



# City of Oakland Meeting Minutes

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

## \* Special Meeting of the Oakland City Council

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

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

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<b>Monday, April 30, 2012</b>	<b>5:30 PM</b>	<b>City Council Chambers, 3rd Floor</b>
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1 Pledge of Allegiance

*The Concurrent Meeting of the Oakland City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:49 pm*

2 Roll Call / ORA & Council  
COUNCIL MEMBERS:

Present: President Pro Tempore De La Fuente, President Reid, Councilmember Brunner, Vice Mayor Nadel, Councilmember Kernighan, Councilmember Brooks, Councilmember Kaplan and Councilmember Schaaf

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

*There were 18 speakers during open forum.*

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

*Agency/Councilmember Vice Mayor took a point of personal privilege and requested that the meeting be adjourned in memory of Hester Lox*

*Agency/Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Racheal Gaxiona*

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4.1 Subject: Kandis Westmore - Honorarium  
From: Councilmember Schaaf And Oakland City Attorney Barbara Parker  
Recommendation: Adopt A Resolution Congratulating Kandis A. Westmore On Her Appointment As United States Magistrate Judge For The Northern District Of California And Commending Her For Almost Thirteen Years Of Stellar Service To The City Of Oakland As Deputy City Attorney  
[11-0355](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
[View Report.pdf](#)  
[83789 CMS.pdf](#)

4.2 Subject: Municipal Clerk's Week  
From: Council President Reid  
Recommendation: Adopt A Resolution Declaring April 29, 2012 Through May 5, 2012 As Municipal Clerk's Week In The City Of Oakland  
[11-0388](#)

**Adopted**

**Votes:**  
[View Report.pdf](#)  
[83790 CMS.pdf](#)

4.3 Subject: East Bay Affordable Housing Week  
From: Council President Reid  
Recommendation: Adopt A Resolution Proclaiming The Week Of May 11th To May 20, 2012 To Be The 16th Annual East Bay Affordable Housing Week And Called: Affordable Housing: Building A Movement  
[11-0395](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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4.4 Subject: California Preservation Week And Day  
From: Vice Mayor Nadel  
Recommendation: Adopt A Resolution (1) Proclaiming The Week Of April 30, 2012, As California Preservation Week In The City Of Oakland, (2) Proclaiming Thursday, May 3, 2012, As California Preservation Day In The City Of Oakland, And (3) Welcoming The California Preservation Conference, "Old Roots, New Growth; Cultivating Communities," To The City Of Oakland  
[11-0391](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
[View Report.pdf](#)  
[83792 CMS.pdf](#)

4.5 Subject: City Of Oakland Bike Month  
From: Vice Mayor Nancy Nadel  
Recommendation: Adopt A Resolution Proclaiming Thursday, May 10, 2012, As The City Of Oakland's 19th Annual Bike To Work Day, And May 2012 As City Of Oakland Bike Month  
[11-0387](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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[83793 CMS.pdf](#)

4.6 Subject: Public Works Week  
From: Vice Mayor Nadel  
Recommendation: Adopt A Resolution Celebrating The Week Of May 20-26, 2012 As National Public Works Week In The City Of Oakland  
[11-0401](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF  
April 3, 2012

**A motion was made by Councilmember Kaplan, seconded by  
Councilmember Schaaf, to \*Approve as Submitted. The motion carried by  
the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid,  
Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember  
Schaaf, Vice Mayor Nadel and Councilmember Kernighan

- 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):

*At the request of Councilmember Schaaf seconded by Council President Reid,  
item 7.9 regarding the Civil Service Board Reappointments were withdrawn  
from the agenda.*

*At the request of Councilmember De La Fuente seconded by Councilmember  
Brooks, item 7.15 regarding the CPAB Appointments were withdrawn from the  
agenda.*

*Additionally, item 15 regarding the Frazier contract was withdrawn with no  
new date and item 22 regarding the Trade Corridor Improvement Fund  
Baseline Agreement Amendement was withdrawn and rescheduled to the  
meeting of May 15, 2012*

