



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, July 02, 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 Passed The Consent Agenda

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: Meatless Mondays
From: Councilmembers Libby Schaaf and Desley Brooks

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Recommendation: Adopt A Resolution Declaring Mondays To Be "Meatless Mondays"
In The City Of Oakland
(12-0615)

4.2 Subject: Honoring Superintendent Tony Smith
From: Council Member Gibson McElhane
Recommendation: Adopt A Resolution Honoring Superintendent Tony Smith On His
Service To The Oakland Unified School District
(12-0638)

S-4.3 Subject: Honoring Trikone
From: President Pro Tempore Rebecca Kaplan
Recommendation: Adopt A Resolution Recognizing Trikone, The First Organization For
Lesbian, Gay, Bisexual, Transgender, And Queer (LGBTQ) People Of South Asian
Descent In The World
(12-0663)

5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF JUNE 13, 2013
and JUNE 18, 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
Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired
Immunodeficiency Syndrome ("AIDS") Epidemic
(12-0613)

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
(12-0614)

7.3-CC Subject: Community Policing Advisory Board Appointment - Gomez
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sal
Gomez As A Member Of The Community Policing Advisory Board
(12-0609)

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7.4-CC Subject: Wildfire Prevention & Assessment District Advisory Board Appointment - Wong
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Doug Wong As A Member Of The Wildfire Prevention And Assessment District Advisory Board
(12-0610)

7.5-CC Subject: Budget Advisory Committee Appointment - Andrus
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Lori Andrus To The Budget Advisory Committee
(12-0620)

7.6-CC Subject: Citywide Zoning Text Amendments
From: Department Of Planning And Building
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To Amend The Oakland Planning Code To: 1) Update References, Reduce Redundancy, And Clarify Language In Various Chapters Of The Planning Code; 2) Modify Truck Weight Classifications Language To Conform With Industry Standards; 3) Modify The Setback Requirement For The Portion Of Buildings Above 55 Feet In Height In The CBD-R Zone; 4) Add Design Review Requirement For Residential Facilities And Historic Properties In The CIX, IG, And IO Zones; 5) Eliminate The Increased Parking Requirement For Expansions Of Activities Across Zone Boundaries; And 6) Add Sidewalk Cafes As A Permitted Facility In The M- Industrial Zones
(12-0553)

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 18, 2013; 8 AYES.

7.7-CC 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
(12-0216)

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 18, 2013; 5 AYES, 2 NOES - SCHAAF AND KERNIGHAN, 1 ABSTAIN - KALB.

At the June 18, 2013 City Council meeting, Vice Mayor Reid made a

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motion, seconded by President Pro Tempore Kaplan, to adopt the ordinance with the amendment that the fee be \$719.00. The motion passed with the vote of 5 Ayes, 2 Noes - Schaaf and Kernighan, and 1 Abstention - Kalb.

7.8-CC Subject: Eliminate Requirement of Council Approval for Creation of Standing Committees
From: Oakland Public Library
Recommendation: Adopt An Ordinance Amending City Of Oakland Ordinance No. 11730 C.M.S. To Either 1) Eliminate The Requirement Of City Council Prior Approval For Create Of Standing Committees Of The Library Advisory Commission; Or 2) Alter The Requirement Of City Council Prior Approval For Creation Of More Than Two Standing Committees Of The Library Advisory Commission
(12-0558)

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

INTRODUCTION (First Reading) WAS PASSED ON JUNE 18, 2013; 8 AYES.

At the June 18, 2013 City Council meeting, Councilmember Brooks made a motion, seconded by Councilmember Schaaf to adopt Option 2 of the Ordinance. The motion passed with a vote of 8 Ayes.

7.9-CC Subject: Support For SB 52: Disclosure Of Top Three Funders Of Political Ads
From: Council President Patricia Kernighan And Councilmember Libby Schaaf
Recommendation: Adopt A Resolution In Support Of SB 52, The California Disclose Act Of 2013 [Leno And Hill]
(12-0587)

The June 20, 2013 Rules & Legislation Committee approved recommendations with a vote of 4 Ayes.

