



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

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

Tuesday, June 04, 2013

5:30 PM

City Council Chambers, 3rd Floor

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:41 p.m.

2 Roll Call / City Council

ORA\Councilmember Present: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, Vice Mayor Reid, Council President Kernighan, Member Brooks, President Pro Tempore Kaplan and Chairperson Schaaf

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

There were 34 Open Forum speakers.

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

Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Dennis McCarthy.

Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Ron Williams.

At the request of the Council President, item 4.2 was taken before item 4.1.

Councilmember Gibson McElhaney took of personal privilege and requested that the meeting be adjourned in memory of Kimberly Harvey and Darryl Ross.

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- 4.2 Subject: Honoring Claremont Middle School
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution Recognizing Claremont Middle School For Serving
The Oakland Community And Many Students For The Last 100 Years
[12-0567](#)

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
[View Report.pdf](#)
[84393 CMS.pdf](#)

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

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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[84392 CMS.pdf](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF MAY 21, 2013

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

- 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):

Councilmember Brooks requested to speak on items 7.9 and 7.24.

President Pro Tempore Kaplan requested to speak on items 7.9 and 7.12.

7. CONSENT CALENDAR (CC) ITEMS:

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Kalb, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

- 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
[12-0544](#)

This Matter was Adopted on the Consent Agenda.

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[84394 CMS.pdf](#)

- 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
[12-0545](#)

This Matter was Adopted on the Consent Agenda.

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[84395 CMS.pdf](#)

- 7.3-CC Subject: Cannabis Regulatory Commission Appointment - Reiman
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Amanda Reiman As A Member Of The Cannabis Regulatory Commission
[12-0481](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84396 CMS.pdf](#)

7.4-CC Subject: Budget Advisory Committee Appointment - Sabbag
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Jessamyn
 Sabbag To The Budget Advisory Committee
 [12-0535](#)

This Matter was Adopted on the Consent Agenda.

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[84397 CMS.pdf](#)

7.5-CC Subject: Commission On Persons With Disabilities Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Richard
 Rueda, Fatimah Simmons, And Miquette Thompson To The Commission On Persons With
 Disabilities (MCPD)
 [12-0542](#)

This Matter was Adopted on the Consent Agenda.

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[84398 CMS.pdf](#)

7.6-CC Subject: Budget Advisory Committee Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ekaterina
 Burton, Venus Johnson, Christian Garcia And The Reappointment Of Alexandria (Dria) Fearn
 To The Budget Advisory Committee
 [12-0548](#)

This Matter was Adopted on the Consent Agenda.

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[84399 CMS.pdf](#)

7.7-CC Subject: On-Call Environmental And Hazardous Materials Consulting Contracts
 From: Public Works Agency
 Recommendation: Adopt The Following Pieces Of Legislation Which Authorize The City Of
 Oakland To Enter Into Professional Services Agreements For On-Call Environmental
 Consulting Services In An Aggregate Amount Not To Exceed Four Million Dollars
 (\$4,000,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016:
 [12-0405](#)

This Matter was Adopted on the Consent Agenda.

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[View Supplemental Report.pdf](#)

1) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With AMEC For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And

[12-0405 - A](#)

This Matter was Adopted on the Consent Agenda.

[84400 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Arcadis For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And

[12-0405 - B](#)

This Matter was Adopted on the Consent Agenda.

[84401 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Baseline Environmental For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And

[12-0405 - C](#)

This Matter was Adopted on the Consent Agenda.

[84402 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Erler & Kalinowski, Inc. For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And

[12-0405 - D](#)

This Matter was Adopted on the Consent Agenda.

[84403 CMS.pdf](#)

5) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Fugro Consultants For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And

[12-0405 - E](#)

This Matter was Adopted on the Consent Agenda.

[84404 CMS.pdf](#)

6) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Northgate Environmental For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405 - F](#)

This Matter was Adopted on the Consent Agenda.

[84405 CMS.pdf](#)

7) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Terraphase Engineering For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405 - G](#)

This Matter was Adopted on the Consent Agenda.

[84406 CMS.pdf](#)

8) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Weiss Associates For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016.
[12-0405 - H](#)

This Matter was Adopted on the Consent Agenda.

