



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 and the City Council

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

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

Tuesday, May 21, 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: National Public Works Week
From: President Pro Tempore Rebecca Kaplan

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Recommendation: Adopt A Resolution Celebrating The Week Of May 19-25, 2013 As
National Public Works Week In The City Of Oakland
(12-0452)

- 4.2 Subject: May 2013 As National Older Americans Month
From: Department Of Human Services
Recommendation: Adopt A Resolution Declaring May 2013 As "National Older
Americans Month"
(12-0499)

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

- ~~4.3 Subject: Honoring Sergeant Robert Crawford
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Honoring Sergeant Robert Crawford For
Forty Five Years Of Service To The City Of Oakland
(12-0484)~~

**The May 16, 2013 Rules & Legislation Committee removed this item from
the agenda.**

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

- 4.4 Subject: Support For "The Last Closet Campaign"
From: Council President Kernighan
Recommendation: Adopt A Resolution In Support Of The Last Closet Campaign Urging
The Commissioners Of Men's Professional Sports Leagues To Publicly Support Gay,
Lesbian, Bisexual And Transgender Athletes
(12-0504)

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

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF APRIL 30, 2013
AND MAY 7, 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):

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health

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Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
[\(12-0487\)](#)

- 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
[\(12-0488\)](#)
- 7.3-CC Subject: Citizen's Police Review Board Reappointment - Sung
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of
Virginia K. Sung To The Citizen's Police Review Board
[\(12-0461\)](#)
- 7.4-CC Subject: Library Advisory Commission Appointments - Franco And Mack
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Yael
Franco And Jeanetta Mack As A Members Of The Library Advisory Commission
[\(12-0485\)](#)
- 7.5-CC Subject: Violence Prevention & Public Safety Oversight Committee Appointment -
Daumont
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Lucas Daumont As A Member Of
The Violence Prevention And Public Safety Oversight Committee
[\(12-0486\)](#)
- 7.6-CC Subject: Community Policing Advisory Board Appointment - James Williams
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of James
Williams As A Member Of The Community Policing Advisory Board
[\(12-0491\)](#)
- 7.7 Subject: Civil Service Board Appointment - Gourdine
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of
Andrea Gourdine To The Civil Service Board
[\(12-0493\)](#)
- 7.8-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

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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)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MAY 7, 2013; 8 AYES.

7.9-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)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MAY 7, 2013; 8 AYES.

7.10-CC 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)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MAY 7, 2013; 7 AYES, 1 ABSTAIN - BROOKS.

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On May 7, 2013, the Council approved the recommendation as amended as follows:

Section 5.64.100(A), the "% of fare over 15 miles out of City: 150%" will be deleted to correct typographical error;

Section 5.64.040(B)(4), "Use of alternative radio technology for fleets consisting of more than five vehicles will be authorized under the discretion of the City Administrator" will be added;

Section 5.64.055(E)(1), Operating Permit Holders will be required to be in full compliance with this section by January 1, 2017;

Section 5.64.055(E)(2), will be amended to change vehicle efficiency requirements to 30% by the end of 2015 and up to 50% by 2017.

7.11-CC 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)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE.

INTRODUCTION (First Reading) WAS PASSED ON MAY 7, 2013; 7 AYES, 1 ABSENT - BROOKS.

7.12-CC Subject: Settlement Agreement - Sherryel Johnson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Sherryel Johnson, City Attorney's Claim No. C29476, In The Amount Of Twelve Thousand One Hundred Dollars And No Cents (\$12,100.00) (Public Works Agency - Sewers)
(12-0494)

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

This matter was heard in Closed Session on Tuesday, May 21, 2013.

7.13-CC Subject: Settlement Agreement - Liberty Mutual Insurance
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

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Compromise And Settle The Claim Of Liberty Mutual Insurance Company, City Attorney's Claim No. C29456, In The Amount Of Nine Thousand Eight Hundred Thirty Nine Dollars And Seventy-Two Cents (\$9,839.72) (Public Works Agency-Sewers) (12-0495)

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

This matter was heard in Closed Session on Tuesday, May 21, 2013.