7.10-CC Subject: Settlement Agreement - Mabry
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Brendy Mabry v. City Of Oakland, Alameda County Superior Court Case No. RG12616548, City Attorney's File No. 28551, In The Amount Of Twenty-Eight Thousand, Five Hundred Dollars And No Cents (\$28,500.00) (Public Works Agency - Trip And Fall)
(12-0616)

This item was heard in Closed Session on June 21, 2013.

7.11-CC Subject: Settlement Agreement - Hamilton
From: Office Of The City Attorney

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Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Hamilton v. City Of Oakland, Et Al., Alameda County Superior Court, Case No. RG12610883, City Attorney's File No. 28254-A, In The Amount Of Ten Thousand Dollars (\$10,000.00) (Oakland Police Department - Motor Vehicle Injury)
(12-0617)

This item was heard in Closed Session on July 2, 2013.

7.12-CC Subject: Travel Authorization - Brooks
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel To Milwaukee, Wisconsin To Attend The 2013 National League Of Cities National Black Caucus Of Local Elected Officials (NBC-LEO) Annual Summer Conference From July 31, 2013 To August 3, 2013
(12-0624)

This item was placed on the agenda by the June 20, 2013 Rules & Legislation Committee.

~~7.13-CC~~ Subject: ~~Oakland Army Base Real Estate Actions~~
From: ~~Office Of Neighborhood Investment~~
Recommendation: ~~Adopt The Following Pieces Of Legislation:~~

~~1) An Ordinance Authorizing The City Administrator To Negotiate And Execute A Sixty-Six (66) Year Lease Or Easement With The Port Of Oakland For Rail Uses And Service On Approximately 8 Acres Of Port Land Adjacent To City Owned Land On The Former Oakland Army Base; And~~

~~(12-0581)~~

~~2) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up-To Sixty-Six (66) Year Sublease Or Easement With Prologis CCIG Oakland Global, LLC, Or Related Entities For Rail Uses And Service On Approximately 8 Acres Of Land Adjacent To City Owned Land On The Former Oakland Army Base; And~~

~~(12-0581-1)~~

~~3) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up-To Thirty (30) Month Lease With The Port Of Oakland For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port Owned Portion Of The Former Oakland Army Base; And~~

~~(12-0581-2)~~

~~4) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up-To Thirty (30) Month Sublease With Oakland Maritime Support Services (Or A Related Entity) For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port Owned Portion Of The Former Oakland Army Base; And~~

~~(12-0581-3)~~

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~~5) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Lease Or License Agreement With California Capital & Investment Group, Inc., For Installation Of Air Quality Monitoring Facilities, Equipment And Utilities At Raimondi Park In West Oakland; And~~

~~(12-0581-4)~~

~~6) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To The 2005 Purchase And Sale Agreement Between The Oakland Base Reuse Authority And The California Department Of Transportation For Approximately 6.5 Acres Of Property Adjacent To The Former Oakland Army Base; And~~

~~(12-0581-5)~~

~~7) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Real Property Agreement With BNSF Railway Company To Relocate An Existing Rail Line Easement Near Engineers Road To Facilitate The Development Of The Former Oakland Army Base~~

~~(12-0581-6)~~

This item was moved to Item 14 on the Non-Consent portion of the agenda.

S-7.13-CC Subject: Marketing Of Champion Street Property For Sale
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Rejecting All Prior Bids And Authorizing The City Administrator To Market For Sale Surplus Property Located At 3455 And 3461 Champion Street, APN 028-0905-013-02 And APN 028-0905-009-00 (Old Fire House #14), For The Future Development Of A Restaurant By Issuing A Notice Of Development Opportunity
(12-0595)

The June 25, 2013 Finance & Managment Committee approved recommendations with a vote of 4 Ayes.

S-7.14-CC Subject: On-Call Construction Services Agreements
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000.00) Each To The Prequalified Firms Of 1) CAS Financial & Construction Services Inc., 2) Four Dimensions Landscape Co., 3) Magdave Associates, Inc., 4) Peters Construction, 5) Summerhill Electric, Inc., And 6) Wesley Construction; And

(12-0584)

2) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For On-Call Licensed Construction Work In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each To The Prequalified Firms