[84407 CMS.pdf](#)

Adopt The Following Pieces Of Legislation Which Authorize The Oakland Redevelopment Successor Agency To Enter Into Professional Services Agreements For On-Call Environmental Consulting Services In An Aggregate Amount Not To Exceed Four Million Dollars (\$4,000,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016:
[12-0405-1](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

1) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With AMEC For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-1A](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-003 ORSA.pdf](#)

2) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Arcadis For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-1B](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-004 ORSA.pdf](#)

3) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Baseline Environmental For On-Call Environmental Consulting Services In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-1C](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-005 ORSA.pdf](#)

4) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Erler & Kalinowski For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-1D](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-006 ORSA.pdf](#)

5) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Fugro Consultants For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-1E](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-007 ORSA.pdf](#)

6) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Northgate Environmental For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period from July 1, 2013 Through June 30, 2016; And
[12-0405-1F](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-008 ORSA.pdf](#)

7) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Terraphase Engineering For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And [12-0405-1G](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-009 ORSA.pdf](#)

8) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Weiss Associates For On-Call Environmental Consulting Services In An Amount Not To Exceed Five-Hundred Thousand Dollars (\$500,000) For A Three Year Period From July 1, 2013 Through June 30, 2016. [12-0405-1H](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-010 ORSA.pdf](#)

Adopt The Following Pieces Of Legislation Which Authorize The City Of Oakland To Enter Into Professional Services Agreements For On-Call Hazardous Materials Consulting Services In An Aggregate Amount Not To Exceed One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016: [12-0405-2](#)

This Matter was Adopted on the Consent Agenda.

1) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With ACC Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And [12-0405-2A](#)

This Matter was Adopted on the Consent Agenda.

[84408 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With IHI Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And [12-0405-2B](#)

This Matter was Adopted on the Consent Agenda.

[84409 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With J Stanley Consulting For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-2C](#)

This Matter was Adopted on the Consent Agenda.

[84410 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Ninyo & Moore For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-2D](#)

This Matter was Adopted on the Consent Agenda.

[84411 CMS.pdf](#)

5) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With SCA Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016.
[12-0405-2E](#)

This Matter was Adopted on the Consent Agenda.

[84412 CMS.pdf](#)

Adopt The Following Pieces Of Legislation Which Authorize The Oakland Redevelopment Successor Agency To Enter Into Professional Services Agreements For On-Call Hazardous Materials Consulting Services In An Aggregate Amount Not To Exceed One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) For A Three-Year Period From July 1, 2013, Through June 30, 2016:
[12-0405-3](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

1) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With ACC Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And
[12-0405-3A](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-011 ORSA.pdf](#)

2) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With IHI Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And [12-0405-3B](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-012 ORSA.pdf](#)

3) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With J Stanley Consulting For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1,2013 Through June 30, 2016; And [12-0405-3C](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-013 ORSA.pdf](#)

4) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With Ninyo & Moore For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016; And [12-0405-3D](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-014 ORSA.pdf](#)

5) A Resolution Authorizing The Oakland Redevelopment Successor Agency Administrator To Enter Into A Professional Services Agreement With SCA Environmental For On-Call Hazardous Materials Consulting Services In An Amount Not To Exceed Two-Hundred Fifty Thousand Dollars (\$250,000) For A Three Year Period From July 1, 2013 Through June 30, 2016. [12-0405-3E](#)

This Matter was Adopted as Bifurcated on the Consent Agenda.

[2013-015 ORSA.pdf](#)

7.8-CC Subject: Support For AB 1324: Increased Vehicle Registration Fees
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1324 (Skinner And Bonta) Authorizing Alameda County To Increase Annual Vehicle Registration Fees, With The Proceeds To Be Used To Fund Local Investigation And Prosecution Of Vehicle Theft Crimes
[12-0500](#)

This Matter was Adopted on the Consent Agenda.