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

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis  
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency  
Syndrome ("AIDS") Epidemic  
[11-0389](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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7.2-CC Subject: Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland  
[11-0390](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83796 CMS.pdf](#)

7.3-CC Subject: Planning Code Amendments  
From: Department Of Planning, Building And Neighborhood Preservation  
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To: 1) Update References, Reduce Redundancy, Aivd Clarify Language In Various Chapters Of The Planning Code; 2) Modify The Threshold In Chapter 17.102 For Exemption From The 1,000-Foot Separation Requirement For Alcohol Beverage Sales Commercial From 20,000 Square Feet Down To 12,000 Square Feet, And Modify The Requirement For 25 Full-Time Employees; 3) Modify Chapter 17.108 For Setbacks Of Allowed Projections Above The Height Limits And Allowed Projections Into Required Setbacks; 4) Modify Chapter 17.108 For Interior Courtyard Regulations And Separation And Setback Requirements From Legally Required Windows; 5) Modify Chapter 17.108 For Inclusion Of Specific Standards For Wind Power Generating Facilities  
[11-0347](#)

**Approved for Final Passage**

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[View Supplemental Report.pdf](#)  
[13112 CMS.pdf](#)

7.4-CC Subject: Settlement Agreement - Aye  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Aye, Et Al. v. City Of Oakland, Alameda County Superior Court Case No. Rg11564053 In The Amount Of \$125,000.00 (Public Works Agency - Struck By Fallen Tree Limb  
[11-0404](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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7.5-CC Subject: Settlement Agreement - Hyman  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Helen S. Hyman, Claim No. C28218 In The Amount Of \$16,000.00, As A Result Of A Trip And Fall On A City Sidewalk That Was Uplifted Due To Roots From A City Tree On 7/2/2010 (Public Works - Maintenance Services)  
[11-0405](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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[83798 CMS.pdf](#)

7.6-CC Subject: Settlement Agreement - McNutt  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Letta McNutt Claim No. 028529 In The Amount Of \$6,500.00, As A Result Of Property Damage Sustained - Due To A Clog In The City Main Sewer Line On 5/17/2011 (Public Works - Maintenance Services)  
[11-0407](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83799 CMS.pdf](#)

7.7-CC Subject: Settlement Agreement - Irving  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Tonie Irving v. City Of Oakland, Alameda County Superior Court Case No. RG11572124, City Attorney's File No. 27926, In The Amount Of Twelve Thousand Dollars And No Cents (\$12,000.00). (Public Works - Rear-End Vehicle)  
[11-0406](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83800 CMS.pdf](#)

7.8-CC Subject: Settlement Agreement - Harris-Crenshaw  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Melanie Harris-Crenshaw v. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG10552738, City Attorney's File No. 27728, In The Amount Of Ten Thousand Dollars And No Cents (\$10,000.00). (Auto Accident - Police Department)  
[11-0408](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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[83801 CMS.pdf](#)

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7.9-CC Subject: Civil Service Board Reappointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Winnie Anderson, Alex Drexel And Michael Siegel To The Civil Service Board  
[11-0410](#)

**This Matter was \*Rescheduled to the \* Meeting of the Oakland City Council, to be heard at the May 15, 2012 meeting as a Non - Consent item. on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[83868 CMS.pdf](#)

7.10-CC Subject: CPRB Appointment - Mao  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sokhom Mao To The Citizen's Police Review Board  
[11-0411](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[View Supplemental.pdf](#)  
[83802 CMS.pdf](#)

7.11-CC Subject: Business Tax Board Of Review Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointments Of Barry Pilger, David Jones, Arturo Sanchez, Jens Hillmer And Charles L "Chip" Conradi To The Business Tax Board Of Review  
[11-0412](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[83803 CMS.pdf](#)

7.12-CC Subject: Measure Z Reappointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing James Anthony And Appointing Kathryn Parker As Members Of The Cannabis Regulatory Commission  
[11-0413](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83804 CMS.pdf](#)

S-7.13-CC Subject: Head Start Advisory Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Giannina Perez To The Head Start Advisory Board For The Term Beginning March 12, 2012 And Ending March 11, 2015  
[11-0454](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83805 CMS.pdf](#)