7.14-CC Subject: Settlement Agreement - Vernesta Johnson
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Vernesta Johnson, Et Al. v. City Of Oakland, United States District Court Case No. C12-01725 LB, City Attorney's File No. 28811, In The Amount Of Fifty Thousand Dollars And No Cents (\$50,000.00) (Oakland Police Department-Civil Rights/Wrongful Death) (12-0496)

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

This matter was heard in Closed Session on Tuesday, May 21, 2013.

S-7.15-CC Subject: Fiscal Year 2013-2014 Wildfire Prevention Assessment District
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Initiating The FY 2013-14 Assessment Confirmation Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland Municipal Code (12-0401)

The April 23, 2013 Finance and Management Committee approved recommendations, 4 Ayes.

S-7.16-CC Subject: Fiscal Year 2013-2014 Landscaping And Lighting Assessment District
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Initiating The FY 2013-14 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District And Authorizing The City Administrator To Order A Preliminary Engineer's Report Pursuant To The California Streets And Highways Code (12-0403)

The April 23, 2013 Finance and Management Committee approved recommendations, 4 Ayes.

S-7.17-CC Subject: Single Audit Report For The Year Ended June 30, 2012
From: Office Of The City Administrator

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Recommendation: Receive An Informational Report Presenting The Single Audit Report
For The Year Ended June 30, 2012
(12-0451)

**The May 14, 2013 Finance and Management Committee received and
forwarded the report, 3 Ayes, 1 Abstain - Brooks.**

S-7.18-CC Subject: FY 2013-2014 Wildfire Prevention Assessment District - Intention
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance
Of The FY Year 2013-14 Preliminary Annual Report For The City Of Oakland Wildfire
Prevention Assessment District, And Setting June 4, 2013 As The Date For A Public
Hearing
(12-0448)

**The May 14, 2013 Finance and Management Committee approved
recommendations, 4 Ayes.**

S-7.19-CC Subject: FY Year 2013-2014 Landscaping & Lighting Assessment District - Intention
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance
Of The FY 2013-14 Preliminary Engineer's Report For The City Of Oakland
Landscaping And Lighting Assessment District, And Setting June 4, 2013 As The Date
For A Public Hearing
(12-0450)

**The May 14, 2013 Finance and Management Committee approved
recommendations, 4 Ayes.**

S-7.20-CC Subject: Appropriation of Federal Highway Safety Grant Funds
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her
Designee, The Director Of Public Works, To Accept And Appropriate Two Million
Dollars (\$2,000,000.00) In Highway Safety Improvement Program Cycle 5 (HSIP-5)
Grant Funds, For Roadway Safety Improvements On West Macarthur Boulevard, 98th
Avenue, And At Market Street/Adeline Street
(12-0454)

**The May 14, 2013 Public Works Committee approved recommendations, 4
Ayes.**

S-7.21-CC Subject: Transportation Development Act Article 3 Funds Approval
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply
For, Accept, And Appropriate Up To Three Hundred Forty-Seven Thousand Six Hundred
Thirty-Nine Dollars (\$347,639.00) In Fiscal Year 2013-14 State Transportation
Development Act Article 3 Funds As Follows: (1) Bicyclist Safety Education Classes,
Twenty-Five Thousand Dollars (\$25,000.00); (2) Stanford Avenue Crossing At Lowell

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Street, One Hundred Twelve Thousand Dollars (\$112,000.00); (3) Pedestrian Stairs And Paths Rehabilitation Projects, Two Hundred Ten Thousand Six Hundred Thirty-Nine Dollars (\$210,639.00)
[\(12-0455\)](#)

The May 14, 2013 Public Works Committee approved recommendations, 4 Ayes.