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Of 1) AEKO Consulting, 2) AJW Paving & Grading, 3) Andes Construction, 4) Bay Construction, 5) Beliveau Engineering Contractors, 6) B-Side Construction, 7) Dc Construction, 8) Downrite Corporation, 9) Infiniti Engineering, 10) McGuire & Hester, 11) Mosto Construction, 12) Phase 3 Communications, Inc., 13) Ray's Electric, 14) Rockridge Builders, 15) Rosas Brothers Construction, 16) Wickman Development And Construction, And 17) Yes Construction Group
(12-0584-1)

The June 25, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-7.15-CC Subject: Purchase of Materials for Defremery Park
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Contract In The Amount Of Ten Thousand Dollars (\$10,000) To Good Tidings Foundation For The Purchase Of Equipment For Improvements At Defremery Park Basketball Courts
(12-0639)

The June 25, 2013 Public Works Committee approved recommendations with a vote of 4 Ayes.

S-7.16-CC Subject: Environmental Oversight Costs At Former Oakland Army Base
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute The Following Agreements In Order To Modify The Manner In Which The California Department Of Toxic Substances Control (DTSC) And The Regional Water Quality Control Board Are Paid For Environmental Oversight Costs At The Former Oakland Army Base (OARB): (1) An Amendment To The 2003 Consent Agreement With DTSC; (2) An Amendment To The 2002 Environmental Services Cooperative Agreement With The United States Army (Army); And (3) An Assumption Agreement With The Army Approving The Transfer Of The OARB Property From The Oakland Redevelopment Agency To The City
(12-0612)

The June 25, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.17-CC Subject: ENA For Coliseum Transit Village Phase I
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Exclusive Negotiating Agreement With The Oakland Economic Development Corporation For Development Of Phase I Of The Transit Village At The Coliseum Bart Station, And Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed \$400,000; And
(12-0582)

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The Committee approved recommendations as amended to amend the resolution to reference the Coliseum Projects Fund (5656), not (5650).

2) A Resolution Authorizing The City Of Oakland To Continue To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Station Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program; And
[\(12-0582-1\)](#)

3) An Oakland Redevelopment Successor Agency Resolution Transferring The Grant Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart Station Transit Village Project To The City Of Oakland
[\(12-0582-2\)](#)

The June 25, 2013 Community & Economic Development Committee approved recommendations as amended with a vote of 4 Ayes.

S-7.18-CC Subject: ENA To Develop 12th Street Remainder Parcel
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With UrbanCore-Integral, LLC For Development Of The 12th Street Remainder Parcel Located At 12th Street And 2nd Avenue
[\(12-0592\)](#)

The June 25, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.19-CC Subject: ORSA Property Management Plan
From: Office Of Neighborhood Investment
Recommendation: Adopt An Oakland Redevelopment Successor Agency (ORSA) Resolution Approving A Long-Range Property Management Plan Addressing The Disposition And Use Of Former Redevelopment Agency Properties
[\(12-0601\)](#)

The June 25, 2013 Community & Economic Development Committee approved recommendations with a vote of 4 Ayes.

S-7.20-CC Subject: Permanent Access To Housing (PATH) Strategy
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Authorize The Department Of Human Services, Community Housing Services Division To Release A Request For Proposals To Award And Allocate Up To \$37,000 For Homeless Prevention And/Or Rapid Rehousing Services From July 1, 2013 Through December 31, 2013 Without Returning To Council, (2) Approval To Reallocate Awards

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Originally Made To East Bay Community Law Center And St. Mary's Center Under The City's 2012/14 Permanent Access To Housing (Path) Strategy Should The Conditions Set Under Said Grant Agreements Not Be Met By The Designated Dates, (3)) To Authorize Allocations And Continued Services For The Second Year Of 2012/14 Path Grant Agreements Previously Authorized By Oakland City Council Resolution No. 83995 Passed On July 17, 2012, And To (4) Authorize An Allocation Of Up To \$52,750 To East Oakland Community Project As A Mandatory Match To The City's HUD Funded 2013/14 Matilda Cleveland Transitional Housing Program (MCTHP) From Available General Purpose Funds.

[\(12-0585\)](#)

The June 25, 2013 Life Enrichment Committee approved recommendations as amended with a vote of 4 Ayes.

The Committee also directed staff to provide a supplemental report showing where we are programmatically.

The Committee further directed staff return at a future date with an additional report showing demographics, population needs and how programs interact with realignment funding.

