



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

Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council/Joint Powers Financing Authority City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

Tuesday, July 17, 2012

5:30 PM

City Council Chambers, 3rd Floor

1 Pledge of Allegiance

ORA\Councilmember Excused: 1 - Kaplan

ORA\Councilmember Present: 7 - Brooks, Brunner, De La Fuente, Kernighan,
Nadel, Councilmember Schaaf and Reid

*The Meeting of the Oakland City Council was held on the above date. Opening
with the Pledge of Allegiance, the meeting was convened at 6:53 pm.*

2 Roll Call / City Council
COUNCIL MEMBERS:

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):

*Mayor Quan took a point of personal privilege and requested that the meeting
be adjourned in memory of Hadari Askari.*

4.1 Subject: Honoring Rev. Wortham Fears
From: President Pro Tem De La Fuente
Recommendation: Adopt A Resolution Honoring Rev. Wortham Fears On His Receiving The
Congressional Medal Of Honor For His Service As A Montford Point United States Marine
[11-0644](#)

**A motion was made by De La Fuente, seconded by Reid, that this matter
be Adopted. The motion carried by the following vote:**

Votes: ORA\Councilmember Excused: 1 - Kaplan

ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan,
Nadel, Councilmember Schaaf and Reid

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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE SPECIAL AND REGULAR MEETINGS OF June 4, 5, 18 and 19, 2012
A motion was made by Brooks, seconded by Nadel, to *Approve as Submitted. The motion carried by the following vote:
Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and 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):

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
[11-0635](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
There was one speaker on this item.

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- 7.2-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
[11-0634](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid

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7.3-CC Subject: Wildfire Preservation Board Appointments
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Barry Pilger And Barbara G. Goldenberg
And Reappointing Robert Sieben, M.D., Diane Hill, Donald J. Mitchell And Dinah Benson As
Members Of The Wildfire Prevention And Assessment District Advisory Board
[11-0627](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.4-CC Subject: Civil Service Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Amy V.
Dunning To The Civil Service Board
[11-0628](#)

**This Matter was Adopted as Amended to add the further resolved "that
the appointment will take effect upon the resignation of the appointee from
her position as a member of the Public Ethics Commission" on the Consent
Agenda.**

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.5-CC Subject: Commission on Person With Disabilities Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Leticia
Escalera To The Commission On Persons With Disabilities
[11-0629](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.6-CC Subject: Budget Advisory Committee Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kim McCoy
Wade To The Budget Advisory Committee
[11-0630](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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~~7.7 -Subject: Planning Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Vien V.
Truong And Appointment Of Michael B. Coleman And Jim Moore To The City Planning
Commission
[11-0631](#)~~

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7.8-CC Subject: Travel Authorization - Reid And Brooks
From: Council President Larry Reid
Recommendation: Adopt A Resolution Authorizing Council President Larry Reid And
Councilmember Desley Brooks To Travel To San Diego California To Attend The League Of
California Cities 2012 Annual Conference And Expo Sept. 5 - 7, 2012
[11-0615](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.9-CC Subject: Settlement Agreement - Mellion
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Rose Mellion, Et Al. V. City Of Oakland, Et Al.,
Alameda County Superior Court Case No. RG11-555270, In The Amount Of \$45,000.00 As A
Result Of A Tree Limb Falling On Plaintiffs Adjacent To 1710 34th Avenue In Oakland On
August 14, 2009 (Public Works Agency - Tree Division)
[11-0633](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.10-CC Subject: Safe Medication Disposal Support
From: Councilmembers Brunner And Brooks
Recommendation: Adopt A Resolution Of Support For Extended Producer Responsibility And
The Alameda County Safe Medication Disposal Ordinance, Which Would Require Producers
Selling Pharmaceutical Drugs In Alameda County To Participate In A Drug Stewardship
Program
[11-0490](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
There was one speaker on this item.
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7.11-CC Subject: Settlement Agreement - To
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim of Odelia To, In The Amount Of \$10,000.00, As A Result
Of An Automobile Collision Property Damage Sustained Caused By An Obstructed City Sewer
Main. (Oakland Police Department)
[11-0641](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.12-CC Subject: Settlement Agreement - Shields
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Larry W. And Crystal Shields In The Amount Of
\$21,790.00, As A Result Of Property Damage Sustained Caused By An Obstructed City Sewer
Main. (Public Works Agency)
[11-0637](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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7.13-CC Subject: Settlement Agreement - Thomas
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Claud Thomas v. City Of Oakland, et al, Alameda
County Superior Court Case No. RG11-566927, In The Amount of \$8,000.00 As A Result Of A
Fall At The Arroyo Viejo Community Park In Oakland On April 5, 2010 (Parks & Recreation -
Dangerous Condition Of Public Property)
[11-0642](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.14-CC Subject: Stop Signs And Metered Parking Installation
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs On Both Approaches Of 38th Street At Manila Avenue And Metered Parking On Both Sides Of Piedmont Avenue Between Broadway And West Macarthur Boulevard
[11-0575](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.15-CC Subject: 510 16th St - Conditional And Revocable Permit
From: Department Of Planning, Building, And Neighborhood Preservation
Recommendation: Adopt A Resolution Granting 510 16th Street Inc. A Revocable And Conditional Permit To Allow Existing Portions Of The Building Facade And Below-Sidewalk Basement And Electrical Room And New Entrance Canopy For The Morgan Office Building Located At 510 16th Street To Encroach Into The Public Right Of Way
[11-0579](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.16-CC Subject: 609 Oak St - Conditional And Revocable Permit
From: Department Of Planning, Building, And Neighborhood Preservation
Recommendation: Adopt A Resolution Granting 6th And Oak Associates LP A Revocable And Conditional Permit To Allow A Below-Sidewalk Electrical Transformer And Vault And A Rainwater Pipe For A New Senior Citizen Apartment Building Located At 609 Oak Street To Encroach Into The Public Right Of Way
[11-0580](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.17-CC Subject: Debt Management Policy
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Adopting The City Of Oakland's Debt Management Policy And Swap Policy For Fiscal Year 2012-2013
[11-0583](#)