S-7.22-CC Subject: Safe Routes To School Cycle 10 Grant Funds
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, The Director Of Public Works, To Accept And Appropriate Two-Hundred Sixteen Thousand Dollars (\$216,000) In Safe Routes To Schools Cycle 10 Grant Funds For Pedestrian Safety Improvements Near Parker Elementary School, World Academy, Achieve Academy, Urban Promise Academy, And Elmhurst Community Prep School
[\(12-0456\)](#)

The May 14, 2013 Public Works Committee approved recommendations, 4 Ayes.

S-7.23-CC Subject: Owner Controlled Insurance Program
From: Council Member Brooks
Recommendation: Possible Action Directing The City Administrator To Convene A Revolving Owner Controlled Insurance Program (OCIP) Work Group From January 2013 Through March 2013. The Membership Of The Working Group Shall Include A Representative From The Following City Of Oakland Offices: Risk Management, Controller, Public Works, Community And Economic Development, City Attorney, And Purchasing. A Representative Of The Successor Agency And A Representative From The Port Of Oakland Should Also Be Included As Members. The Working Group Shall Be Tasked With Evaluating OCIP Programs From A Citywide Perspective; Researching Best Practices For OCIPs And To Provide Recommendations For Implementation Of A City Of Oakland OCIP Program. By March 2013 The Working Group Will Issue Recommendations On (a) General Policy, (b) Feasibility Analysis Bid/Request For Proposal (RFP) And Contract Language, (c) Insurance Program Design, (d) Safety And Loss Control, (e) Administration, (f) Claims Management And Adjudication, And (g) Funding Sources. City Administrator Shall Provide A Status Report At The First CED Committee Meeting In January 2013 To Include The Membership Roster And Schedule Of Meetings Of The OCIP Working Group
[\(12-0213\)](#)

The May 14, 2013 Community & Economic Development Committee received and forwarded the report, 4 Ayes.

S-7.24-CC Subject: Contributions For Mayor's Summer Jobs Program
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grants And Contributions To The City For The Mayor's

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Summer Jobs Program, And Contract With And Disburse Such Funds To Current Youth Service Providers For Summer Employment Services For Youth Or Program Support Services, Without Returning To Council
(12-0464)

**The May 14, 2013 Community & Economic Development Committee
approved recommendations; 3 Ayes, 1 No - Reid.**

S-7.25-CC Subject: Broadway Transit Study
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Fehr & Peers To Complete The Broadway Transit Urban Circulator Study In An Amount Not To Exceed \$329,200, Using \$299,200 In Caltrans Urban Transit Grant Funds Previously Appropriated By The City Council To Complete This Study, And A Local Match Of \$30,000 In Prior Year Economic Development Allocations Of Community Development Block Grant Funds
(12-0465)

**The May 14, 2013 Community & Economic Development Committee
approved recommendations; 3 Ayes, 1 Recused - Kernighan.**

S-7.26-CC Subject: Kiva Zip Microlending
From: Offices Of Economic And Workforce Development, Councilmember Libby Shaaf and City Attorney
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With Kiva Microfunds, A California Non-Profit Public Benefit Corporation ("Kiva") To Identify And Recommend Small Businesses In Oakland For Kiva Zip's Microlending Platform
(12-0466)

**The May 14, 2013 Community & Economic Development Committee
approved recommendations; 4 Ayes.**

S-7.27-CC Subject: Jack London Improvement District 2013
From: Office Of Economic And Workforce Development
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Of Intention To Form The Jack London Improvement District, Granting Preliminary Approval Of The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A Proposed Assessment To The Affected Property Owners For Majority Protest Procedure Approval; And Scheduling A Public Hearing For July 16, 2013; And
(12-0480)

2) A City Resolution Authorizing The City Administrator To Sign The Ballot And To Pay The FY 13/14 Assessment For One (1) City-Owned Property On Which Assessments Are To Be Levied (APN 018 04250 0401) To Support The Formation Of The Jack London

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Improvement District
(12-0480-1)

The May 14, 2013 Community & Economic Development Committee approved recommendations as amended; 4 Ayes.

