Contract Amount Of
\$426,606 For Additional Environmental Review Services For The 2012 Oakland Army Base
Project
[12-0132](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 6 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan and President Pro Tempore De La Fuente
There were 1 speaker on this item.

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Passed The Consent Agenda

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

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

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

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

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

**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 7:47 p.m.

0 individuals spoke on this item.

President Pro Tem De La Fuente made a motion, seconded by Vice Mayor Nadel, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Brunner

- 9.1 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
[12-0125](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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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
[12-0125-1](#)

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
[12-0125-2](#)

Not Adopted

9.2 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
[12-0124](#)

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 Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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[84123 CMS.pdf](#)

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
[12-0124-1](#)

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
[12-0124-2](#)

Not Adopted

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:50 p.m.

0 individuals spoke on this item.

President Pro Tem De La Fuente made a motion, seconded by Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Brunner

9.3 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
[12-0122](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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2) 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; Or
[12-0122-1](#)

Not Adopted

3) 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
[12-0122-2](#)

Not Adopted

Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:51 p.m.

0 individuals spoke on this item.

President Pro Tem De La Fuente made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Brunner

9.4 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
[12-0123](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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2) 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;
Or
[12-0123-1](#)

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 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
[12-0123-2](#)

Not Adopted

Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:52 p.m.

5 individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Vice Mayor Nadel to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Brunner

9.5 Subject: Oakland Energy And Climate Action Plan
From: Public Works Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Adopting The Oakland Energy And Climate Action Plan And Authorizing The City Administrator Or His Or Her Designee To Administratively Update The Energy And Climate Action Plan Appendix Consistent With The Energy And Climate Action Plan Without Returning To The City Council
[12-0162](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 8:24 p.m.

0 individuals spoke on this item.

Vice Mayor Nadel made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

1 Excused: Brunner

- 9.6 Subject: Central District Redevelopment Five-Year Plan
From: Office Of Neighborhood Investment
Recommendation: Conduct a Public Hearing On The Report Providing Mid-Term Review Of The Five-Year Implementation Plans (2009-2014) For The Broadway/Macarthur/San Pablo, Central District, Coliseum And Stanford/Adeline Redevelopment Project Areas; And Upon Conclusion Adopt the Following Pieces Of Legislation:
[12-0135](#)

A motion was made by Vice Mayor Nadel, seconded by President Pro Tempore Kaplan, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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1) An Oakland Redevelopment and Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Central District Redevelopment Project To Add The Following Projects: 1800 San Pablo Avenue, 2330 Webster And 2315 Valdez Street, City Center T-5/6 (1114 Clay Street And 498 11th Street), Henry J. Kaiser Convention Center (1000 Oak Street), 12th Street Remainder Parcel, Uptown Parcel 4 (1901 Telegraph Avenue), And The Telegraph Plaza Garage (2100 Telegraph Avenue); And [12-0135-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
[2012-009 ORSA.pdf](#)

2) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Central City East Redevelopment Project To Add The Following Projects: Seminary Point, 27th Avenue And Foothill Boulevard, 36th Avenue And Foothill Boulevard, Eastmont, Foothill Square, And Melrose Ford; And [12-0135-2](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
[2012-010 ORSA.pdf](#)

3) An Oakland Redevelopment Successor Agency Resolution Adopting An Amendment To The Five Year Implementation Plan, 2009-2014, For The Coliseum Redevelopment Project To Add The Following Projects: Coliseum City, Fruitvale Transit Village Phase II, 66th Avenue And San Leandro Street, Hill-Elmhurst, Melrose Ford, And Clara Street And Edes Avenue
[12-0135-3](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
[2012-011 ORSA.pdf](#)

Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 8.28 p.m.

0 individuals spoke on this item.

Councilmember Kaplan made a motion, seconded by Vice Mayor Nadel, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7

1 Excused: Brunner

9.7 Subject: Mobile Food Vending Regulations Extensions
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:
1) An Ordinance Extending Interim Regulations With Minor Amendments For Permitting
Mobile Food Vending Group Sites Within A Limited Area Of The City Of Oakland Defined, In
Part, By City Council Districts 1, 2, 3, And 4. The Interim Regulations Contained Herein Shall
Remain In Place And Be Effective Through July 1, 2013, Or Until The City Council Adopts
New Permanent Mobile Food Vending Regulations, Whichever Comes First
[12-0136](#)

A motion was made by President Pro Tempore Kaplan, seconded by Vice Mayor Nadel, 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 December 18, 2012 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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[13152 CMS.pdf](#)

2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13133 C.M.S. As Amended) To Reduce The Interim Food Vending Group Site Operation Date Fee
[12-0136-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
[13150 CMS.pdf](#)

Upon the reading of Item 9.8 by the City Clerk, the Public Hearing was opened at 8.30 p.m.