This Matter was Adopted as Amended to extend the existing Swap Policy to September 11, 2012 and return to the September 11, 2012 Finance and Management with providing the City Administrator's office time to research and provide additional options to the committee and also include the following information:

- 1. 1997 Report previously submitted to Council and any subsequent amendments to Goldman Sachs.**
- 2. Information regarding the Social Responsibility Component used around the country associated with Debt Management and Swap Policy.**
- 3. Whether the new proposed policy takes into consideration what was approved at the July 3, 2012 City Council meeting related to Goldman Sachs.**
- 4. Specific criteria for entering into a swap policy in the future.**

**The red-lined version of the proposed policies.
on the Consent Agenda.**

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.18-CC Subject: Code For America Labs - Professional Services Agreement
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Enter Into An Agreement With Code For America For The Period Of January 1 Through December 31, 2013, For The Payment Of Program Fees In The Amount Of \$180,000 To Participate In The Code For America Labs, Inc. 2013 Fellowship Program If Selected, And 2) Waive The Competitive Request For Proposals/Qualifications (RFP/Q) Process
[11-0572](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.19-CC Subject: Open Data System Implementation Report
From: Office Of The City Administrator
Recommendation: Receive An Informational Report From The Office Of The City Administrator On The Cost And Benefits Of The Implementation Of An Open Data System And The Steps Necessary To Implement And Open Data System
[11-0573](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.20-CC Subject: Toyota Prius Contract - One Toyota
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To One Toyota Of Oakland, A Corporation, To Provide Sixteen (16), 2012 Toyota Prius Hybrid Vehicles, In An Amount Not To Exceed Three Hundred Thirty-Nine Thousand, Forty-Four Dollars And Nine Cents (\$339,044.09) Per Request For Quotation (RFQ) 3571, Specification No. 12-070-06 And The General Conditions Therefor On File In The Purchasing Division According To Its Bid Filed With The City On May 14, 2012
[11-0578](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.21-CC Subject: Investment Policy Approval
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2012-2013
[11-0584](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.22-CC Subject: Netfile Contract
From: Office Of The City Clerk
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding Requirements Of The Oakland Municipal Code And Authorizing The City Administrator To Contract With Netfile For Host-Site Software Filing System Service For A Three-Year Term In A Compensation Amount Of \$102,000.00 (One Hundred Two Thousand Dollars) Plus Two (2) One-Year Options To Renew The Contract At The City's Sole Discretion At An Annual Contract Compensation Rate Of \$34,000.00 With An Annual Increase Of Up To Five Percent (5%) Of The Annual Compensation Amount (Or \$71,400.00 Total For The Two Option Years If Exercised By The City) For A Grand Total Not-To-Exceed Contract Amount Of One Hundred Seventy-Three Thousand, Four Hundred Dollars (\$173,400.00)
[11-0625](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.23-CC Subject: Ford Truck Purchase
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Albany Ford, A Corporation, To Provide Four (4) 2012 Ford F350 Trucks With A Mounted Utility Body, In An Amount Not To Exceed One Hundred Fifty Nine Thousand Six Hundred Twenty Nine Dollars And Seventy One Cents (\$159,629.71) Per Request For Quotation (RFQ) 3536, Specification No. 12-863-10 And The General Conditions Therefore On File In The Purchasing Division According To Its Bid Filed With The City On April 23, 2012. These Vehicles Are For The Use Of The Public Works Agency
[11-0600](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.24-CC Subject: Alice Street Learning Center Lease Extension
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City To Extend The Lease Term For The Alice Street Learning Center At 250-17th Street From The East Bay Municipal Utility District For One Year With Two One Year Renewal Options For The Initial Annual Rent Of \$102,296 Plus Estimated Cost Of Utilities, Services, And Assessments And To Accept The \$111,600.40 Payment From The Oakland Unified School District To Cover Such Costs
[11-0602](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.25-CC Subject: Broadway Shuttle Expansion Agreement
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing An Agreement With Ac Transit To Continue Operating The City Of Oakland Broadway Shuttle For Two Additional Years, At An Initial Cost Of \$767,040 Each Year, And Authorizing The City Administrator To Increase This Contract Amount For Expanded Shuttle Hours Or Frequency Of Service Using Any Additional Public And Private Grants And Financial Support Secured Within The Two-Year Term Of The Contract Without Returning To Council
[11-0606](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.26-CC Subject: Temescal/Telegraph BID Annual Report
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Approving The Annual Reports Of The Temescal
Telegraph Avenue Property Business Improvement District Of 2005 And The Laurel Property
Business Improvement District Of 2005 Advisory Boards; Confirming The Continuing Annual
Assessment For Each Applicable District For Fiscal Year 2012/2013; And Authorizing
Payment Of The City's Cumulative Fiscal Year 2012/2013 Fair Share Assessment In An
Amount Not To Exceed \$2,218.03 For City-Owned Property In The Temescal/Telegraph
Avenue District (APN 014 1219 003 00)
[11-0608](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.27-CC Subject: Changes To Linked Banking Survey
From: Councilmembers Brunner And Kaplan
Recommendation: Adopt A Resolution Directing The City Administrator To Include Specific
Information In The Annual Linked Banking Survey, To Require Survey Completion To
Determine "Eligible Depositories", To Provide A Transparent Comparative Analysis Of Bank
Performance To Council By March 31, 2013, And To Return To Council With
Recommendations For Possible Changes To Update The Linked Banking Ordinance
[11-0618](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.28-CC Subject: Entitlement Extensions
From: Councilmember Brunner And Pro Tem De La Fuente
Recommendation: Adopt A Resolution Extending Until December 31, 2013 The Expiration Date Of Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning Code) And Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The Oakland Municipal Code That Otherwise Would Expire On Or Prior To January 1, 2013 Upon Request And Payment Of Administrative Fee
[11-0617](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.29-CC Subject: Code Enforcement Liens And Fees Refund - Steven Edrington
From: Department Of Planning, Building, And Neighborhood Preservation
Recommendation: Adopt A Resolution Approving A \$3,902.44 Refund To Steven Edrington Of Code Enforcement Liens And Fees Previously Assessed Against The Prior Owner For The Rehabilitation Of A Foreclosed And Public Nuisance Home Located At 7520 Circle Hill Drive
[11-0581](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
There was one speaker on this item.
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S-7.30-CC Subject: Lakeside Green Streets Project Agreement
From: Office Of Economic And Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Artist To Be Named By The Public Art Advisory Committee For Public Art Design, Fabrication And Installation Services For The Lakeside Green Streets Project In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) In Measure DD Series B Bond Funds, Without Returning To City Council
[11-0585](#)

