



SUPPLEMENTAL

City of Oakland

Meeting Agenda

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/City Council/Joint Powers Financing Authority City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

Tuesday, May 07, 2013

5:30 PM

City Council Chambers, 3rd Floor

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 5:30 P.M. portion of the agenda.

NON-CONSENT ITEM: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 6:30 P.M. portion of the agenda.

ACTION ITEM: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

INFORMATIONAL ITEM: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 Pledge of Allegiance

2 Roll Call / City Council

COUNCILMEMBERS: Desley Brooks, District 6; Noel Gallo, District 5; Lynette Gibson McElhaney, District 3; Dan Kalb, District 1; President Pro Tempore Rebecca Kaplan, At-Large; Vice Mayor Larry Reid, District 7; Libby Schaaf, District 4; Council President Patricia Kernighan, District 2

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

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

4.1 Subject: 2013 Bike To Work Day and Month
From: Vice Mayor Larry Reid

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Recommendation: Adopt A Resolution Proclaiming Thursday, May 9, 2013, As The City Of Oakland's 20th Annual Bike To Work Day, And The Month Of May, 2013, As City Of Oakland Bike Month

[\(12-0325\)](#)

- 4.2 Subject: 2013 East Bay Affordable Housing Week
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Proclaiming May 10 To May 19, 2013 As The 17th Annual East Bay Affordable Housing Week "Affordable Housing: Empowering People, Strenghtening Communities"
[\(12-0423\)](#)

- 4.3 Subject: Honoring The Clorox Company's Centennial
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Honoring The Clorox Company On Its Centennial
[\(12-0440\)](#)

- 4.4 Subject: Honoring American Indian Public High School
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Students, Teachers, And Parents Of American Indian Public High School (AIPHS) For Their Academic Achievements And For Their Contributions To American Indian Public High School's Recognition As The Nation's Best High School In 2013
[\(12-0471\)](#)

- 4.5 Subject: Honoring Oakland Charter High School
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Acknowledging Oakland Charter High School (OCHS) For Its Academic Achievements And For Its Recognition As The Highest Performing High School In Oakland In 2011-2012
[\(12-0472\)](#)

- 4.6 Subject: Municipal Clerk's Week
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Declaring May 5, 2013 Through May 11, 2013 Municipal Clerk's Week In The City Of Oakland
[\(12-0458\)](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 16, 2013 AND APRIL 30, 2013

- 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):

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7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Medical Cannabis Health Emergency
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A
 Local Public Health Emergency With Respect To Safe, Affordable Access To Medical
 Cannabis In The City Of Oakland
[\(12-0446\)](#)
- 7.2-CC Subject: Declaration Of A Local Emergency Due To Aids Epidemic
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health
 Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
 Immunodeficiency Syndrome ("AIDS") Epidemic
[\(12-0447\)](#)
- 7.3-CC Subject: Confer City Landmark Status On Two Properties
 From: Department Of Building, Planning And Neighborhood Preservation
 Recommendation: Adopt An Ordinance Designating 5654 Margarido Drive, The Morse
 House, And 1782 8th Street, The Shorey House, As Landmarks Pursuant To Section
 17.136.070 Of The Oakland Planning Code
[\(12-0367\)](#)
- ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second
Reading) OF THIS ORDINANCE**
- Introduction (First Reading) was passed on April 16, 2013; 8 Ayes.**
- 7.4-CC Subject: Violence Prevention & Public Safety Oversight Committee Reappointment
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Reappointing Joanne Brown As A Member Of
 The Violence Prevention And Public Safety Oversight Committee
[\(12-0435\)](#)
- 7.5-CC Subject: City Planning Commission Appointments - Moore, Weinstein, Bonilla
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jim
 Moore And Appointment Of Emily Weinstein And Jahaziel Bonilla To The City Planning
 Commission
[\(12-0438\)](#)
- 7.6-CC Subject: Board Of Port Commissioners Appointment - Colbruno
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
 Michael Colbruno To The Board Of Port Commissioners
[\(12-0439\)](#)

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7.7 Subject: City Council Legislative Priorities 2013-2014
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Establishing The Oakland City Council's
Legislative Priorities For 2013-2014
[\(12-0393\)](#)

**The April 18, 2013 Rules and Legislation Committee Approved the
Recommendations as Amended with a vote of 3 Ayes, 1 Excused - Schaaf.**

