



# 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

## Meeting of the Oakland City Council

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**Tuesday, May 15, 2012**

**5:30 PM**

**City Council Chambers, 3rd Floor**

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1 Pledge of Allegiance

*The Meeting of the Oakland City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:02 p.m.*

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

*There were 20 speakers during Open Forum*

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

*Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Brandy Martell*

*Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Bishop Larry Magathen.*

*Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Sirius Brad Bradford.*

- 4.1 Subject: Honoring East Bay Agency For Children  
From: Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Celebrating The 60th Anniversary Of The East Bay Agency For Children  
[11-0444](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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- 4.2 Subject: Marcel Uzegbu Retirement  
From: Council Member Brooks, Council President Reid, and Pro Tem De La Fuente  
Recommendation: Adopt A Resolution Acknowledging The Retirement Of Marcel Uzegbu After Twenty-Six Years Of Dedicated Service To The City Of Oakland  
[11-0323](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE SPECIAL MEETING OF APRIL 30, 2012

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

- 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 this time Councilmember Brooks made a motion seconded by Vice Mayor Nadel to pull item 7.32 from the consent calendar and place it on the Non-Consent portion of the June 5, 2012 Council Agenda.*

**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  
[11-0458](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,  
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and  
President of the Council Reid  
*There was on speaker on this item.*

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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  
[11-0459](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,  
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and  
President of the Council Reid

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7.3-CC      Subject:      Renaming Eastshore State Park  
From:        Vice Mayor Nadel  
Recommendation: Adopt A Resolution In Support Of Renaming The Eastshore State Park To  
The McLaughlin Eastshore State Park  
[11-0438](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan,  
Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and  
President of the Council Reid  
*There were 3 speakers on this item.*

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~~7.5-CC~~ -Subject: Council Member Desley Brooks Travel  
From: Council Member Desley Brooks  
Recommendation: ~~Adopt A Resolution Authorizing Council Member Desley Brooks To Travel To Las Vegas, Nevada To Attend The 2012 International Council Of Shopping Centers (ICSC) RECON Convention From May 20-23, 2012~~  
[11-0473](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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7.4-CC Subject: Haitian Family Reunification Parole Program  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Urging President Obama's Administration/U.S. Department Of Homeland Security (DHS) To Create A Haitian Family Reunification Parole Program To Help Haiti Recover, Save Lives, And End A Double Standard  
[11-0396](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were 8 speakers on this item.*  
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7.6-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](#)

**A motion was made to Approved As Amended On Introduction and Scheduled for Final Passage on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There was one speaker on this item.*  
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7.7-CC 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](#)

**A motion was made to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the June 5, 2012 meeting on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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7.8-CC 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](#)

**This Matter was Approved for Final Passage on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were two speakers on this item.*

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7.9-CC Subject: Settlement Agreement - Kravitz  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Linda Kravitz Vs. City Of Oakland, Alameda County Superior Court Case No. RG11556138, City Attorney's File No. 27949, In The Amount Of Seventy Five Thousand Dollars And No Cents (\$75,000.00). (Public Works - Trip And Fall)  
[11-0468](#)

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 1 - President Pro Tempore De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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7.10-CC Subject: Settlement Agreement - John Smith  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Pay Plaintiffs' Attorneys' Fees Incurred In The Case Of John Smith (Spencer Lucas And Kirby Bradshaw) V. City Of Oakland, Et Al, United States District Court No. C-0706298 SI, Our File No. SS25818, In The Amount Of \$832,639.41 (Oakland Police Department - Unlawful Search) [11-0469](#)

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brunner and President Pro Tempore De La Fuente  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were 2 speakers on this item.*

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7.11-CC Subject: Settlement Agreement - Bautista  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Noralinda Bautista V. City Of Oakland, Alameda County Superior Court Case No. Rg10533188, In The Amount Of \$24,000.00 As A Result Of A Trip And Fall Accident. (Public Works Agency - Trip And Fall) [11-0470](#)