This Matter was Adopted The committee directed staff to return to the September 11, 2012 Life Enrichment Committee and provide a report on these contracts awarded to the selected artist. on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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S-7.31-CC Subject: West Oakland Public Art Services Agreement
From: Office Of Economic And Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Professional Services Agreements With Artists To Be Named By The Public Art Advisory Committee For Public Art Design, Fabrication And Installation Services For The New West Oakland Teen Center Public Art Project And The Cesar Chavez Park Improvement And Expansion Public Art Project In An Amount Not To Exceed One Hundred Thirty-Five Thousand Dollars (\$135,000) In Proposition 84 Grant Public Art Funds, Without Returning To City Council
[11-0586](#)

This Matter was Adopted The committee directed staff to return to the September 11, 2012 Life Enrichment Committee and provide a report on these contracts awarded to the selected artist. on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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S-7.32-CC Subject: Public Art Professional Service Agreement - MacArthur Blvd
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Artist To Be Named By The Public Art Advisory Committee For Public Art Design, Fabrication And Installation Services For The MacArthur Boulevard Streetscape Improvement Project In An Amount Not To Exceed One Hundred Eighty-Five Thousand Dollars (\$185,000) Funded From Joint Powers Financial Authority Capital Projects: Series 2005 Fund, Without Returning To City Council
[11-0607](#)