**The Committee amended the resolution as follows:
To remove the word "reform" from "Urban Infill/CEQA Reform."
To move "Urban Infill/CEQA" and "Transit Oriented Development/Smart
Growth" from the Economic Development Category to the Planning,
Housing and Land Use category.
To add the word "Energy" to the title "Environment and Sustainability."
To add the issues of "Recycling" and "Energy Efficiency and Renewables"
below the "Environment, Energy and Sustainability" category.
To add the topics "Low Income Consumer Protection" and "Employee
Relations" to the category "Miscellaneous/Other."**

7.8-CC Subject: Support For SB 283: Successful Re-Entry & Access To Jobs
From: Office Of Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Senate Bill 283 (Hancock) Which
Provides Individuals, Previously Convicted Of A Nonviolent Drug Felony, And Who
Meet All Other Eligibility And Asset Rules And Are Successfully Complying With The
Conditions Of Probation Or Parole, Or Have Successfully Completed Their Probation Or
Parole, Would Be Considered Eligible For California Works Opportunity And
Responsibility For Kids (CalWorks) And CalFresh Programs
[\(12-0389\)](#)

**The April 18, 2013 Rules and Legislation Committee Approved the
Recommendations; 3 Ayes, 1 Excused - Schaaf.**

7.9-CC Subject: Support For AB 180
From: Councilmember Libby Schaaf, President Pro Tempore Rebecca Kaplan And
The Office Of The City Attorney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 180 ("AB 180")
(Registration And Licensing Of Firearms: Exclusive Regulation, Rob Bonta), Which
Would Amend Government Code Section 53071 To Allow The City Of Oakland To
Enact And Enforce Regulations Or Ordinances Which Are More Restrictive Than State
Law
[\(12-0400\)](#)

**The April 18, 2013 Rules and Legislation Committee Approved the
Recommendations; 3 Ayes, 1 Excused - Schaaf.**

7.10-CC

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From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of AB 188 (Property Taxation: Change In Ownership, Ammiano), Which Would Amend Sections 64, 480.1, 480.2, And 482 Of, And To Add Sections 480.9, 486, 486.5, And 488 To, The Revenue And Taxation Code, Relating To Taxation, Which Would Trigger Reassessments Of Real Property When 100% Of The Ownership Interests In A Legal Entity, As Defined, Are Sold Or Transferred In A Single Transaction, Whether Or Not Any One Legal Entity Or Person That Is A Party To The Transaction Acquires More Than 50% Of The Ownership Interests
(12-0402)

The April 18, 2013 Rules and Legislation Committee Approved the Recommendations; 3 Ayes, 1 Excused - Schaaf.

7.11-CC Subject: Freeway Agreement With CalTrans
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee, The Director Of Public Works, To Execute A Superseding Freeway Agreement And Maintenance Agreement With The State Of California, Department Of Transportation, For The Interstate 880/23rd /29th Avenue Interchange Project
(12-0406)

The April 23, 2013 Public Works Committee approved recommendations; 4 Ayes

7.12-CC Subject: Amending Residential Permit Parking Area N
From: Public Works Agency
Recommendation: Adopt A Revised Resolution To Establish Residential Permit Parking Area "N" Near The MacArthur BART Station
(12-0408)

The April 23, 2013 Public Works Committee approved recommendations; 4 Ayes

7.13-CC Subject: Fiscal Year 2011-2012 WIA Funds Reallocation
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator 1) To Reallocate Fiscal Year 2011-2012 Workforce Investment Act Formula Funds That Are At Risk Of De-Obligation, With The Approval Of The Workforce Investment Board, Without Returning To City Council And 2) To Amend The Comprehensive One Stop Career Center Contract With The Oakland Private Industry Council, Inc. To Include An Additional \$200,000 In Fiscal Year 2011-2012 Workforce Investment Act Dislocated Worker Funds For Training Services For Dislocated Workers Effective April 1, 2013 To June 30,2013
(12-0422)

The April 23, 2013 Community and Economic Development Committee

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approved recommendations. 3 Ayes, 1 Absent - Gibson McElhaney

7.14-CC Subject: Extend And Assign Sears LDDA
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing: 1) An Amendment To A Lease
Disposition And Development Agreement With Sears Development Company To Extend
Development Deadlines For An Automotive Service Project Located At 2000-2016
Telegraph Avenue And 490 Thomas L. Berkeley Way; And 2) An Assignment Of The
Lease Disposition And Development Agreement To The Strategic Urban Development
Alliance, LLC, Or An Affiliated Entity
(12-0428)