**A motion was made that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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7.12-CC Subject: Settlement Agreement - Domer  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Carmen Domer V. City Of Oakland, Alameda County Superior Court Case No. RG1155133 In The Amount Of \$8,000.00 (Public Works Agency - Trip And Fall)  
[11-0471](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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7.13-CC Subject: Settlement Agreement - Walker  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of William Walker V. City Of Oakland, Alameda County Superior Court Case No. RG11558725 In The Amount Of \$6,000.00 (Public Works Agency - Trip And Fall)  
[11-0472](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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7.14-CC Subject: Board Of Port Commissioners Appointment - Hamlin  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Earl S. Hamlin To The Board Of Port Commissioners To Complete The Remainder Of Michael Lighty's Term, Which Began On July 11, 2009 And Ends On July 10, 2013  
[11-0476](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There was 1 speaker on this item.*  
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S-7.15-CC Subject: Stormwater Treatments Project - BASMAA  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate Up To Five Hundred Thousand Dollars (\$500,000.00) Of Grant Funds And 2) Enter Into An Agreement With The Bay Area Stormwater Management Agencies Association (BASMAA) To Use These Grant Funds To Implement Stormwater Treatment Projects To Capture And Treat Poly Chlorinated Biphenyls  
[11-0423](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.16-CC Subject: Citywide Bikeways - Various Locations  
From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution Authorizing The Reconfiguration Of Macarthur Boulevard From Richards Road To Seminary Avenue Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes, Prohibiting Parking Along The Frontage Of Mills College, And Installing Class II Bicycle Lanes;  
[11-0437](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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2) A Resolution To Establish "No Parking Anytime" On The East Side Of Ardley Avenue Between East 30th Street And Interstate 580;

[11-0437-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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3) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Broadway From 30th Street To Broadway Terrace By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;

[11-0437-2](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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4) Resolution Authorizing The Installation Of Class II Bicycle Lanes On East 12th Street From 14th Avenue To Fruitvale Avenue By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes

[11-0437-3](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*There were 4 speakers on this item.*

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S-7.17-CC Subject: Transportation Development Act Projects

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Thousand Dollars (\$300,000.00) In Fiscal Year 2012-2013 State Transportation Development Act Article 3 Funds As Follows: (1) CityRacks Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000.00); (2) Storm Drain Inlet Grates Project, Fifty Thousand Dollars, (\$50,000.00); And (3) Pedestrian Stairs And Paths Rehabilitation Projects, One Hundred Seventy-Five Thousand Dollars (\$175,000.00)

[11-0428](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.18-CC Subject: Sanitary Sewers Rehabilitation - Pacific Trenchless  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Lochard Street, Edgemont Way, And Kerrigan Drive (Sub-Basin85-232 - Project No. C312010) To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, For The Amount Of One Million Nine Hundred Fifty-Eight Thousand Three Hundred Forty-Seven Dollars (\$1,958,347.00) In Accord With The Project Plans And Specifications And The Contractor's Bid  
[11-0427](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.19-CC Subject: Sanitary Sewers Rehabilitation - Andes Construction  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By San Leandro Street, Edes Avenue And 85th Avenue (Sub-Basin 85-101 - Project No. C268310) To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, For An Amount Not-To-Exceed Three Million Five Hundred Seventeen Thousand Dollars (\$3,517,000.00) In Accord With The Project Plans And Specifications And The Contractor's Bid  
[11-0426](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.20-CC Subject: YEP Agreement - Team Oakland Program  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One-Year Agreement With Youth Employment Partnership, In An Amount Not To Exceed Two Hundred Forty Nine Thousand Dollars (\$249,000.00) To Implement The Team Oakland Program, With An Option To Extend The Agreement For An Additional Two Years, In An Amount To Be Determined, Based On Satisfactory Contractor Performance And Available Funds Approved By Council And Budgeted In Fiscal Cycle 2013-15  
[11-0425](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.21-CC Subject: Contract Increase - Networkfleet, Inc. For Automatic Vehicle Locators  
From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase Spending Authority On The Existing Contract With Network fleet, Inc., And To Waive Advertising And Bidding Requirement Of The Oakland Municipal Code As Authorized By City Council Resolution No. 83120 C.M.S. On December 21, 2010, For The Purchase And Mounting Of Additional Automated Vehicle Locator (AVL) Units For Both The Public Works Agency (PWA) And Parking Enforcement Vehicles. The Additional Authority Increases The Contract Limit By \$250,000, Which Brings The Total Contract Amount Not To Exceed \$350,000  
[11-0378](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.22-CC Subject: Police Vehicle Retrofit  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Lehr Auto Electric, A Corporation, To Provide All Labor, Material And Equipment To Retrofit One Hundred Forty-Nine (149) Police Vehicles For The City Of Oakland In An Amount Not To Exceed Two Hundred Seventy Six Thousand, Eight Hundred Forty Two Dollars (\$276,842.00) Per Request For Quotation (RFQ) 2241, Specification No. 11-928-33 And The General Conditions Therefore On File In The Purchasing Division According To Its Bid Filed With The City On October 24, 2011  
[11-0354](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were 3 speakers on this item.*