This Matter was Adopted The committee directed staff to return to the September 11, 2012 Life Enrichment Committee and provide a report on these contracts awarded to the selected artist. on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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S-7.33-CC Subject: WestEd Professional Services Agreement
From: Department Of Human Services
Recommendation: Adopt A Resolution 1) Waiving The Competitive Request For Proposal/Qualifications Process, And 2) Authorizing The City Administrator To Execute A Professional Services Agreement With WestEd For Specialized Training & Technical Assistance For Head Start Staff On The Social And Emotional Foundations Of Early Learning In Amounts Not To Exceed Fifty Thousand Dollars (\$50,000) For Fiscal Year 2012-2013 And Fifty Thousand Dollars (\$50,000) For Fiscal Year 2013-2014 For A Total Amount Not To Exceed \$100,000, Contingent Upon Receipt Of Grant Funding
[11-0626](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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S-7.34-CC Subject: Matilda Cleveland Transitional Housing Facility - PATH
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator 1) To Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland's 2012-2014 Application Process For The Permanent Access To Housing (Path) Strategy To Provide Housing And Homeless Services To The Homeless (For An Allocations Amount Of Not More Than \$1,560,944.67), Second Year Of Path Funding (2013/14) Contingent Upon Funding Available; 2) To Allocate \$818,750 In Alameda County Grant Funds And City General Purpose Funds As Match Funding For The City's Supportive Housing Programs (\$2,331,862) Funded By The U.S. Department Of Housing & Urban Development (HUD); 3) To Allocate Up To \$210,054.79 To Cover 2012-2013 Lease Costs At The Matilda Cleveland Transitional Housing Facility, The City's Annual Obligation To The Alameda County Everyone Home Strategy And Alameda County Homeless Management Information System, An Agreement With Alameda County Community Food Bank For Up To \$100,000 For The City's Food Distribution Program, And Other Costs Under The City's Hunger Program/Food Distribution; 4) To Enter Into A Grant Agreement With Anka Behavioral Health For The 2012-2013 Oakland Temporary Winter Shelter For Up To \$315,243; And 5) To Negotiate Funding Arrangements Between Alameda County Housing Authority And/Or Alameda County Behavioral Health Care Services, And/Or Social Services Agencies To Best Leverage Funds And Resources That Will Benefit City's 2012-2013 Permanent Access To Housing Strategy And Temporary Winter Shelter Program Participants
[11-0614](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.35-CC Subject: OFCY Evaluation Services - Public Profit Inc.
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Public Profit, Inc., In An Amount Not To Exceed \$200,000 For The Term August 1, 2012 To October 31, 2013, To Provide Evaluation Services For The Oakland Fund For Children And Youth (OFCY), With The Option To Renew For One Additional Term Of August 1, 2013 To October 31, 2014, Up To The Same Maximum \$200,000 For The Additional Term, For A Total Contract Amount Not To Exceed \$400,000
[11-0613](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.36-CC Subject: Repealing Of Ordinance No. 4718 - Marathons
From: Councilmember Kaplan And Oakland City Attorney Barbara Parker
Recommendation: Adopt An Ordinance Repealing Ordinance No. 4718 N.S. And Section 9.08.200 Of The Oakland Municipal Code Prohibiting Marathons
[11-0589](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the September 18, 2012 meeting on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.37-CC Subject: Bauer Compressor Contract - Breathing Apparatus Equipment
From: Oakland Fire Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Her Designee To Accept And Appropriate Grant Funds From The U.S. Department Of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance To Firefighters Grant (AFG) Program To The Oakland Fire Department (OFD) For The Period Of January 27, 2012 Through January 26, 2013, In The Amount Of Two Hundred Ten Thousand Six Hundred And Forty Dollars (\$210,640) And To Match Funds In The Amount Of Fifty-Two Thousand Six Hundred And Sixty-Three Dollars (\$52,663) To Upgrade The Department's Self Contained Breathing Apparatus (SCBA) Equipment; 2) Authorizing The City Administrator To Award A Contract To Bauer Compressor In An Amount Not To Exceed Two Hundred Sixty Three Thousand And Three Hundred And Three Dollars (\$263,303) For The Purchase Of Parts Required For The Upgrade Of SCBA Equipment; And 3) Waiving The Advertising And Competitive Bidding Requirements.
[11-0588](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.38-CC Subject: Port Security Grant Program Administration Agreement
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into A Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For The Distribution Of Fiscal Year 2011 Port Security Grant Program (PSGP) Funds In An Amount Not To Exceed Four Hundred Thousand Nine Hundred Dollars (\$400,900), 2) Accept, Appropriate, And Administer The Fiscal Year 2011 Port Security Grant Program Allocation, 3) Approve The Preliminary Spending Plan For Fiscal Year 2011, And 4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List (AEL) And Services Required By The Grant, Provided City Bidding Requirements And Purchasing Programs/Policies Are Followed
[11-0609](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.39-CC Subject: UASI Grant Administration
From: Oakland Fire Department
Recommendation: Adopt A Resolution Amending Resolution No. 82936 CM.S. Which Authorized The City Administrator Or Her Designee Among Other Things, To Enter Into An Agreement To Accept, Appropriate And Administer Fiscal Year 2009 Urban Area Security Initiative (UASI) Grant Funds, To 1) Accept, Appropriate And Administer Supplemental Fiscal Year 2009 UASI Grant Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) For A Cumulative Fiscal Year 2009 UASI Grant Award Allocation An Amount Not To Exceed Five Million And Eight Hundred Thousand Dollars (\$5,800,000) And Appropriate Said Funds To The Oakland Fire Department's, Office Of Emergency Services (OES)
[11-0611](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.40-CC Subject: Lease Agreement - Western Door And Sash
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into A Three Year Lease Agreement Western Door & Sash For The Rental Of Its Warehouse Located At 4450 Tidewater Avenue, Oakland Ca, At A Rate Of Fourteen Thousand Dollars (\$14,000) Per Month For The Period October 1, 2012 Through September 30, 2015, With Two 1-Year Options To Extend, Using Funds Supported By The Federal Emergency Management Agency (FEMA) Urban Search And Rescue (USAR) Cooperative Agreement For The Purpose Of Providing An Emergency Response Facility For The Oakland FEMA USAR Task Force And Oakland Fire Department Emergency Equipment And Supplies
[11-0610](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.41-CC Subject: Contract Extension - Resource Development Associates
From: Office Of The City Administrator
Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Execute A Contract Extension Between The City Of Oakland And Resource Development Associates ("RDA") In An Amount Not To Exceed Twenty-Six Thousand Six Hundred Dollars (\$26,600) For Outcome And Process Evaluation Services Of The Measure Y Violence Prevention Programming From July 1, 2012 To October 31, 2012; And (2) Waiving The Request For Proposals/qualifications Process For The Proposed Contract Extension With RDA
[11-0604](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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S-7.42-CC Subject: Major Crimes Cold Case Unit Agreement Extension
From: Oakland Police Department
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator Or Her Designee To Enter Into A Professional Services Agreement With Mr. Donald Williams For The Period Of June 1, 2012 Through March 31, 2013 With Two One-Year Options To Extend, In An Amount Not To Exceed Eighty Thousand One Hundred Twelve Dollars (\$80,112) For Continued Investigative Assistance To The Oakland Police Department's Major Crimes Cold Case Unit; And 2) Waiving The Competitive Request For Proposals/Qualifications (RFP/Q) Process, The Advertising And Bidding Requirements, And Local And Small Business Enterprise Programs (L/SLB) Provisions For The Proposed Professional Services Agreement With Donald Williams.
[11-0603](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
There was one speaker on this item.
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S-7.43-CC Subject: Cityspan Agreement - Contract Management System
From: Department Of Human Services
Recommendation: Adopt A Resolution 1) Waiving The Competitive Request For Proposals/Qualifications Process, 2) Authorizing The City Administrator To Execute An Agreement Between The City Of Oakland And Cityspan Technologies To Continue To Provide Licensing And Hosting, Project Management And Client Support Web-Based Contract Management Database Systems For Three Department Of Human Services Programs: Measure Y In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000), Oakland Fund For Children And Youth (OFCY) In An Amount Not To Exceed Fifty Five Thousand Dollars (\$55,000), And Alameda County-Oakland Community Action Partnership (AC-OCAP) In An Amount Not To Exceed Twenty Five Thousand Dollars (\$25,000) Resulting In A Total Contract Amount Not To Exceed One Hundred And Thirty Thousand Dollars (\$130,000) For The Period Of July 1, 2012 To June 30, 2013, And 3) Authorizing The City Administrator To Execute Agreements With Cityspan Technologies To Continue To Provide Said Services For Fiscal Years 2013-2014 And 2014-2015 In An Amount Not To Exceed One Hundred And Thirty Thousand Dollars (\$130,000) Each Year, Totaling Three Hundred And Ninety Thousand Dollars (\$390,000) For The Three Fiscal Years
[11-0612](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
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Passed The Consent Agenda