143 individuals spoke on this item.

A motion was moved, seconded and carried to extend the meeting past 12:00 a.m.

9.8 Subject: New Dog Play Area Appeal
From: Department Of Planning And Building
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or

11-0624

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

11-0624-1

A motion was made by Vice Mayor Nadel, seconded by Councilmember Schaaf to adopt the resolution upholding the appeal of the Planning Commission's decision and grant the permit application for the New Dog Park Play Area. The motion failed with a vote of 4 Ayes, 3 Noes - Brooks, Kernighan, Reid, 1 Excused - Brunner.

A second motion was made by Councilmember Brooks, seconded by Councilmember Kernighan to deny the appeal and the application of a permit application for the New Dog Park Play Area. The motion failed with a vote of 3 Ayes, 4 Noes - De La Fuente, Kaplan, Nadel, Schaaf, 1 Excused - Brunner.

Due to a lack of 5 affirmative votes to pass either of the noticed options, this item was automatically rescheduled to the next City Council meeting of December 18, 2012.

Pursuant to Oakland Planning Code Section 17.152.180(B) this item shall appear for a vote on each regular meeting of the Council until a decision has been reached.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Public Library Trust Fund
From: Oakland Public Library
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Close Project C325110, In The Oakland Public Library Trust Fund (7540), And Transfer The Remaining Uncommitted Revenue And Appropriation Of Up To \$325,000 To A New Project To Be Used For Upgrades And Refurbishment Of Three Oakland Public Library Branches: Brookfield, Dimond And Montclair, And (2) To Apply For, Accept And Appropriate Additional Grants And Donations To Be Used For The Same Purpose.
[12-0088](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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[84127 CMS.pdf](#)

S-12 Subject: Metropolitan Golf Links Rent Relief
From: Office Of Parks And Recreation
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2012 Through June 30, 2013 In The Amount Of \$147,881 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 On May 6, 2008
[12-0081](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-13 Subject: Wells Fargo Custodial Banking Services Agreement
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing [One-Year, Two-Year] Extensions To The
Current Agreements With Wells Fargo Bank To Provide Primary Depository Services For The
City At Costs Not To Exceed \$275,000 Annually And Primary Custodial Banking Services At
A Cost Not To Exceed \$25,000 Annually
[12-0134](#)

**A motion was made by Councilmember Brooks, seconded by President Pro
Tempore Kaplan, that this matter be Adopted as Amended to authorize a
one year extension The motion carried by the following vote:**

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 4 speakers on this item.

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S-14 Subject: Goldman Sachs Swap Agreement Termination
From: Finance And Management Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland
Authorizing The City Administrator To Negotiate And Terminate The City's Interest Rate
Swap Agreement With Goldman Sachs & Co. To The Extent That The City Is Able To Do So
At A Below Market Value Cost And Not Later Than The End Of The Next Fiscal Year, June
30, 2013
[11-0424-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
There were 6 speakers on this item.

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S-15 Subject: 2011-2012 OFCY Evaluation
 From: Department Of Human Services
 Recommendation: Receive An Informational Report On The Oakland Fund For Children And Youth Evaluation Findings For 2011-2012. The Reports Were Prepared By An Independent Evaluator And Submitted By The Planning And Oversight Committee Of The Oakland Fund For Children And Youth
[12-0137](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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S-16 Subject: Oakland Fund For Children And Youth Investment Plan
 From: Department Of Human Services
 Recommendation: Adopt A Resolution To Adopt The Oakland Fund For Children And Youth 2013-2016 Strategic Investment Plan
[12-0151](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Vice Mayor Nadel, Council
President Kernighan, President Pro Tempore De La Fuente and Councilmember
Brooks
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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 Francisco Rojas, Bobbi Sartain, and Raquel Gerstal at 1:16 a.m.

Americans With Disabilities Act

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

City Clerk and Clerk of the Council