**The April 23, 2013 Community and Economic Development Committee
approved recommendations; 4 Ayes**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE.**

**FINAL PASSAGE (Second Reading) OF THIS ORDINANCE will occur on
May 21, 2013.**

7.15-CC Subject: Army Base Purchase And Sale Agreement
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing The City Administrator To
Negotiate And Execute A Purchase And Sale Agreement(s) With The Port Of Oakland
For The Purchase Of Up To Approximately 4 Acres Of Former Oakland Army Base
Property And Authorizing Up To \$50,000 For Appraisal And Real Estate Closing Costs
(12-0425)

**The April 23, 2013 Community and Economic Development Committee
approved recommendations; 4 Ayes**

**ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First
Reading) OF THIS ORDINANCE.**

**FINAL PASSAGE (Second Reading) OF THIS ORDINANCE will occur on
May 21, 2013.**

7.16-CC Subject: Extend ENA With Recyclers
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate
And Execute An Amendment To The City's Exclusive Negotiating Agreement (ENA)
With California Waste Solutions, And Custom Alloy Scrap Sales, Inc. (Or CASS, Inc.)
Regarding A Proposed Recycling Project On Up To Approximately 20 Acres In The
North Gateway Area Of The Former Oakland Army Base Extending The ENA To
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(12-0426)

The April 23, 2013 Community and Economic Development Committee approved recommendations as amended to include "..., Or CASS, Inc." in the title.

7.17-CC Subject: 5000 Clarewood Drive Development
From: Department Of Planning And Building
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7891 Located At 5000 Clarewood Drive For An Eight Lot Residential Subdivision For Clarewood Associates LLC; And

(12-0409)

2) A Resolution Approving A Subdivision Improvement Agreement With Clarewood Associates LLC For Deferred Construction Of Public Infrastructure Improvements For The Final Map For Tract No. 7891 Located At 5000 Clarewood Drive

(12-0409-1)

The April 23, 2013 Community and Economic Development Committee approved recommendations. 4- Ayes

7.18-CC Subject: Oakland Ice Center Flooring Replacement
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Appropriating Funds In The Amount Of \$202,000 For The Replacement Of Rubber Flooring At The Oakland Ice Center

(12-0427)

The April 23, 2013 Community and Economic Development Committee approved recommendations. 4- Ayes

7.19-CC Subject: Summer Food Service Program Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator: 1) To Apply For, Accept, And Appropriate The Summer Food Service Program Grant From The California Department Of Education, Nutrition Services Division In An Estimated Amount Of Three Hundred Eighty Thousand, Seven Hundred Five Dollars (\$380,705); And 2) To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed One Hundred Seventy-Five Thousand, Two Hundred Fifty-Six Dollars (\$175,256) To Provide Food Services For The 2013 Summer Food Service Program For Children; And 3) To Negotiate And Execute A Professional Service Agreement Between The City And Epicurean Group In An Amount Not To Exceed Ninety Eight Thousand, Twenty One Dollars (\$98,021) To Provide Food Services For The 2013 Summer Food Service Program For Children

(12-0429)

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**The April 23, 2013 Life Enrichment Committee Approved
recommendations. 3 - Ayes, 1 Absent - Kaplan**

7.20-CC Subject: 30 Day Recruitment Report
From: Councilmembers Desley Brooks And Patricia Kernighan
Recommendation: Receive A Monthly Informational Report From The Oakland Police
Department On Recruiting And Police Department Staffing Levels Over The Last 30
Days
[\(07-1080-25\)](#)

**The April 23, 2013 Public Safety Committee approved recommendations; 4
Ayes**

7.21-CC Subject: Alameda County Abandoned Vehicle Abatement Authority (AVA)
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing: 1) The Extension Of The Alameda
County Vehicle Abatement Authority (AVA) Until May 31, 2023; 2) The City
Administrator Or Her Designee To Continue The Oakland Police Department's
Participation In The AVA; And 3) Authorizing The City Administrator Or Her Designee
To Accept The City Of Oakland's Share Of California State Vehicle Registration Service
Fee Funds As Authorized By Vehicle Code Section 9250.7 And Distributed Through The
AVA
[\(12-0421\)](#)