S-7.21-CC Subject: Agreement With CALICO For Child Abuse Investigations And Training
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into An Agreement With The Child Abuse Listening, Interviewing, And Coordination Center (Calico) In An Amount Not To Exceed Ninety Five Thousand Dollars (\$95,000) For The Period Of July 20,2010 To June 30,2015 To Provide Forensic Interviews, Multidisciplinary Child Abuse Investigations, Family Support Services, Community Outreach, And Training To The Oakland Police Department (OPD); And 2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Proposed Agreement With Calico
[\(12-0588\)](#)

The June 25, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

S-7.22-CC Subject: Establishing Community Facilities Districts For Expiring Wildfire Prevention Assessment District
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of The City Of Oakland Approving Amended And Restated Local Goals And Policies And Appraisal Standards For Community Facilities Districts; And

[\(12-0611\)](#)

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2) A Resolution Of Intention Of The City Of Oakland To Establish City Of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District) In The Current Wildfire Prevention Assessment District Area, Schedule A Public Hearing, Levy A Special Tax To Finance Certain Public Services And Approving A Proposed Boundary Map For Community Facilities District No. 2013-1 Pursuant To The Mello-Roos Community Facilities Act Of 1982; And
(12-0593)

3) A Resolution Authorizing The City Administrator 1) To Amend The Contract With Francisco & Associates, Inc., In An Amount Not-To-Exceed Twenty-Four Thousand Nine Hundred Dollars (\$24,900), For Work Related To The Establishment Of Community Facilities District (CFD) No. 2013-1 (Wildfire Prevention District), The Rate And Method To Levy A Special Tax, And The Establishment Of Proposed Boundaries And Map Of The CFD, For A Total Contract Amount Not To Exceed Three-Hundred Eighty-Two Thousand Four Hundred Dollars (\$382,400) And Waiving The Advertising And Competitive Request For Proposal / Qualification Requirements 2) To Appropriate Two Hundred Thirteen Thousand One Hundred Dollars (\$213,100) For The Costs Of Establishment Of The Community Facilities District In FY 2013-15
(12-0594)

The June 27, 2013 Rules & Legislation Committee approved recommendations as amended with a vote of 4 Ayes.

The following amendments were approved:

1) The term of the district will be 10 years, not 20 years;

2) Add the following to Attachment 1: "For vegetation reduction and management on city parcels, the city will issue an annual plan as well as area specific plans for major open spaces and fire corridors. The plans will address both schedule and methodology for each year, and will be based on input from a qualified biologist, and input from local citizens most impacted by the city parcels. The goal of the plans will be to achieve long term and cost effective vegetation management to achieve fire safety at least long term cost over the term of the District. The schedule will show planned clearance dates by month for each parcel (or group of parcels) with respect to the fire season, and will include contracting and other administrative activities required meet the schedule. OFD will provide a summary report to Council on each year's efforts including a report on the completed clearance date by month for parcels or groups of city parcels. The report will outline any reasons for variances (e.g. changes to expected weather) or obstacles that prevented the fire department from meeting its planned goals."

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3) Delete "suppression" from Page 2, Paragraph 3: "A community facilities district is proposed to be formed so as to continue providing wildfire prevention [suppression,] and preparedness services to those properties within the boundaries of the current Oakland Wildfire Prevention Assessment District (WPAD)."

4) From Page 2, Paragraph 3: The CFD would be authorized to levy a special tax (the "Special Tax"), which would be in the amount of \$78 per year per taxable parcel in fiscal year 2014-15. [Delete: "and increase in each subsequent fiscal year by the lesser of 1) an amount equal to the percentage increase during the preceding Calendar Year in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose area (CPI-U), as published by the US Department of Labor Bureau of Labor Statistics, or 2) 3.0%."]

5) From Page 2, Paragraph 3: Vegetation Management - Private contractors and City crews provide the District's Vegetation reduction and management program where goats are not able to graze. This includes open space and canyon hill parcels, firebreaks, and roadside clearance along public streets and evacuation routes within the District. Additionally, fire companies and vegetation management inspectors annually inspect district properties to identify those that are in violation of the Oakland Fire Code. [Delete: "The inspectors will notify non-compliant property owners and after conducting re-inspections, non-compliant property owners will be charged the cost of having contractor bring the private property back into compliance. The inspectors will notify non-compliant property owners will be charged the cost of having contractors bring private properties into compliance."]