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[84413 CMS.pdf](#)

7.9-CC Subject: Support For SB 299: Requiring Reporting Of Lost Or Stolen Firearms
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution In Support Of Senate Bill 299 (DeSaulnier) Regarding
Firearms, Which Would Require Every Person Whose Firearm Is Lost Or Stolen To Notify
Local Law Enforcement That Their Firearm Was Lost Or Stolen
[12-0501](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84414 CMS.pdf](#)

7.10-CC Subject: Support For SB 47: Broadening The Definition Of "Assault Weapon"
From: Councilmember Noel Gallo
Recommendation: Adopt A Resolution In Support Of Senate Bill 47(Yee) Regarding Assault
Weapons Which Seeks To (1) Revise The Statewide Definition Of "Assault Weapon" To
Include All Semiauto-Matic Pistols And Semiautomatic Centerfire Rifles Which Have
Enumerated Features, But Do Not Have A Fixed Ammunition Magazine, And (2) Require
Registration With The Department Of Justice Of Assault Weapons Fitting The Revised
Definition
[12-0502](#)

This Matter was Adopted on the Consent Agenda.

There was one speakers on this item.

[View Report.pdf](#)
[84415 CMS.pdf](#)

7.11-CC Subject: Support For Senate Bill 254: Recycling And Recovery Of Used Mattresses
From: Council President Kernighan And Pro Tempore Rebecca Kaplan
Recommendation: Adopt Resolution Expressing Support For Senate Bill 254(Hancock), The
Used Mattress Recovery And Recycling act, An Act To Add Chapter 21 (Commencing With
Section42985) To Part 3 Of Division 30 Of The Public Resources Code, Which Will Require
Manufacturers Of Mattresses Sold In This State To Develop, Finance And Implement A
Convenient And Cost Effective Program To Collect And Recycle Used Mattresses
[12-0497](#)

This Matter was Adopted on the Consent Agenda.

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[View Supplemental Report.pdf](#)
[84416 CMS.pdf](#)

7.12-CC Subject: Clean Air Act- Reduce Heat Trapping Greenhouse Gas Pollution
From: Councilmember Dan Kalb
Recommendation: Adopt A Resolution In Support Of Reducing Heat-Trapping Greenhouse
Gas Pollution Under The Clean Air Act
[12-0498](#)

This Matter was Adopted on the Consent Agenda.

There were 4 speakers on this item.

[View Report.pdf](#)
[84417 CMS.pdf](#)

7.13-CC Subject: Support For SB 33: Infrastructure Financing District
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Supporting Senate Bill 33 (Senator Lois Wolk) To Use Infrastructure Financing Districts To Pay For Public Works Projects Without Impacting School District's Share Of Property Tax Or The State General Fund: Voter Approved Repeal
[12-0489](#)

This Matter was Adopted on the Consent Agenda.

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[84418 CMS.pdf](#)

7.14-CC Subject: Support Of SB 613: Toll Revenue Expenditures
From: Council President Kernighan
Recommendation: Adopt A Resolution In Support Of SB 613 (DeSaulnier) Toll Revenue Expenditures, Which Would Impose Certain Limitations On The Use Of Toll Revenues From The Seven State-Owned Toll Bridges In The San Francisco Bay Area That Are Within The Jurisdiction Of The Bay Area Toll Authority
[12-0503](#)

This Matter was Adopted on the Consent Agenda.

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[84419 CMS.pdf](#)

7.15-CC Subject: Settlement Agreement - Alison Fletcher
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Alison Fletcher v. City Of Oakland, Alameda County Superior Court Case No. RG12620055, City Attorney's File No. 28621, In The Amount Of Twenty-Five Thousand Dollars And No Cents (\$25,000.00) (Public Works Agency - Trip And Fall)
[12-0547](#)

This Matter was Adopted on the Consent Agenda.

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[84420 CMS.pdf](#)

7.16-CC Subject: Settlement Agreement - Charles Toney
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Charles Toney v. City Of Oakland, Alameda County Superior Court Case No. RG12632052, City Attorney's File No. 29022, In The Amount Of Twelve Thousand Dollars And No Cents (\$12,000.00) (Public Works Agency - Trip And Fall)
[12-0549](#)

This Matter was Adopted on the Consent Agenda.

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[84421 CMS.pdf](#)

7.17-CC Subject: Honoring American Association Of Physiological Medicine And Dentistry
From: Councilmembers Dan Kalb And Desley Brooks
Recommendation: Adopt A Resolution Recognizing The American Association Of
Physiological Medicine And Dentistry On The Occasions Of A Symposium In Oakland On
June 14 Through June 15, 2013 And The Hosting A Free Health Screening And Awareness
Event In Oakland On June 13, 2013
[12-0568](#)

This Matter was Adopted on the Consent Agenda.