The Committee approved the recommendations as amended to include the following amendments to the first resolution:

- 1. The district name will be made the consistent throughout all documents;**
- 2. Section 8 will be amended to clarify the assessment methodology that will be used to levy assessments on condominiums;**
- 3. Under Section 13, "to complete the counting of the returned ballots on the night of the Public Hearing" will be added; and**
- 4. Section 19, will be amended to clarify how the percentages will be calculated when the ballots are tallied to be consistent with local governing ordinances.**

S-7.28-CC Subject: Head Start- Early Head Start Grant Renewal 2013-2014
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Apply For, Accept, And Appropriate Head Start (HS) Basic, Head Start Training And Technical Assistance, Early Head Start (EHS) Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2013-2014 In The Estimated Amount Of \$17,434,862 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF); And 2) Enter Into Grant Agreements To Fund Comprehensive Child Development Services With: Unity Council In An Estimated Amount Of \$4,734,529; The Salvation Army In An Estimated Amount Of \$219,357; Brighter Beginnings In An Estimated Amount Of \$464,326; And Children's Hospital-Oakland In An Estimated Amount Of \$22,000; And 3) Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And Amend The Existing Grant Agreements With Unity Council, The Salvation Army, Brighter Beginnings, And Children's Hospital-Oakland, Without Returning To Council; And 4) To Review And Approve Oakland Head Start-Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually
(12-0477)

The May 14, 2013 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Absent - Gibson McElhaney.

S-7.29-CC Subject: California State Preschool Program (CSPP) 2013-2014
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, 1) To Apply For, Accept And Appropriate The California State Preschool Program (CSPP) Expansion Grant From The California Department Of Education In An Estimated Amount Of \$937,485 From July 1, 2013 To June 30, 2014,

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And 2) To Enter Into A Grant Agreement With The Unity Council For The Estimated Amount Of \$98,170 To Fund Prekindergarten And Family Literacy Services In Accord With Said Grant
(12-0478)

The May 14, 2013 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Absent - Gibson McElhaney.

S-7.30-CC Subject: Child & Adult Care Food Program (CACFP) 2013-2014
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education, Nutrition Services Division (NSD) In An Estimated Amount Of \$545,000 To Provide Funding For Nutritious Meals To Children Enrolled In The City Of Oakland's Head Start Program From September 1, 2013 Through August 31, 2014
(12-0479)

The May 14, 2013 Life Enrichment Committee approved recommendations; 3 Ayes, 1 Absent - Gibson McElhaney.

S-7.31-CC Subject: Measure Y Audit Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report Presenting The Measure Y - Violence Prevention And Public Safety Act Of 2004 Audit And Program Status Report
(12-0442)

The May 14, 2013 Public Safety Committee approved recommendations; 4 Ayes.

S-7.32-CC Subject: Port Security Grant Program Funds
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1. Accept, Appropriate And Administer Supplemental Fiscal Year 2008 PSGP Grant Award Funds In An Amount Up To Two Hundred And Eighty Thousand Dollars (\$280,000) For A Cumulative FY 08 PSGP Grant Award Allocation Amount Not To Exceed One Millions Two Hundred Thousand Nine Hundred Forty Two Dollars (\$1,224,942); And 2. Approve The Preliminary Spending Plan; And 3. Expend Funds In Accord With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided City Competitive Solicitation And Purchasing Programs/Policies Are Followed
(12-0462)

The May 14, 2013 Public Safety Committee approved recommendations; 3 Ayes, 1 Absent - Gibson McElhaney.

S-7.33-CC Subject: Big Valley Aviation Maintenance Contract
From: Oakland Police Department

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Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Big Valley Aviation, Inc., (Big Valley) In An Amount Not To Exceed Two Hundred Twenty Thousand, Two Hundred Fourteen Dollars (\$220,214.00) For The Period Of May 14, 2013 To June 30, 2014 For Helicopter Maintenance Services; And 2) Waiving The Competitive Request For Proposal/Qualification (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Program (L/SBE) Provisions For The Proposed Professional Services Agreement
(12-0475)

The May 14, 2013 Public Safety Committee approved recommendations; 3 Ayes, 1 Absent - Gibson McElhaney.