This item will also be heard as a Public Hearing on August 2, 2013.

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: Army Base Rezoning And Development Agreement
From: Department Of Planning And Building
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

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1) An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Create The Gateway Industrial District (D-GI) Zone, And Make Conforming Changes To Other Planning Code Sections And The Oakland Zoning Map To Apply The D-GI Zone To Approximately 160 Acres In The Gateway Development Area Of The Former Oakland Army Base; And
(12-0533)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2013.

2) An Ordinance, As Recommended By The City Planning Commission, Authorizing The City Administrator To Execute A Development Agreement Between The City Of Oakland And Prologis CCIG Oakland Global, LLC, A Delaware Limited Liability Company, For The Development On Approximately 160 Acres In The Gateway Development Area Of The Former Oakland Army Base To Be In A Form And Content Substantially In Conformance With The Attached Documents
(12-0533-1)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2013.

3) A Resolution, As Recommended By The City Planning Commission, Adopting Design Standards For The Gateway Industrial District (D-GI) Zone Located On Approximately 160 Acres In The Gateway Development Area Of The Former Oakland Army Base And Authorizing Staff To Make Minor Ongoing Revisions To The Adopted Design Standards Consistent With The D-GI Zone And Oakland Planning Code, But Major Revisions To Be Made By The City Planning Commission, Without Returning To The City Council
(12-0533-2)

This item was Continued from the June 4, 2013 Meeting of the Oakland City Council where Council directed staff to return with this item and address the following issues:

1. Delete "Fee Simple" language;
2. Remove extraneous language or use alternative language for fees;
3. Amend the "community benefits" section so that it is consistent with previous council action;
4. Define the scope of city administrator authority;
5. Explore the possibility of resolving the "conflicts" language; and
6. Environmental mitigations including:
 - a. Resolve boundary issues for trucks
 - b. Resolve issues of fees.

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S-9.2 Subject: Amending Ordinance Number 13133 C.M.S
From: The Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance Number 13133 C.M.S.
(The FY 2012-13 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees And
Penalties Assessed By The Office Of The City Clerk, The Administrative Services
Department, The Oakland Police Department, And The Office Of Parks And Recreation
(12-0636)

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

FINAL PASSAGE (Second Reading) WILL OCCUR ON JULY 16, 2013.

**This item was placed on the agenda by the June 20, 2013 Rules &
Legislation Committee.**

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

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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.

- 12 Subject: Coliseum Authority Wireless Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority And Certain Related Matters, And Authorizing The City Administrator To Consent To A Wireless Sublease Agreement Between AT&T, Verizon Wireless, Sprint Spectrum L.P. And The Oakland Alameda County Coliseum Authority
(12-0628)

This item was placed on the agenda by the June 20, 2013 Rules & Legislation Committee.

- ~~13 Subject: Amending Ordinance Number 13133 C.M.S.
From: The Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance Number 13133 C.M.S. (The FY 2012-13 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees And Penalties Assessed By The Office Of The City Clerk, The Administrative Services Department, The Oakland Police Department, And The Office Of Parks And Recreation
(12-0636)~~

This item has been moved to the Public Hearing portion of this agenda.

- 14 Subject: Oakland Army Base Real Estate Actions
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The City Administrator To Negotiate And Execute A Sixty-Six (66) Year Lease Or Easement With The Port Of Oakland For Rail Uses And Service On Approximately 8 Acres Of Port Land Adjacent To City-Owned Land On The Former Oakland Army Base; And
(12-0581)

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

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**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 8
AYES.**

2) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Sixty-Six (66) Year Sublease Or Easement With Prologis CCIG Oakland Global, LLC, Or Related Entities For Rail Uses And Service On Approximately 8 Acres Of Land Adjacent To City-Owned Land On The Former Oakland Army Base; And
[\(12-0581-1\)](#)

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

**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 8
AYES.**

3) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Lease With The Port Of Oakland For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And
[\(12-0581-2\)](#)