S-7.14-CC Subject: Public Ethics Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Monique Rivera To The Public Ethics Commission  
[11-0455](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[View Supplemental.pdf](#)  
[83806 CMS.pdf](#)

S-7.15-CC Subject: Community Policing Advisory Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Marcus Johnson, Reappointment Of Greg Novak, Appointment Of Frank Castro As Members Of The Community Policing Advisory Board  
[11-0456](#)

**This Matter was \*Rescheduled to the \* Meeting of the Oakland City Council, to be heard at the May 15, 2012 meeting as a Non - Consent item. on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[View Report.pdf](#)  
[83867 CMS.pdf](#)

S-7.16-CC Subject: Street Sweeper Camera Pilot Project  
From: Councilmember Jane Brunner  
Recommendation: Receive A Report And Approve Recommendation On The Implementation Of A Street Sweeper Camera Pilot Project, Including The Anticipated Start Date Of The Project  
[11-0290](#)

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

**Votes:**

[View Report.pdf](#)



S-7.17-CC Subject: Landscaping And Lighting Fiscal Year Assessment  
From: Office Of Budget  
Recommendation: Adopt A Resolution Initiating The FY 2012-13 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  
[11-0369](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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[83807 CMS.pdf](#)

S-7.18-CC Subject: Salary Schedule Amendment - Recreation Specialist III  
From: Department Of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Permanent Part Time And Temporary Part Time Designations For The Classification Of Recreation Specialist III  
[11-0371](#)

**This Matter was Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the May 15, 2012 meeting on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[13113 CMS.pdf](#)

S-7.19-CC Subject: WPAD 2012-2012 Initiating Assessment Process  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Initiating The FY 2012-13 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  
[11-0370](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83808 CMS.pdf](#)

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S-7.20-CC Subject: Successor Agency Authority

From: Office Of Neighborhood Investment

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Macarthur Bart Transit Village Project And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program

[11-0384](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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2) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Function And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Macarthur Bart Transit Village And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program

[11-0384-1](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83810 CMS.pdf](#)

3) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Macarthur Bart Transit Village 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

[11-0384-2](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83811 CMS.pdf](#)

4) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Macarthur Bart Transit Village, 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 Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program  
[11-0384-3](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83812 CMS.pdf](#)

5) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program  
[11-0384-4](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83813 CMS.pdf](#)

6) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets. Function And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, Or Her Designee, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program  
[11-0384-5](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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7) A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland 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

[11-0384-6](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83815 CMS.pdf](#)

8) A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum Bart 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 Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program

[11-0384-7](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[83816 CMS.pdf](#)

S-7.21-CC Subject: Ralps/Food 4 Less ENA - 66th And San Leandro St.  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With Ralps/ Food 4 Less Grocery Company For Development Of A Supermarket And Fuel Station At 66th Avenue And San Leandro Street

[11-0398](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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[83817 CMS.pdf](#)

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S-7.22-CC Subject: Summer Food Service Program Grant Award  
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 Fifty Seven Thousand, One Hundred Thirty Five Dollars (\$357,135); 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 Twenty Six Thousand, One Hundred Fifty Dollars (\$126,150); And 3) To Negotiate And Execute A Professional Service Agreement Between The City And Revolution Foods In An Amount Not To Exceed One Hundred Thirty Three Thousand, Nine Hundred Eighty Dollars (\$133,980) To Provide Food Services For The 2012 Summer Food Service Program For Children  
[11-0383](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

[View Report.pdf](#)  
[83818 CMS.pdf](#)

S-7.23-CC Subject: COPS Technology Grant Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Accept And Appropriate Grant Funds An Amount Not To Exceed One Million Three Hundred And Twenty-Five Thousand Dollars (\$1,325,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS) Fiscal Year 2010-2011 COPS Technology Grant Program, To The Oakland Police Department, 2) Authorizing The City Administrator To Enter Into A Two-Year Contract With Forensic Logic, Inc. For The Purchase Of Their Law Enforcement Analysis Portal (LEAP) Crime Analysis System, Software Licensing, Support, And Consulting Services, In An Amount Not To Exceed One Hundred Ninety-Five Thousand Dollars (\$195,000), And 3) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Local Business Enterprise Program (L/SLB) Provisions For The Proposed Contract With Forensic Logic  
[11-0336](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:**