**The April 23, 2013 Public Safety Committee approved recommendations. 4
Ayes.**

7.22-CC Subject: Edward Byrne Memorial Justice Local Assistance Grant (JAG)
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her
Designee To: 1) Enter Into A Grant Agreement With The U.S. Department Of Justice,
Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial
Justice Assistance Grant Local Program Funds For The Period Of July 1, 2012 Through
June 30, 2013 (FY 2012-2013 JAG Funds); And 2) To Accept, Appropriate, And
Administer FY 2012-2013 JAG Fund Allocations In An Amount Not To Exceed Five
Hundred And Thirty Six Thousand, And Thirty Six Dollars (\$536,036) To Supplement
Frontline Policing Services For The Oakland Police Department; And 3) Expend Funds
In Accord With The JAG Fund Spending Plan
[\(12-0430\)](#)

**The April 23, 2013 Public Safety Committee approved recommendations. 4
Ayes.**

7.23-CC Subject: Center For Employment Opportunity (CEO) Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate
And Execute A Grant Agreement With The Center For Employment Opportunities (CEO)

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To Provide Violence Prevention Services In Accordance With The Measure Y Violence Prevention & Public Safety Act (VPPSA), In The Amount Of One Hundred And Fifty Thousand Dollars (\$150,000) For The Period May 1, 2013 To June 30, 2014 With A One-Year Option To Renew For A Total Amount Not To Exceed \$300,000
[\(12-0431\)](#)

The April 23, 2013 Public Safety Committee approved the amendment to the name of the grant recipient from Center for Economic Opportunity to Center for Employment Opportunities.

7.24-CC Subject: Settlement Agreement - Sui Bill Lee
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Sui Bill Lee, City Attorney's Claim No. C29454, In The Amount Of Six Thousand Eight Hundred Forty And 00/100 Dollars (\$6,840.00) (Public Works Agency - City Tree Roots)
[\(12-0468\)](#)

This item will be heard in Closed Session on May 7, 2013.

7.25-CC Subject: Settlement Agreement - Jaymes Evans
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jaymes Evans, Et Al. v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG11-610704 In The Amount Of \$10,00.00 As A Result Of A Motor Vehicle Collision On High Street And Courtland Avenue (Oakland Police Department - Motor Vehicle Collision)
[\(12-0469\)](#)

This item will be heard in Closed Session on May 7, 2013.

7.26-CC Subject: Settlement Agreement - Jacqueline Dixon
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Jacqueline Dixon v. City Of Oakland, Et Al, Alameda County Superior Court Case No. RG11-559368, In The Amount Of Sixty-One Thousand Six-Hundred Sixty-Seven Dollars And No Cents (\$61,667.00) As A Result Of A Fall On A City Sidewalk At 2859 Mandela Parkway On June 10, 2009 (Public Works Agency - Trip And Fall)
[\(12-0470\)](#)

This item will be heard in Closed Session on May 7, 2013.

S-7.27-CC Subject: Support Of AB 711: Prohibiting Lead Ammunition For Hunting Wildlife
From: Office Of The City Attorney and Council President Patricia Kernighan
Recommendation: Adopt A Resolution Of The Oakland City Council (1) Expressing Support Of California Assembly Bill No. 711 ("AB 711"), Introduced By Assemblymember Anthony Rendon On February 21, 2013, Which Prohibits The Use Of

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Lead Projectile Firearms Ammunition When Hunting Wildlife, Including Mammals And Birds, Which Will Reduce The Negative Health Effects Of Lead On Endangered Species And Reduce The Potential For Lead To Be Introduced Into The Human Food Chain And (2) Authorizing The City Administrator, Or Her Designee, To Instruct The City's Legislative Lobbyist To Support Passage Of California Assembly Bill No. 711 (12-0436)

The May 2, 2013 Rules & Legislation Committee approved the recommendations with a vote of 3 Ayes, 1 Absent - Reid.

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

**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:**

- 9.1 Subject: HUD Annual Action Plan
From: Department Of Housing And Community Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Annual Action Plan For Fiscal Year 2013-2014; 2) Accepting And Appropriating Funds Totaling \$12,293,150 For The HOME, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With AIDS (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating \$1,556,393 In Program Income, Reprogrammed Funds And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund; And 4) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Year 2013-2014 For The Community Development Block Grant Program (12-0419)

The April 23, 2013 Community & Economic Development Committee approved recommendations; 4 Ayes

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE. FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 21, 2013.