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S-7.23-CC Subject: LLAD Levy Assessment  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-2013 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing  
[11-0417](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.24-CC Subject: Oakland Army Base Audit Report FY 2010 - 2011  
From: Finance And Management Agency  
Recommendation: Receive An Informational Report Presenting The Oakland Army Base Audit Report For The Fiscal Year Ended June 30, 2011  
[11-0433](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There was one speaker on this item.*

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S-7.25-CC Subject: WPAD 2012 - 2013 Preliminary Annual Report  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The FY2012-13 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing  
[11-0436](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.26-CC Subject: Lakeshore/Lake Park Business Improvement Plan  
From: Office Of Economic And Workforce Development  
Recommendation: Adopt A Resolution Of Intention To Form The Lakeshore/Lake Park Business Improvement Management District Of 2012, 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 17, 2012  
[11-0414](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.27-CC Subject: Harrison Senior Housing Project Grant  
From: Office Of Neighborhood Investment  
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of \$500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California From State Of California Proposition 1c Funds For Development Of Parking At The Harrison Senior Housing Project Located At 1633 Harrison Street And 321 17th Street  
[11-0439](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*There was one speaker on this item.*

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S-7.28-CC Subject: Preschool Program Expansion Grant  
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 California State Preschool Program (CSPP) Expansion Grant From The California Department Of Education (CDE) In An Estimated Amount Of One Million Thirteen Thousand Two Hundred Twenty Dollars (\$1,013,220) For Program Year 2012-2013, And Authorizing A Grant Agreement With The Unity Council For An Estimated Amount Of One Hundred Six Thousand One Hundred Forty Two Dollars (\$106,142) To Fund Pre Kindergarten And Family Literacy Services In Accord With Said Grant

[11-0418](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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S-7.29-CC Subject: Child And Adult Care Food Program  
From: Department Of Human Services  
Recommendation: Adopt A Resolution On Behalf Of The City Of Oakland, Authorizing The City Administrator To Apply For, Accept And Appropriate The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education, Nutrition Services Division, In An Estimated Amount Of Five Hundred Forty Five Thousand Dollars (\$545,000) To Provide Funding For Nutritious Meals To Eligible Children Enrolled In The Oakland Head Start Program For Program Year 2012-2013

[11-0419](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*There was one speaker on this item.*

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S-7.30-CC Subject: California Gang Reduction, Intervention And Prevention Grant  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate California Gang Reduction, Intervention And Prevention (CalGRIP) Grant Funds In An Amount Not To Exceed Two Hundred Forty Three Thousand Seven Hundred Fifty Nine Dollars (\$243,759) From The State Of California, California Emergency Management Agency (CalEMA) To Department Of Human Services (DHS) For The Time Period Of January 1, 2012 Through December 31, 2013, And 2) Enter Into A Grant Agreement For One Year, With A One Year Option To Renew, With Oakland Community Organization (OCO) For An Estimated Amount Of Twenty Five Thousand (\$25,000) Annually For Follow-Up Services For Participants From January 1, 2012 Through December 31, 2013  
[11-0420](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were 13 speakers on this item.*

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S-7.31-CC Subject: Pacific Gas And Electric Turnkey Project  
From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing A Contract With Pacific Gas And Electric Company (PG&E) Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) For A Turnkey Project To Replace Existing High Pressure Sodium (HPS) Cobra Style Street Lighting In East Oakland Along Designated Portions Of Macarthur Blvd., Seminary Ave. And International Blvd. With Light Emitting Diode (LED) Street Lights Using The PG&E "On Bill Financing" Option And Accepting All Energy Rebates Associated With Upgrade Projects For Appropriation And Expenditure By The Electrical Services Division As Needed To Support Sustainable Lighting Enhancement Efforts  
[11-0416](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There was one speaker on this item.*