S-7.34-CC Subject: Support For HR 1579: The Inclusive Prosperity Act
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Expressing Support For The Inclusive Prosperity Act (HR 1579) To Impose A Tax On Certain Trading Transactions To Strengthen Our Financial Security, Reduce Market Volatility, Expand Opportunity, And Stop Shrinking The Middle Class
(12-0483)

The May 16, 2013 Rules & Legislation Committee approved recommendations; 4 Ayes.

8 Oral Report Of Final Decisions Made During Closed Session & Disclosure Of Non-Confidential Closed Session Discussions

9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

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

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)

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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)

[\(11-0624-1\)](#)

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.

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.

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

[\(12-0393\)](#)

This item was Continued from the May 7, 2013 Meeting of the Oakland City Council.

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.

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within the last five years. The motion passed with a vote of 8 Ayes.

15 Subject: Army Base Real Property Issues
From: Office Of Neighborhood Investment
Recommendation: Receive An Informational Report And Recommend Possible Action
To Address Issues Of Immediate Concern To Current City Tenants At The Former
Oakland Army Base, And Receive Additional Information Requested By The City
Council At Its May 7 Meeting
(12-0505)

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

16 Subject: Priority Project Funds To Latino Commission On Alcohol And Drug Abuse
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of \$25,000
From Councilmember Gallo's Priority Project Funds To The Latino Commission On
Alcohol And Drug Abuse Of Alameda County For Their Centro De Juventud Program To
Support The Organization's Operating Expenses
(12-0492)

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

17 Subject: Support For Local Control Funding Formula For Schools
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of Governor Jerry Brown's Local
Control Funding Formula (LCFF) Budget Trailer To The State Of California 2013-2015
Budget
(12-0506)

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

S-18 Subject: 2013-2014 Tax And Revenue Anticipation Notes
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The Sale Of 2013-2014 Tax And
Revenue Anticipation Notes In An Amount Not To Exceed One Hundred Million Dollars
(\$100,000,000); Authorizing The Execution And Delivery Of Related Documents And
Approving Certain Related Actions
(12-0453)

**The May 14, 2013 Finance and Management Committee approved
recommendations, 4 Ayes.**

S-19 Subject: Support For Projects Submitted In The ACTC Coordinated Call For Projects
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

SUPPLEMENTAL

* Concurrent Meeting of the Oakland
Redevelopment Successor Agency and the City
Council

Tuesday, May 21, 2013

1) A Resolution Authorizing The City Administrator To: (A) Apply For, Accept And Appropriate Twenty Million And Fourteen Thousand Dollars (\$20,014,000.00) In Metropolitan Transportation Commission ("MTC") Discretionary Funding; And (B) Commit Matching Funds Of Two Million Five Hundred Ninety-Four Thousand Dollars (\$2,594,000.00) For The Oakland Pavement Rehabilitation, The Lakeside Green Street, The Lake Merritt Bart Bikeways, The 7th Street West Oakland Transit Village Phase II, And The MLK Jr. Way & Peralta Phase I; And
(12-0457)

2) A Resolution Authorizing The City Administrator To: (A) Apply For, Accept And Appropriate Up To Four Hundred Sixty-Five Thousand Dollars (\$465,000.00) In Alameda County Transportation Commission ("ACTC") Measure B And Vehicle Registration Fee Grant Funding; (B) Enter Into A Grant Funding Agreement With The ACTC; And (C) Commit Matching Funds Not To Exceed One Hundred Thirteen Thousand Dollars (\$113,000.00), For The Fruitvale Alive Gap Closure Streetscape Study And The Broadway Shuttle Project
(12-0457-1)

The May 14, 2013 Public Works Committee approved recommendations as amended, 4 Ayes.

The resolution was amended to reflect the final funding amounts which have been approved.

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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SUPPLEMENTAL

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THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND
FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

LaTonda Simmons
City Clerk and
Clerk of the Council