- 9.2 Subject: Extension Of Emergency Ordinance For Crematoria
From: Department Of Planning & Zoning
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls That Require A Major Conditional Use Permit To Establish A Crematorium, As It Is Currently Defined As Manufacturing And Industrial Usage To Remain In Effect Through May 10, 2013, Or When Permanent Regulations Are Adopted, Whichever Occurs First

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(12-0463)

This item was placed on the agenda by the April 25, 2013 Rules & Legislation Committee.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) AND FINAL PASSAGE OF THIS ORDINANCE.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 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)

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)

This item was heard by the December 4, 2012 City Council.

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 regularly scheduled City Council meeting.

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Pursuant to Oakland Planning Code Section 17.134.070(A), this item shall appear for a vote on each regular meeting of the City Council until a decision on a resolution upholding or denying the appeal is reached.

- 12 Subject: Debarment Process For Goldman Sachs
 From: Finance And Management Agency
 Recommendation: Receive An Informational Report With Possible Action Updating And Explaining The Process Of Debarring Goldman Sachs From Doing Any Future Business With The City
[\(12-0314\)](#)

At the April 16, 2013 City Council Meeting a motion was made by Councilmember Libby Schaaf and seconded by Councilmember Kalb to Continue the item to the May 7, 2013 City Council Meeting. The motion passed with a vote of 8 Ayes.

A second motion was made by Councilmember Libby Schaaf and seconded by Councilmember Kalb directing the City Attorney to bring a legal opinion to Council offering other avenues, in addition to the debarment process, for avoiding doing business with financial institutions that have engaged in illegal or unethical practices, including but not limited to, a requirement to disclose during any competitive selection process any fines paid or disciplinary legal findings made against the financial institution within the last five years. The motion passed with a vote of 8 Ayes.

- 13 Subject: MOU With The CHP For Crime Suppression Assistance
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Extend The Memorandum Of Understanding (MOU) With The California Highway Patrol (CHP) For Ninety (90) Days Of Crime Suppression Assistance Whereby CHP Will Deploy 10 Officers In Five, Double Unit Patrol Vehicles And Two Sergeants In A Supervisor Vehicle, Up To Four Days Per Week, At A Cost Not To Exceed Five Hundred And Fourteen Thousand Dollars (\$514,000), With One Option To Renew For An Additional 90 Days For A MOU Extension Total Amount Not To Exceed One Million And Twenty Eight Thousand Dollars (1,028,000), Subject To The Availability Of Funds As Appropriated By The Council
[\(12-0473\)](#)

This item was placed on the agenda by the April 25, 2013 Rules & Legislation Committee.

- 14 Subject: Modification of the Taxi Vehicle Permit (Medallion) Fee
 From: Vice Mayor Reid and Councilmember De La Fuente
 Recommendation: Adopt An Ordinance Amending Ordinance No. 13078 C.M.S., The Master Fee Schedule, As Amended, To Modify The Annual Fee Of The Taxi Vehicle Permit (Medallion) Assessed By The Office Of The City Administrator

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(12-0216)

This item was withdrawn and rescheduled at the February 5, 2013 Meeting of the Oakland City Council. This item was then placed on this agenda by the February 28, 2013 Rules & Legislation Committee.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 21, 2013.

- 15 Subject: Ordinance Amending OMC Chapter 5.64 "Taxicab Operations"
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 5.64 (Taxicabs) To A) Establish Criteria, As Required By State Law, To Investigate Unpermitted Taxicab Operations; B) Clarify Provisions Regarding Use Of Credit Cards; C) Removal Of Dispatch Service Requirement For Companies With Fewer Than Five Taxis; D) Add Option Of Electronic Waybills For Documenting Taxi Usage; E) Establish A Fleet Of Ramped Taxis For Transporting Passengers With Disabilities And A Ratio Of Such Taxis To Oakland's Regular Taxis; F) Establish Vehicle Age And Alternative Fuel Requirements; G) Authorize The City Administrator To Promulgate Standards Of Comportment For Drivers And To Provide For Permit Suspension, Revocation, And Non-Renewal On The Basis Of Violations; And H) Eliminate Expired Section Of OMC Chapter 5.64

(12-0328)

This item was placed on the agenda by the February 28, 2013 Rules & Legislation Committee.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 21, 2013.