A motion was made by De La Fuente, seconded by 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 Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid

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

A motion was made by De La Fuente, seconded by Kernighan, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Brunner
ORA\Councilmember Ayes: 6 - Brooks, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid
There were no final decisions made in closed session.

**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:**

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:55 p.m.

There were no speakers on this item.

Pro Tem De La Fuente made a motion, seconded by Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Brunner, De La Fuente, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Kaplan -1

- 9.1 Subject: Moratorium On Secondhand Jewelers Extension
From: Office Of The City Attorney
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt Extension Of Ordinance No. 13095 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of Businesses Engaged In And/Or Conducting Buying, Selling, And/Or Exchanging Old Gold, Old Silver, Platinum Or Articles Of Platinum, Silverware, Secondhand Jewelry Or Other Precious Metals Or Stones (Secondhand Jewelry Dealers), Through November 10, 2012 Or Whenever Permanent Regulations Are Adopted, Whichever Occurs First
[11-0621](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:57 p.m.

1 individual spoke on this item.

Councilmember Kernighan made a motion, seconded by Pro Tem De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Brunner, De La Fuente, Kernighan, Nadel, Schaaf, and President Reid -7

Excused: Kaplan -1

- 9.2 Subject: Lakeshore/Lake Park Business Improvement Plan
From: Office Of Economic And Workforce Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Establishing The Lakeshore/Lake Park Business Improvement Management District Of 2012, Approving The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Making A Determination With Regard To The Majority Protest Procedure For Approval Of The Proposed Assessments; And Approving The Assessments For The District
[11-0414-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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[84004 CMS.pdf](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: San Mateo FD Professional Services Agreement
 From: Oakland Fire Department
 Recommendation: Adopt The Following Pieces Of Legislation:
 1) A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into An Agreement With The County Of San Mateo Under Which The City Of Oakland Will Provide Its Fire Personnel During The Term July 1, 2013 Through June 30, 2014 In Exchange For UASI Supplemental Grant Funding In Connection With The Northern California Regional Intelligence Center (NCRIC) Operations, Which Is A Federal, State And Local Public Safety Effort That Involves The Intake, Analysis, Fusion, Synthesis, And Appropriate Dissemination Of Criminal And Homeland Security Intelligence In The Greater San Francisco Bay Area And The Northern Coastal Counties Of California; And 2) Accept And Appropriate Federal Fiscal Year 2012 UASI Supplemental Grant Allocations Through The San Mateo County Agreement From July 1, 2013 Through June 30, 2014 Period For An Amount Up To Two Hundred And Twenty Thousand Nine Hundred And Twenty Two Dollars (\$220,922) For The Reimbursement Of Oakland Fire Department Personnel Salaries And Benefits That Are Assigned As Liaison Officer Per The County Of San Mateo NCRIC Agreement; And
[11-0622](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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[84005 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into An Agreement With The County Of San Mateo Under Which The City Of Oakland Will Provide Its Fire Personnel During The Term July 1, 2012 Through June 30, 2013 In Exchange For UASI Supplemental Grant Funding In Connection With The Northern California Regional Intelligence Center (NCRIC) Operations, Which Is A Federal, State And Local Public Safety Effort That Involves The Intake, Analysis, Fusion, Synthesis, And Appropriate Dissemination Of Criminal And Homeland Security Intelligence In The Greater San Francisco Bay Area And The Northern Coastal Counties Of California; And 2) Accept And Appropriate Federal Fiscal Year 2011 UASI Supplemental Grant Allocations Through The San Mateo County Agreement From July 1, 2012 Through June 30, 2013 Period For An Amount Up To Two Hundred And Twenty Thousand Nine Hundred And Twenty Two Dollars (\$220,922) For The Reimbursement Of Oakland Fire Department Personnel Salaries And Benefits That Are Assigned As Liaison Officer Per The County Of San Mateo NCRIC Agreement