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**Passed The Consent Agenda**

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

S-7.32 Subject: Single Audit Report FY 2010 - 2011  
From: Finance And Management Agency  
Recommendation: Receive An Informational Report Presenting The Single Audit Report For The Fiscal Year Ended June 30, 2011  
[11-0432](#)

**Withdrawn and Rescheduled to \* Special Meeting of the Oakland City Council on 6/5/2012**

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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:**

**AT THIS TIME ITEM 16 WAS TAKEN OUT OF ORDER**

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 8:54 p.m.*

*No individuals spoke on this item.*

*Councilmember Brooks made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*



9.1 Subject: Rehabilitation Of Oak Center Homes And Various Sites  
From: Department Of Housing And Community Development  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending, Terminating And Waiving Deed Covenants Encumbering Oak Center Homes At Scattered Sites Throughout West Oakland, To Allow A Revised Ownership Structure To Facilitate Acquisition Of Financing For Rehabilitation Of The Properties  
[11-0440](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 8:57 p.m.*

*No individuals spoke on this item.*

*Councilmember Brooks made a motion, seconded by Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

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](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 9:00 p.m.*

*No individuals spoke on this item.*

*Councilmember Kaplan made a motion, seconded by Councilmember Brooks, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

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](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 9:03 p.m.*

*8 individuals spoke on this item.*

*Councilmember Brooks made a motion, seconded by Councilmember De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

S-9.4

Subject: Crematorium Activity  
From: Council President Reid

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls That Require A Major Conditional Use Permit To Establish A Crematorium, As It Is Currently Defined As Manufacturing And Industrial Useage To Remain In Effect Through May 10, 2013, Or When Permanent Regulations Are Adopted, Whichever Occurs First (TITLE CHANGE)

[11-0449](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 10:13 p.m.*

*No individuals spoke on this item.*

*Councilmember Kaplan made a motion, seconded by Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

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S-9.5      Subject:      Cabaret Permits  
From:        Councilmember Rebecca Kaplan  
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12, Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years And To Set Out Procedures For Immediate Suspension Of Any Cabaret Permit To Protect Patrons Or The Public [TITLE CHANGE]  
[11-0446](#)

**A motion was made by Councilmember Kaplan, seconded by Councilmember Schaaf, 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:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

*AT 10:20PM COUNCIL PRESIDENT WAS NOTED AS RECUSED ON ITEM 10.*

10        Subject:      Zero Waste RFP Economic Benefit Measures  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Adopting Zero Waste System Request For Proposals Economic Benefit Measures: Competitive Wages And Benefits, Job Retention, Local Business Participation, Local Hire Preference Points, In-County Landfill Preference Points; And Seeks Proposals From All Qualified Firms To Establish Competition To Avoid Significant Additional Costs To City Rate Payers  
[11-0379](#)

**A motion was made by Councilmember Schaaf, seconded by Vice Mayor Nadel, that this matter be Continued to the Meeting of the Oakland City Council, due back on June 5, 2012. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Recused: 1 - President of the Council Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel and Councilmember Schaaf  
*There were 15 speakers on this item.*

*Council President Reid was noted as present.*  
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11 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](#)

**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:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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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](#)

**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:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*There was one speaker on this item.*

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*Councilmember Brooks made a motion, seconded by Councilmember Brunner, to bifurcate the appointments on the resolution on Item 12, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8*

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12 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](#)

**A motion was made by Councilmember Brooks, seconded by President of the Council Reid, that this matter be Adopted as Bifurcated to approve the appointment of Jennifer Pae and John Nichols. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*Councilmember Nadel made a motion, seconded by Councilmember Kaplan, to approve the appointment of Alex Miller-Cole on Item 12, and upon call of the roll, the motion passed by Ayes: Councilmember: Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -7 No Councilmember Brooks - 1*

*There were 11 speakers on this item.*

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13 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](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*There were 5 speakers on this item.*