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[83819 CMS.pdf](#)

**Passed The Consent Agenda**

**A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Kernighan, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried.**

**Votes:**

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

**A motion was made by Councilmember Kaplan, seconded by Councilmember Kernighan, to \*Approve as Submitted the report of the City Attorney of 1 final decisions made during Closed Session. The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

**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: OMC Amendment – Interim Department Names  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code (OMC) Chapter 2.29 "City Agencies, Departments And Offices" To Establish The Interim Departments And Offices Of Housing And Community Development, Economic And Workforce Development, Neighborhood Investment, And Planning, Building And Neighborhood Preservation  
[11-0380](#)  
[View Report.pdf](#)
- 9.2 -Subject: ~~2012-2013 HUD Annual Action Plan~~  
From: ~~Office Of Neighborhood Investment~~  
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 2012-2013; 2) Accepting And Appropriating Funds Totaling \$12,940,158.00 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating \$556,408.00 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 2012-2013 For The Community Development Block Grant Program~~  
[11-0397](#)  
[View Report.pdf](#)  
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~~9.3~~      ~~Subject:    City Of Oakland's Fiscal Year Consolidated Plan~~  
~~From:        Department Of Human Services~~  
~~Recommendation:    Conduct A Public Hearing And Upon Conclusion Adopt A Resolution~~  
~~Amending The City Of Oakland's Fiscal Year 2011-2012 Consolidated Plan Annual Action~~  
~~Plan Submitted To The U. S. Department Of Housing & Urban Development, To Include~~  
~~Additional Funds Awarded To The City Under The U. S. Department Of Housing &. Urban~~  
~~Development's 2011 Homeless Emergency And Rapid Transition To Housing (HEARTH)~~  
~~Emergency Solutions Grant (ESG), A Formula Grant (Formerly The Emergency Shelter Grant),~~  
~~Requiring A Substantial Amendment To The City's Fiscal Year 2011-2012 Annual Action Plan~~  
~~11-0386~~

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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

10        Subject:    United Service Workers West, Local 1877  
From:        President Pro Tempore Ignacio De La Fuente  
Recommendation:    Adopt A Resolution Supporting Janitors (SEIU - United Service Workers  
West, Local 1877) In Their Efforts To Secure A New Contract With Living Wage And Health  
Benefits  
[11-0451](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
[View Report.pdf](#)  
[83820 CMS.pdf](#)

11        Subject:    OMC Amendment - Port Board Of Commission Authority  
From:        Office Of The City Administrator  
Recommendation:    Adopt An Ordinance Amending Ordinance No. 8979 C.M.S. Which Is  
Codified At Oakland Municipal Code Chapter 2.08 To Clarify The Authority Of The Port  
Board Commissioners And The Oakland Civil Service Board With Regard To The  
Establishment, Modification, And Elimination Of Classifications Included In The City's Civil  
Service System  
[11-0373](#)

**A motion was made by Councilmember Kernighan, seconded by Vice Mayor Nadel, that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the June 5, 2012 meeting. The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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12 Subject: Priority Project Funds Award Beautification Project  
From: Vice Mayor Nancy Nadel  
Recommendation: Adopt A Resolution: (1) Authorizing An Immediate Grant Of \$2,500 From Councilmember Nancy Nadel's Priority Project Funds To The Koreatown/Northgate Community Benefit District To Offset Expenses Incurred For The Public Right Of Way Beautification Project On Telegraph Avenue From 20th To 27th Street, And (2) Amending Resolution No. 80283 C.M.S., Which Allocated \$60,000 Of Councilmember Nadel's Priority Project Funds To The City's Neighborhood Commercial Revitalization Program To Be Used To Hire An Executive Director For The West Oakland Main Street Program To Make The Priority Project Funds Available For Other Uses By Councilmember Nadel