- 16 Subject: Redistricting Of City Council Election Districts
From: Office Of Council President Patricia Kernighan
Recommendation: Receive An Informational Report On The Legal Requirements And Standard Practices For Redistricting Of City Council Districts Every Ten Years, Including The Extent And Nature Of Community Outreach, And Adopt Recommendations For Council Action To Begin The 2013 Redistricting Process In Oakland

(12-0388)

The April 18, 2013 Rules and Legislation Committee Received and Forwarded the Informational Report; 3 Ayes, 1 Excused - Schaaf.

- 17 Subject: Support For AB 229: Infrastructure And Revitalization Financing District

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From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution In Support Of Assembly Bill 229 (Perez, Atkins, Bonilla, Bonta, Cooley, Dickinson, Gordon And Torres) Authorizing The Creation Of Infrastructure And Revitalization Financing Districts To Finance Projects In Redevelopment Project Areas And Former Military Bases
(12-0336)

The April 18, 2013 Rules and Legislation Committee Approved the Recommendations; 3 Ayes, 1 Excused - Schaaf.

18 Subject: Replacement Of Cash Reserve With An Insurance Policy
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland City Council Resolution Authorizing The Use Of An Insurance Policy To Be Provided By Assured Guaranty Municipal Corp. ("Assured") To Replace The Cash In The Reserve Fund Securing The Oakland Joint Powers Financing Authority's Lease Revenue Refunding Bonds (Oakland Administration Buildings) 2008 Series B (The "Bonds"), Authorizing The Amendment Of The Rating Requirement In Such Trust Agreement Applicable To The Provider Of Such An Insurance Policy With Respect To Assured, And Authorizing The Reimbursement Of Assured From Base Rental Payments Made By The City Of Oakland Pursuant To The Sublease Relating To The Bonds; And
(12-0441)

2) An Oakland Joint Powers Financing Authority Resolution Authorizing The Use Of An Insurance Policy To Be Provided By Assured Guaranty Municipal Corp. ("Assured") To Replace The Cash In The Reserve Fund Securing The Oakland Joint Powers Financing Authority's Lease Revenue Refunding Bonds (Oakland Administration Buildings) 2008 Series B (The "Bonds"), Authorizing The Amendment Of The Rating Requirement In Such Trust Agreement Applicable To The Provider Of Such An Insurance Policy With Respect To Assured, And Authorizing The Reimbursement Of Assured From Base Rental Payments Made By The City Of Oakland Pursuant To The Sublease Relating To The Bonds
(12-0441-1)

This item was added to this agenda by the April 18, 2013 Rules and Legislation Committee.

19 Subject: 2013-2014 Tax And Revenue Anticipation Notes
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2013-2014 In An Amount Not To Exceed \$100,000,000 And The Issuance And Sale Of 2013-2014 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters
(12-0407)

The April 23, 2013 Finance and Management Committee approved

SUPPLEMENTAL

recommendations; 4 Ayes

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON MAY 21, 2013.

20 Subject: 2012 Infrastructure Report Card
From: Public Works Agency
Recommendation: Receive The 2012 Infrastructure Report Card For The City Of
Oakland
(12-0404)

The April 23, 2013 Public Works Committee approved recommendations. 4 Ayes.

21 Subject: On-Call Environmental And Hazardous Materials Consulting Contracts
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation Which Authorize The
City Of Oakland To Enter Into Professional Services Agreements For On-Call
Environmental Consulting Services In An Aggregate Amount Not To Exceed Four
Million Dollars (\$4,000,000) For A Three-Year Period From July 1, 2013, Through June
30, 2016:
(12-0405)

Adopt The Following Pieces Of Legislation Which Authorize The Oakland
Redevelopment Successor Agency To Enter Into Professional Services Agreements For
On-Call Environmental Consulting Services In An Aggregate Amount Not To Exceed
Four Million Dollars (\$4,000,000) For A Three-Year Period From July 1, 2013, Through
June 30, 2016:
(12-0405-1)

The Committee directed staff to provide the report from the Contracts & Compliance Division regarding the total participation percentage of Small/Local Business Enterprises for each Recommended Environmental and Hazardous Materials Consulting Firms prior to the 5-7-13 City Council meeting.

The April 23, 2013 Public Works Committee approved recommendations. 4 Ayes.