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*Councilmember Schaaf made a motion, seconded by Councilmember Kernighan, to bifurcate the resolution on Item 14, and upon call of the roll, the motion passed by Ayes: Councilmember: De La Fuente, Kaplan, Kernighan, Schaaf, and President Reid -5 Noes: Councilmember: Brook, Brunner, Nadel - 3*

14 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](#)

**A motion was made by Councilmember Schaaf, seconded by Councilmember Kernighan, that this matter be Adopted as Bifurcated the appointments of Winnie Anderson and Alex Drexel The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

*Councilmember Brooks made a motion, seconded by Councilmember Nadel, to approve the appointment of Michael Siegel on Item 14, and upon call of the roll, the motion failed by Ayes: Councilmember: Brooks, Brunner, Kaplan, Nadel - 4, Noes: Councilmembers: De La Fuente, Kernighan, Schaaf - 3, Abstain: Councilmembers; Reid - 1*

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S-15

Subject: Tax And Revenue Anticipation Notes - 2012 -2013  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An Amount Not To Exceed \$85,000,000 And The Issuance And Sale Of 2012-2013 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters  
[11-0435](#)

**A motion was made by Councilmember Brooks, seconded by President of the Council Reid, 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:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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2) A Resolution Authorizing The Sale Of The 2012-2013 Tax And Revenue Anticipation Notes In An Amount Not To Exceed \$85,000,000; Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions  
[11-0435-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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S-16 Subject: Vacant Residential Property Registration Program Amendment  
From: Councilmember Brunner

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings To The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements And To Provide For Abatement Of Blight And Nuisances At Such Properties

[11-0429](#)

**A motion was made by Councilmember Brunner, seconded by Vice Mayor Nadel, to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the June 5, 2012 meeting with the following changes:**

**Page 7 SECTION 8.54.100 CONSTRUED MEANINGS to add a sentence after the sentence including the definition of "Inspection" that reads "In the case of a property that is the subject of a Notice of default, but has not yet been foreclosed, the inspection need only consist of a visual inspection of the exterior of the property."**

**Page 13 SECTION 8.54.300 RETENTION OF MANAGEMENT COMPANY to read as follows:**

**D. For inspection, maintenance, management, and security of Occupied foreclosed properties the Responsible Party shall utilize a Certified Property Manager. Inspection, maintenance, management and security of Vacant properties or Occupied properties, that are the subject of a Notice of Default but not yet foreclosed, and subject to registration pursuant to this Chapter are not required to be carried out by a Certified Property Manager.**

**Page 14-15 SECTION 8.54.330 SECURITY REQUIREMENTS to read as follows:**

**A. Properties subject of this Chapter, including a property that has been issued a Notice of Default but not yet foreclosed, shall be maintained in a secure manner so as not to be accessible to unauthorized persons. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid

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2) A Resolution Amending The City Of Oakland's Fiscal Year 2011- 2013 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83693 C.M.S. On January 31, 2012, Adding The Positions Of Program Manager And An Administrative Support Position To The Building Services Budget For The Administration Of The Foreclosed Properties Registration And Blight Abatement Programs

[11-0429-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
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2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Residential Properties

[11-0429-2](#)

**A motion was made by Councilmember Brunner, 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:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There were 23 speakers on this item.*

*AT THE END OF THE DISCUSSION OF ITEM 16, THE COUNCIL RETURNED TO HEARING ITEM 9.1.*

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S-17      Subject:      Contracting Benefits Program - Oakland Army Base  
From:          Department Of Contracts And Compliance  
Recommendation: Receive A Report And Approve Recommendations For The Oakland Army  
Base Contracting Benefits Program  
[11-0422](#)

**A motion was made by Councilmember Kaplan, seconded by Councilmember Brunner, that this matter be \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Vice Mayor Nadel, Councilmember Schaaf and President of the Council Reid  
*There was one speaker on this item.*

*Into the discussion on item 17, a motion was made, seconded and carried to extend the meeting past 12 midnight.*

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**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

*There being no further business, and upon the motion duly made, the Council adjourned the meeting in memory of Brandy Martell, Bishop Larry Juan Magethan, and Sirus Brad Bradford at 12:10 a.m.*

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