[11-0622-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan

ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid

[84006 CMS.pdf](#)

12 Subject: UASI Grant Spending Plan Administration
 From: Oakland Fire Department
 Recommendation: Adopt The Following Pieces Of Legislation:
 1) A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into Urban
 Area Security Initiative (UASI) Grant Administration Agreement With The City And County
 Of San Francisco To Accept And Appropriate Up To One Million Two Hundred Dollars
 (\$1,200,000) In Fiscal Year 2013 UASI Grant Funding; And 2) Administer The Fy 2011 UASI
 Grant And All Programs Included As Part Of The Grant Performance And Requirements In
 Accordance To The Preliminary Spending Plan Including Purchases Of Equipment And
 Services In Excess Of Her Purchasing Authority Without Further Council Review And Action
 For Equipment That Is On The Federally Authorized Equipment List (AEL) And Services
 Required By The Grant Provided That The City Bidding Requirements, Contracts And
 Purchasing Programs/Policies Are Followed; And 3) Waive The City Of Oakland Central
 Services Overhead (CSO) Fees Of Thirty Thousand Five Hundred And Fifty Dollars (\$30,550)
 Affiliated With The Fy2011 UASI Grant; And
 [11-0623](#)

A motion was made by De La Fuente, seconded by Kernighan, that this matter be Adopted as Amended to correct the year written as 2011 to be changed to 2013 to match the title of the resolution. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
 ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan,
 Nadel, Councilmember Schaaf and Reid
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2) A Resolution Authorizing The City Administrator Or Her Designee To: 1) Enter Into Urban Area Security Initiative (UASI) Grant Administration Agreement With The City And County Of San Francisco To Accept And Appropriate Up To One Million Two Hundred Dollars (\$1,200,000) In Fiscal Year 2012 UASI Grant Funding; And 2) Administer The Fy 2012 UASI Grant And All Programs Included As Part Of The Grant Performance And Requirements In Accordance To The Preliminary Spending Plan Including Purchases Of Equipment And Services In Excess Of Her Purchasing Authority Without Further Council Review And Action For Equipment That Is On The Federally Authorized Equipment List (AEL) And Services Required By The Grant Provided That The City Bidding Requirements, Contracts And Purchasing Programs/Policies Are Followed; And 3) Waive The City Of Oakland Central Services Overhead (CSO) Fees Thirty Thousand Five Hundred And Fifty Dollars (\$30,550) Affiliated With The Fy2012 UASI Grant.

[11-0623-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
[84008 CMS.pdf](#)

13 Subject: Board Of Port Commissioners Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of James Head, Appointment Of Bryan R. Parker And Appointment Of Cestra 'Ces' Butner To The Board Of Port Commissioners

[11-0645](#)

A motion was made by Nadel, seconded by Kernighan, that this matter be Not Adopted. The motion failed by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Noes: 3 - Brooks, De La Fuente and Reid
ORA\Councilmember Ayes: 4 - Brunner, Kernighan, Nadel and Councilmember Schaaf
There were 13 speakers on this item.

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- 14 ~~Subject: Charter Amendment - Repeal Of "Ranked Choice Voting"~~
~~From: Pro Tem De La Fuente~~
~~Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A~~
~~Proposed Charter Amendment, Entitled, "Measure Repealing Ranked Choice Voting"~~
~~Requiring The City To Eliminate Ranked Choice Voting For City Elections And To Establish~~
~~A June Municipal Nominating Election And A November Run-Off Election, To Be Submitted~~
~~To The Electors At The Next Special Or General Municipal Election. And Directing The City~~
~~Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication~~
~~In Accordance With The Next General Election Date~~
~~11-0639~~
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At this time roll call was modified to show Councilmember Brunner as absent.

- 15 Subject: Ordinance 13008 C.M.S Amendment - One Time Funds Use
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending Ordinance No. 13008 C.M.S., Which
Amended Council's General Purpose Fund (GPF) Financial Policies To Require That Council
Identify Funding Sources And Fully Approve Funding Prior To Any Council Action That Has
A Fiscal/Cost Impact, Adjust The Budget As Necessary To Maintain A Balanced Budget And
Otherwise Set Forth The GPF Policy In Full, To Revise Current Council Fiscal Policy Set Forth
In Ordinance No. 13008 C.M.S. For Use Of One Time Revenues
11-0643

**A motion was made by Nadel, seconded by Kernighan, 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 September 18, 2012
meeting. The motion carried by the following vote:**
Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 2 - Brunner and Reid
ORA\Councilmember Ayes: 5 - Brooks, De La Fuente, Kernighan, Nadel and
Councilmember Schaaf
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[13134.pdf](#)

16 Subject: Master Fee Amendment
 From: Office Of The City Administrator
 Recommendation: Adopt An Ordinance Amending Ordinance Number 13111 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, The Department Of Administrative Services, The Oakland Fire Department, The Department Of Community Services, The Public Works Agency, And The Department Of Planning, Building And Neighborhood Preservation
[11-0496](#)

A motion was made by Brooks, seconded by Councilmember Schaaf, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 2 - Brunner and Reid
ORA\Councilmember Ayes: 5 - Brooks, De La Fuente, Kernighan, Nadel and Councilmember Schaaf
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At this time roll call was modified to show Councilmember Brunner as present.