[11-0382](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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13 Subject: Depository And Custodial Banking Services Contract  
From: Councilmembers Brunner And Kaplan  
Recommendation: Adopt A Resolution To Amend Resolution 82060 Rescinding The City Administrator's Authority To Extend The City's Primary Depository And Custodial Banking Services Contracts And To Require That Any Action To Extend Shall Come Back To The City Council For Approval

[11-0300](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan

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14           Subject:    Community Policing Advisory Board  
              From:       Office Of the Mayor  
              Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jennifer  
              Pae And John Nichols And Appointment Of Alex Miller-Cole As Members Of The Community  
              Policing Advisory Board  
              11-0363

**\*Rescheduled to \* Meeting of the Oakland City Council on 5/15/2012**

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15           Subject:    Frazier Group, LLC - Complaints Review Investigation  
              From:       Oakland Police Department  
              Recommendation: Adopt A Resolution 1) Waiving The Advertising And Request For  
              Proposals/Qualifications Requirements And 2) Authorizing The City Administrator On Behalf  
              Of The City To Increase The Existing Contract With Frazier Group, LLC In The Amount Of  
              Two Hundred Fifty Thousand Dollars (\$250,000) For Conducting Administrative Misconduct  
              Investigations Related To Police Complaints Received During Occupy Oakland Events In The  
              City Of Oakland  
              11-0352

**Not Adopted**

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16 Subject: Emeryville Emergency Services Contract  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into A Five-Year Contract With Alameda County Fire Department For The Oakland Fire Department To Provide Emergency Services Within The City Of Emeryville Boundary For The Period July 1, 2012 Through June 30, 2017, For The Amount Of One Hundred Forty-Five Thousand Eight Hundred And Seven Dollars (\$145,807) For The First Year, And For An Amount Of One Hundred Seventy Thousand Dollars(\$170,000) By The Fifth Year Of The Agreement, With Two-One Year Options To Extend In The Amount Of The Service Cost, But Not To Exceed The Percentage As Stated In The Most Current Labor Agreement, And 2) Enter Into A One-Year Agreement With Alameda County Fire Department For The Period July 1, 2012 Through June 30, 2013 For The Oakland Fire Department To Provide Fire Dispatch Services For The City Of Emeryville For The Amount Of Seventy thousand Dollars (\$70,000), Should Dispatch Services Be Required As Of July 1, 2012

[11-0402](#)

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

**Votes:** Excused; 1 - Councilmember Brunner  
Aye; 7 - Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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17 Subject: Salary Schedule Amendment - Fire Suppression Line Employees  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S (The Salary Ordinance) To Restore A 52-Hour Workweek To Fire Suppression Line Employees In Unit FQL Effective June 13, 2012

[11-0403](#)

**Approved On Introduction and Scheduled for Final Passage to \* Meeting of the Oakland City Council on 5/15/2012**

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18      Subject:      Two Tier - Port Of Oakland Miscellaneous  
From:            Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Ordinance Of The City Of Oakland To Approve An Amendment To The Contract  
Between The City Of Oakland And The Board Of Administration Of The California Public  
Employees' Retirement System (CalPERS) To Provide New City Of Oakland And Port Of  
Oakland Miscellaneous Members Different Level Of Benefits (California Government Code  
Section 20475), 2.5% At 55 Full Formula (California Government Code Section 21354.4) And  
Three-Year Final Compensation (California Government Code Section 20037) Applicable To  
Local Miscellaneous Members Entering Membership For The First Time In The Miscellaneous  
Classification After The Effective Date Of This Amendment To Contract  
[11-0409](#)