22 Subject: Latham Square Pilot Project
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee
To 1) Implement The Latham Square Pilot Project (LSPP) To Temporarily Close
Telegraph Avenue Between 16th Street And Broadway For The Purposes Of Creating A
Pedestrian Plaza For At Least Six (6) Months Following An Opening Date In Summer

SUPPLEMENTAL

2013; And 2) Report Back To City Council In The Fall Of 2013 As To The Success Of
The Pilot Plaza
(12-0410)

**The April 23, 2013 Public Works Committee approved recommendations- 4
Ayes**

23 Subject: Purchase Affordable Housing Parcels At Oak To Ninth
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution (1) Authorizing Exercise Of The Early Purchase
Option To Purchase Affordable Housing Parcels At The Oak To Ninth/Brooklyn Basin
Development, And (2) Authorizing A Put Agreement Providing For The Resale Of The
Parcels To Oakland Harbor Partners At The City's Option
(12-0420)

**The April 23, 2013 Community and Economic Development Committee
approved recommendations as amended to include an additional
WHEREAS as follows:**

**WHEREAS the Redevelopment Agency in 2006 entered into a Cooperation
Agreement with the Oak to Ninth Community Benefits Coalition, a
consortium of four community organizations, requiring the Agency to
purchase Project Parcels F and G (the "Affordable housing parcels") for
affordable housing development and to ensure, subject to economic
feasibility, the development of at least 465 affordable housing units, of
which at least 388 are to be built on the affordable housing parcels, unless
the Coalition consents to the off-site construction of some or all of these
units.**

24 Subject: Prospective Handgun Owner Letters
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Urging The City Administrator To Request That
The Chief Of Police Send Letters To Prospective Handgun Purchasers Who Reside In
The Jurisdiction Informing Them Of Their Responsibilities As Firearm Owners
(12-0232)

**The April 23, 2013 Public Safety Committee approved recommendations. 4
Ayes.**

25 Subject: Lease Financing Of The LED Streetlight Project
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Oakland City Council Resolution Authorizing Lease Financing Of The LED
Streetlight Project Authorized By Resolution No. 84186 C.M.S. With A Financial
Institution Selected By Competitive Process, In An Amount Not To Exceed \$16,500,000
Through: (1) Execution And Delivery Of City Of Oakland 2013 Certificates Of

SUPPLEMENTAL

**Concurrent Meeting of the Oakland
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Council/Joint Powers Financing Authority**

Tuesday, May 07, 2013

Participation (LED Streetlight Acquisition), Comprised Of Series A (Federally Taxable Qualified Energy Conservation Bonds - Direct Payment) And Series B (Tax Exempt); Or (2) Execution Of Lease/Purchase Agreements And Related Agreements And Documents; And (3) Authorizing The City Administrator To Enter Such Lease Financing Arrangements In Substantially The Form Of The Agreements And Documents On File With The City Clerk Relating To The Selected Lease Financing Arrangement, Which Documents May Include One Of More Of The Following: A Trust Agreement, A Lease, Sublease, A Lease/Purchase Agreement, A Paying Agent Agreement And Ancillary Security Documents; (4) Confirming The Selection Of Special Counsel And Financial Advisor; (5) Authorizing Payment Of Related Costs; (6) Declaring Intention To Reimburse Expenditures; (7) Authorizing Modification To Agreements And Documents; And (8) Ratifying Prior Actions And Authorizing The City Administrator To Take Necessary Actions In Connection Therewith
(12-0449)

This item was placed on the agenda by the April 25, 2013 Rules & Legislation Committee.

(2) An Oakland Joint Powers Authority Resolution Approving The Form And Authorizing Execution Of Certain Lease Financing Documents In Connection With Execution, Sale And Delivery Of Certificates Of Participation Relating To The City Of Oakland Streetlight Project And Authorizing And Directing Certain Actions With Respect Thereto.
(12-0449-1)

Pursuant to Rule 28(a) of Resolution 82580 C.M.S., this item was added to this agenda.

26 Subject: Alameda County Mosquito Abatement District Board Appointment - Anders
From: Council President Patricia Kernighan
Recommendation: Adopt A Resolution Appointing Elizabeth Anders As The City Of Oakland's Trustee To The Alameda County Mosquito Abatement District Board
(12-0432)

This item was placed on the agenda by the April 25, 2013 Rules & Legislation Committee

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)

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ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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**LaTonda Simmons
City Clerk and
Clerk of the Council**