17 Subject: Councilmember Salary Increase
 From: Councilmember Schaaf
 Recommendation: Adopt A Resolution Irrevocably Waiving Payment Of The PublicEthics Commission-Approved 2.1% Increase In The SalaryFor The Office Of Councilmember For Fiscal Year 2012-2013
[11-0587](#)

A motion was made by Councilmember Schaaf, seconded by Brooks, that this matter be Adopted as Amended to accept the increase but waive payment. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Absent: 1 - Reid
ORA\Councilmember Ayes: 6 - Brooks, Brunner, De La Fuente, Kernighan, Nadel and Councilmember Schaaf
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[84009 CMS.pdf](#)

S-18 Subject: Planning Commission Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Vien V.
 Troung And Appointment Of Michael B. Coleman And Jim Moore To The City Planning
 Commission
 [11-0631](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
 ORA\Councilmember Absent: 1 - Reid
 ORA\Councilmember Ayes: 6 - Brooks, Brunner, De La Fuente, Kernighan,
 Nadel and Councilmember Schaaf
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 [84010 CMS.pdf](#)

19 Subject: Limited Obligation Refunding Improvement Bonds
 From: Office Of The City Administrator
 Recommendation: Adopt The Following Pieces Of Legislation:
 1) A Resolution Of Intention To Levy Reassessments And To Issue Refunding Bonds Upon
 The Security Thereof
 [11-0647](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
 ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan,
 Nadel, Councilmember Schaaf and Reid
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2) A Resolution Adopting Reassessment Report, Confirming And Ordering The Reassessment Pursuant To Summary Proceedings And Directing Actions With Respect Thereto
[11-0647-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
 ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan,
 Nadel, Councilmember Schaaf and Reid
 [84012 CMS.pdf](#)

3) A Resolution Authorizing The Issuance Of Refunding Bonds, Approving And Directing The Execution Of A Fiscal Agent Agreement, A Bond Purchase Agreement And An Escrow Deposit And Trust Agreement, Authorizing Sale Of Bonds, Approving And Authorizing Distribution Of An Official Statement, And Authorizing Other Related Documents And Actions With Respect Thereto

[11-0647-2](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
[84013 CMS.pdf](#)

4) A Joint Powers Financing Authority Resolution Authorizing Execution And Delivery Of An Escrow Deposit And Trust Agreement, And Approving Related Agreements And Actions

[11-0647-3](#)

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

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
[2012-0001 JPFA.pdf](#)

S-20

Subject: Construction Contract - Flatiron West

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Award A Construction Contract For The Seismic Retrofit Of Hegenberger Road Overhead (Project No. C347110) To Flatiron West, Inc., The Lowest Responsive And Responsible Bidder, In The Amount Of Four Million Five Hundred Sixty-Nine Thousand Nine Hundred Sixty-Three Dollars (\$4,569,963.00) In Accord With The Project Plans And Specifications And The Contractor's Bid

[11-0577](#)

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

Votes: ORA\Councilmember Abstained: 1 - Brooks
ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 6 - Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
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[84014 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Accept And Appropriate Up To Five Million Seven Hundred Twelve Thousand Four Hundred Fifty-Three Dollars (\$5,712,453.00) Of Federal Highway Administration And State Proposition 1B Funds For The Seismic Retrofit Of Hegenberger Road Overhead (Project No. C347110)

[11-0577-1](#)

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

Votes: ORA\Councilmember Abstained: 1 - Brooks

ORA\Councilmember Excused: 1 - Kaplan

ORA\Councilmember Ayes: 6 - Brunner, De La Fuente, Kernighan, Nadel,
Councilmember Schaaf and Reid

There was one speaker on this item.

[84015 CMS.pdf](#)

S-21 Subject: BRT Project
 From: Public Works Agency
 Recommendation: Adopt A Resolution To Adopt The Downtown Oakland - San Leandro
Alternative (DOSL) As The Locally Preferred Alternative For The AC Transit District's East
Bay Bus Rapid Transit Project (BRT Project); Adopt Conditions Of Approval For The DOSL
BRT Project; And, As A CEQA Responsible Agency, Adopt As Its Own Independent Findings
And Conclusions To The Attached CEQA-Related Findings Adopted By AC Transit For The
DOSL BRT Project, Including Rejections Of Alternatives As Being Infeasible, The Findings Of
Fact, Statement Of Overriding Considerations (Finding That The Benefits Of The Project
Outweigh Its Environmental Impacts), And The Mitigation Monitoring And Reporting Program
[11-0574](#)

A motion was made by Kernighan, seconded by De La Fuente, that this matter be Adopted as Amended to include the following language under Section 1 of the DOSL BRT project conditions of approval subheader "Requirement;".

"AC Transit will continue to identify and resolve business owner issues, related to the impact of the BRT on parking and business operations. Where possible, AC Transit will physically configure parking spaces in ways that are mutually agreeable to business owners, AC Transit, and the City of Oakland. Where that is not possible AC Transit will work with business owners to identify appropriate ways to compensate business owners for the financial impacts on their businesses caused by the loss of parking, up to and including possible relocation to comparable sites, within the financial constraints of the project" The Committee further directed staff to work with AC Transit to create an impact mitigation fund so that should there be a disruption of business or organizational functioning due to either the construction phase, or in an ongoing manner, that action be taken to mitigate or eliminate the disruption, or to compensate the person/business/organization involved for that disruption. Mitigations may be short-term (e.g. if needed, for example, only during construction), or may be permanent to accommodate a long-term need.