**A motion was made by Councilmember Kaplan, seconded by Vice Mayor Nadel, that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the June 5, 2012 meeting. The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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2) Adopt A Resolution Approving A CalPERS Resolution Of Intention To Approve An  
Amendment To The Contract Between The City Of Oakland And The Board Of Administration  
Of The California Public Employees' Retirement System (CalPERS) To Provide New City Of  
Oakland And Port Of Oakland Miscellaneous Members Different Level Of Benefits (California  
Government Code Section 20475), 2.5% At 55 Full Formula (California Government Code  
Section 21354.4) And Three-Year Final Compensation (California Government Code Section  
20037) Applicable To Local Miscellaneous Members Entering Membership For The First Time  
In The Miscellaneous Classification After The Effective Date Of This Amendment To Contract  
[11-0409-1](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-19      Subject:      Open Data Policy  
From:          Councilmember Schaaf  
Recommendation: Adopt A Resolution Directing The City Administrator To Develop A Plan For Evaluating And Disseminating Data Sets Generated Within City Departments As "Open Data" In Accessible Raw Formats Which Will Be Made Available To The Public Through A Designated Website And Will Lead To The Establishment Of A Comprehensive Open Data Policy  
[11-0235](#)

**A motion was made by Councilmember Brunner, seconded by Councilmember Brooks, that this matter be Adopted as amended to accept the recommendations for the April 24, 2012 Finance and Management Committee to change the language of the Resolution and the title to read: "That the Oakland City Council hereby directs the City Administrator to provide a report within 90 days on the cost and benefits of implementation of an open data system and an analysis of the steps necessary to implement an open data system. The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-20      Subject:      Montclair Garage Operation And Management Contract Extension  
From:          Office Of Budget  
Recommendation: Adopt A Resolution Waiving The Informal Advertising And Request For Proposals/Request For Qualifications ("RFP/RFQ") Requirements And Authorizing The City Administrator To Continue To Extend The Existing Contract On A Month-To-Month Basis For A Period Of Eight Months From May 1, 2012 Through December 31, 2012 At A Compensation Rate Of Up To \$15,900.00 A Month (Including A \$900.00 Per Month Management Fee And Up To \$15,000.00 A Month In Garage Operating Expenses) With A Total Not-To-Exceed Contract Amount Of \$127,200.00 With The Montclair Village Association For The Operation And Management Of Montclair Garage Located On 6235 La Salle And Scout Lot Located On 2250 Mountain Boulevard Until A New Parking Facility Operator Is Selected Through A Competitive Process  
[11-0393](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-21      Subject:     Army Base Community Benefits Program Recommendations  
From:        Office Of Neighborhood Investment  
Recommendation: Receive A Report And Approve Recommendations That The City Council:  
Direct Staff To Include The Environmental And Green Development Recommendations From  
The Army Base Community Benefits Workshops Convened By Vice Mayor Nadel In 2011,  
Through The City's Standard Conditions Of Approval Imposed On All Development Projects  
And/Or The California Environmental Quality Act (CEQA) Mitigation Measures; And/Or  
Other Measures; And Make A Commitment To Ongoing Air Quality Monitoring At The  
Oakland Army Base.  
[11-0374](#)

**A motion was made by Vice Mayor Nadel, seconded by Councilmember Kaplan, that this matter be Accepted as amended by the April 24, 2012 Community and Economic Development Committee receive the report and approved staff recommendations to negotiate with the developer and directed staff to return to a future Community and Economic Development Committee with a report on how all Community Benefits are to be implemented. The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-22      Subject:     Trade Corridor Improvement Fund Baseline Agreement Amendment  
From:        Office Of Neighborhood Investment  
Recommendation: Adopt The Following Resolutions:  
(1) A Resolution Authorizing The City Administrator To Negotiate And Execute An  
Amendment To The California Transportation Commission (CTC) Trade Corridor  
Improvement Fund (TCIF) Baseline Agreement Between The Port Of Oakland (Port) And CTC  
Regarding The Oakland Army Base Project, To Add The City As A Party And As A Grant  
Recipient, To Combine The Two TCIF Grant Allocations Into One \$242.1 Million Allocation,  
To Change The Scope And Areas Of The Former Oakland Army Base Where TCIF Funds Will  
Be Used, And To Identify Funding Sources To Match The TCIF Grant; And  
[11-0400](#)