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

**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 7
AYES, 1 ABSTENTION - KALB.**

4) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Up To Thirty (30) Month Sublease With Oakland Maritime Support Services (Or A Related Entity) For Truck Parking And Truck Services On Up To 11.7 Acres Of Land On The Port-Owned Portion Of The Former Oakland Army Base; And
[\(12-0581-3\)](#)

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

**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 7
AYES, 1 ABSTENTION - KALB.**

5) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Lease Or License Agreement With California Capital & Investment Group, Inc., For Installation Of Air Quality Monitoring Facilities, Equipment And Utilities At Raimondi Park In West Oakland; And
[\(12-0581-4\)](#)

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

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**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 8
AYES.**

6) An Ordinance Authorizing The City Administrator To Negotiate And Execute An Amendment To The 2005 Purchase And Sale Agreement Between The Oakland Base Reuse Authority And The California Department Of Transportation For Approximately 6.5 Acres Of Property Adjacent To The Former Oakland Army Base; And
(12-0581-5)

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

**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 7
AYES, 1 ABSTENTION - BROOKS.**

7) An Ordinance Authorizing The City Administrator To Negotiate And Enter Into A Real Property Agreement With BNSF Railway Company To Relocate An Existing Rail Line Easement Near Engineers Road To Facilitate The Development Of The Former Oakland Army Base
(12-0581-6)

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

**INTRODUCTION (First Reading) WAS PASSED ON June 18, 2013; 8
AYES.**

S-15 Subject: 911 Infrastructure Upgrades
From: Department Of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Expend (\$3,042,000) Three Million Forty Two Thousand Dollars From The FY 2012-2013 General Fund Undesignated Fund Balance On Public Safety Radio System (P25) Including 911 Infrastructure Upgrades And Immediate Improvement Needs To Dispatch Communications Centers And 1) Waive The Competitive Bidding, Advertising, And Request For Proposal Process And 2) Delegate Authority To The City Administrator, Or Her Designee, To Award Contracts [TITLE CHANGE]
(12-0569)

**The June 25, 2013 Finance & Management Committee approved
recommendations as amended with a vote of 3 Ayes, 1 Abstention - Brooks.**

**The Committee approved recommendations as amended to approve
funding for the APL Communications Facility and for the 911
Communications Centers, subject to completion of the R56 audit and
compliance with the R56 audit. The Committee also directed that the
\$500,000 funding for the Seneca Communications Facility and the \$500,000**

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for the GWIN Communications Facility be set aside to be used once Council has made a decision regarding continued use of the current system or joining the EBRCSA system.

The Committee further directed staff to prioritize work on the side-by-side comparison of the City's current system and EBRCSA. The side-by-side comparison report and revisions to the scope should be brought to the Finance Committee no later than its first meeting in November, under the direction of the Compliance Officer, and address the following:

- 1) Independent audit report which includes a mobile drive test of Oakland radios on the EBRCSA system,
- 2) Possible tower consolidation, and
- 3) Identify what parties will be responsible for warranties, maintenance, repairs and upgrades for each system.

S-16 Subject: Contract With PMAM For False Alarm Reduction Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Award A Contract To PMAM Corporation For Administration Of The Alarm Reduction Program Not To Exceed \$5.00 Per Permit From July 1,2013 Through June 30, 2016 And For A Total Cost Not To Exceed Four Hundred And Fifty Thousand Dollars (\$450,000); 2) Authorize The City Administrator To Appropriate False Alarm Fund (2411) Balance Of Two Hundred And Twenty Thousand Dollars (\$220,000) Per Fiscal Year For A 3 Year Term From July 1,2013 Through June 30,2016 For The Administration Of The False Alarm Reduction Program
(12-0596)

The June 25, 2013 Public Safety Committee approved recommendations with a vote of 4 Ayes.

The Committee also directed staff to determine if the amount of funds requested is correct.

S-17 Subject: Support Of AB 1229 Affirming Local Control Of Inclusionary Zoning For Affordable Housing
From: Offices Of Councilmembers Kalb And Gibson McElhaney
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1229 (Atkins) - State Legislation That Would Re-Authorize Cities And Counties To Adopt Ordinances With Inclusionary Rental Housing Requirements For Lower Income Households
(12-0608)

The June 27, 2013 Rules & Legislation Committee approved recommendations with a vote of 3 Ayes, 1 Abstention - Reid.

CONTINUATION OF OPEN FORUM

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