Such mitigations may include:

- Substitute parking
- Entranceway realignment or other changes to layout or facade to improve Interaction between the site and the BRT system and pedestrian access.
- Compensation for lost business and/or lost functionality
- Relocation
- Transportation Demand Management

Prior to completion of the Preliminary Engineering Phase, details shall be agreed to between City of Oakland and AC Transit to create an, impact mitigation fund and disbursement procedures, which may be used for such, needed" mitigations as are identified during the upcoming phases of the project. Authorization of the Mitigation Fund/Plan shall be by: Oakland City Administrator (or designee) and AC Transit General Manager (or designee).

The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan,
Nadel, Councilmember Schaaf and Reid
There were 37 speakers on this item.

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[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[84016 CMS.pdf](#)

S-22 Subject: OAB Jobs Policy Compliance And Enforcement
From: Councilmember Brooks
Recommendation: Adopt A Resolution Amending The Oakland Army Base Construction Jobs Policies For Public Improvements And Vertical Construction; Establishing Weekly Reporting Requirements For Contractors And Sub-Contractors; Authorizing The Establishment Of A Website Which Will Post Compliance Information In Real Time; Mandate Use Of The City's LCP Tracker Program; And Establishing Sanctions On Contractors And Sub-Contractors For Noncompliance With Oakland's Jobs Policy
[11-0620](#)

A motion was made by Brooks, seconded by Brunner, that this matter be Continued to the Meeting of the Oakland City Council and directed staff to work on the issue and return in the fall and bring back an agreed upon process to address the jobs policy The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Kaplan
ORA\Councilmember Ayes: 7 - Brooks, Brunner, De La Fuente, Kernighan, Nadel, Councilmember Schaaf and Reid
There were 20 speakers on this item.

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[84071 C.M.S.pdf](#)

At this time roll call was modified to show Councilmember Nadel as excused.

S-23 Subject: Establishing The Oakland Redevelopment Successor Agency
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Pieces Of Legislation:
1. A Resolution Establishing The Oakland Redevelopment Successor Agency As The
Successor Agency To The Redevelopment Agency Of The City Of Oakland And Providing For
Its Governance; And
[11-0640](#)

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

Votes: ORA\Councilmember Abstained: 1 - Brunner
ORA\Councilmember Excused: 2 - Kaplan and Nadel
ORA\Councilmember Ayes: 5 - Brooks, De La Fuente, Kernighan,
Councilmember Schaaf and Reid
[View Report.pdf](#)
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[84017 CMS.pdf](#)

2. A Successor Agency Resolution Establishing The Oakland Redevelopment Successor
Agency, Designating Officers, And Adopting Administrative, Governance, And Operating
Rules
[11-0640-1](#)

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

Votes: ORA\Councilmember Abstained: 1 - Brunner
ORA\Councilmember Excused: 2 - Kaplan and Nadel
ORA\Councilmember Ayes: 5 - Brooks, De La Fuente, Kernighan,
Councilmember Schaaf and Reid
[2012-0002 ORSA.pdf](#)

S-24 Subject: Approving Submission Of The ROPS To Oversight Board
From: Office Of Neighborhood Investment
Recommendation: Adopt A Successor Agency Resolution Approving The Submission Of A
Recognized Obligation Payment Schedule And Successor Agency Administrative Budget For
January Through June 2013 To The Oakland Oversight Board, The County, And The State
[11-0636](#)

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

Votes: ORA\Councilmember Excused: 2 - Kaplan and Nadel
ORA\Councilmember Ayes: 6 - Brooks, Brunner, De La Fuente, Kernighan,
Councilmember Schaaf and Reid
[View Report.pdf](#)
[2012-0003 ORSA.pdf](#)

S-25 Subject: Sunfield Development DDA
From: Office Of Neighborhood Investment
Recommendation: Adopt A Successor Agency Resolution Authorizing The Oakland Redevelopment Successor Agency To Enter Into A Disposition And Development Agreement With The City Of Oakland And Sunfield Development, LLC. For The Sale Of Property At Foothill Boulevard And Seminary Avenue For No Less Than \$6,000 For Development As A Retail Shopping Center. And Authorizing An Agreement With The City Of Oakland To Provide \$150,000 For Remediation Of The Site
[11-0638](#)

A motion was made by Brooks, seconded by De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Kaplan and Nadel
ORA\Councilmember Ayes: 6 - Brooks, Brunner, De La Fuente, Kernighan, Councilmember Schaaf and Reid
[View Report.pdf](#)
[2012-0004 ORSA.pdf](#)

S-26 Subject: Central District Pass Through Payment
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Ratifying Receipt And Electing To Receive A Portion Of The Tax Increments From The Central District Redevelopment Project Area
[11-0648](#)

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

Votes: ORA\Councilmember Excused: 2 - Kaplan and Nadel
ORA\Councilmember Ayes: 6 - Brooks, Brunner, De La Fuente, Kernighan, Councilmember Schaaf and Reid
[View Report.pdf](#)
[84018 CMS.pdf](#)

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 Hadari Ashkari at 11:42 p.m.

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