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(2) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The Cost Sharing Agreement Between The Oakland Redevelopment Agency (Agency) And The Port Of Oakland Pertaining To Infrastructure Improvements At The Former Oakland Army Base, To Reflect The Transfer Of The Property From The Agency To The City Of Oakland, To Acknowledge An Amendment To The Trade Corridor Improvement Funds (TCIF) Baseline Agreement, To Establish Respective Roles And Responsibilities Between The Port And City As To Grant Funding; To Identify The Funding Sources To Match The TCIF Grant; And To Commit An Additional \$22.5 Million In City Funds To Match The TCIF Grant  
[11-0400-1](#)

**\*Rescheduled to \* Meeting of the Oakland City Council on 5/15/2012**

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S-23      Subject:      Sunfield Development LLC - DDA Property Seminary And Foothill  
From:          Office Of Neighborhood Investment  
Recommendation: Adopt An Ordinance Authorizing A Disposition And Development Agreement With Sunfield Development, LLC, For The Sale Of Property At Foothill Boulevard And Seminary Avenue For \$6,000 For Development As A Retail Shopping Center, And Allocating \$150,000 For Remediation Of The Site  
[11-0372](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the \* Meeting of the Oakland City Council, to be heard at the May 15, 2012 meeting. The motion carried by the following vote:**

**Votes:** No; 2 - Councilmember Schaaf and Councilmember Kernighan  
Aye; 6 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente and Vice Mayor Nadel

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S-24      Subject:      Crime Reduction Strategic Plan  
From:          Oakland Police Department  
Recommendation: Action On A Report From The Office of Chief of Police Providing an  
Update On The Oakland Police Department Strategic Plan And Other Crime Reduction  
Strategies Including The 100 Blocks Initiative  
[11-0367](#)

**A motion was made by Vice Mayor Nadel, seconded by Councilmember Kernighan, that this matter be Accepted with the recommendations of the April 24, 2012 Public Safety Committee to direct staff to return to the May 22, 2012 Public Safety Committee with a report on the previous 90-day program which includes crime statistics (possibly by beat) for homicides, shootings, robberies, and burglaries. The Committee further directed staff to:**

- 1. Work towards implementing a "cease fire" program that closely mirrors the Kennedy model, including "the carrot and the stick"**
- 2. Present a report to ABAG on the availability of guns in the region**
- 3. Continue to cooperate closely with ATF**

**Schedule through Rules a report on the 2010 - 2011 clearance rate for part 1 crimes and a comprehensive report on guns and gun crimes in Oakland and strategies to respond to them The motion carried by the following vote:**

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-25      Subject:      Oakland-Alameda County Coliseum Authority Bond Issuance  
From:          Finance And Management Agency  
Recommendation: Adopt A Resolution Relating To The Issuance Of One Or More Series Of  
Bonds By The Oakland-Alameda County Coliseum Authority For The Purpose Of Refunding  
The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds  
(Oakland Coliseum Project) 2000 Refunding Series C-1 And 2000 Refunding Series C-2;  
Approving Execution And Delivery By The City Of A Letter Of Representations; Approving  
The  
Form And Distribution Of An Official Statement; And Approving The Taking Of All  
Necessary Actions In Connection Therewith  
[11-0376](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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S-26 Subject: Oakland-Alameda County Coliseum Authority's Lease Revenue Bonds  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Regarding The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds (Oakland Coliseum Arena Project) 1996 Series A-1 And 1996 Series A-2, Approving The Form And Authorizing The Execution And Delivery By The City Of Oakland Of One Or More Letters Of Representations; Approving Such Other Documents And The Taking Of All Necessary Actions By The City In Connection With A Restructuring, Including The Replacement Of One Or More Letters Of Credit And Approving The Form And Distribution Of A Remarketing Memorandum In Respect Of The Oakland-Alameda County Coliseum Authority's Outstanding Lease Revenue Bonds; And Approving The Taking Of All Necessary Actions In Connection Therewith  
[11-0377](#)

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

**Votes:** Aye; 8 - Councilmember Brunner, Councilmember Kaplan, President Reid, Councilmember Brooks, President Pro Tempore De La Fuente, Councilmember Schaaf, Vice Mayor Nadel and Councilmember Kernighan  
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**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the Council)**

*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Hester Lox, Rochelle Gaxiona, Edger Regstraw, Sr. and Charles, Richard Daines at 11:30 p.m.*

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