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[84422 CMS.pdf](#)

S-7.18-CC Subject: Duty And Practice Ammunition Contracts
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Awarding Contracts To San Diego Police Equipment,
A Corporation, In An Amount Not To Exceed Four Hundred Twenty Four Thousand, Four
Hundred Twelve Dollars And Eighty-One Cents (\$424,412.81) And To Adamson Police
Products, A Corporation, In An Amount Not To Exceed Eighty Thousand, Two Hundred
Seventy-Eight Dollars And Fifty Cents (580,278.50) Per Year For An Aggregate Amount Not
To Exceed \$1,514,073.93 For The Contract Period Of July 1, 2013 To June 30, 2016, To
Provide Duty And Practice Ammunition, To The City Of Oakland In Accordance With
Specification No. 13-680-04/Request For Quote (RFQ) No. 4449 And The General Conditions
Therefor On File In Purchasing According To Its
Bid Filed With The City On February 25, 2013
[12-0508](#)

This Matter was Adopted on the Consent Agenda.

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[84423 CMS.pdf](#)

S-7.19-CC Subject: EBMUD Sewer Service Term Agreement
From: City Administrator's Office
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A
10 Year Term Agreement To Provide Sewer Service Charges, Billing And Collection Services
By And Between East Bay Municipal Utility District (EBMUD) And The City Of Oakland
From July 1, 2013 To June 30, 2023
[12-0511](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84424 CMS.pdf](#)

S-7.20-CC Subject: BART 17th Street Gateway Construction Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award And Execute A Construction Contract To Bay Construction, The Lowest Responsive And Responsible Bidder, For The BART 17th Street Gateway Improvement Project (Project No. C464510), In The Amount Of One Million One Hundred Twenty-Eight Thousand Three Hundred Twenty Dollars (\$1,128,320.00) In Accord With The Project Plans And Specifications And The Contractor's Bid

[12-0518](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84425 CMS.pdf](#)

S-7.21-CC Subject: Civicorps Schools Recycling Services Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Three-Year Agreement With Civicorps Schools For An Amount Not-To-Exceed Two Hundred Twenty-Five Thousand Dollars (\$225,000) To Provide Recycling And Related Services And Waiving The Advertising And Competitive Request For Proposal/Qualification Requirements

[12-0521](#)

This Matter was Adopted on the Consent Agenda.

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[84426 CMS.pdf](#)

S-7.22-CC Subject: Fire Station One Parking Lot Biotreatment Retrofit Construction Award
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Reject All Bids Received For The Construction Of The Fire Station One Parking Lot Biotreatment Retrofit, To Waive Further Competitive Bidding, And To Negotiate With The Bidders To Award A Contract For The Construction Of The Fire Station One Parking Lot Biotreatment Retrofit (Project No. C329126) In An Amount Up To One Hundred Ninety-Six Thousand Dollars (\$196,000.00)

[12-0523](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84427 CMS.pdf](#)

S-7.23-CC Subject: Lake Merritt Channel To Bay Trail Connector Project
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award And Enter Into A Professional Services Contract With Moffatt And Nichol Engineers For Design And Engineering Services For The Lake Merritt Channel To Bay Trail Connector Project (No. C242510) In An Amount Not-To-Exceed Two Million Six Hundred Thousand Dollars (\$2,600,000.00); And
[12-0524](#)

This Matter was Adopted on the Consent Agenda.

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[84428 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept And Appropriate Grant Funds Up To One Hundred Thousand Dollars (\$100,000.00) From The San Francisco Bay Trail Regional Development Program Grant For The Lake Merritt Channel To Bay Trail Connector Project (No. C242510); And
[12-0524-1](#)

This Matter was Adopted on the Consent Agenda.

[84429 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept And Appropriate Grant Funds Up To One Hundred Thousand Dollars (\$100,000.00) From The East Bay Regional Park District - Measure WW Regional Open Space, Wildlife, Shoreline And Open Space Park Bond Extension For The Lake Merritt Channel To Bay Trail Connector Project (No. TBD); And
[12-0524-2](#)

This Matter was Adopted on the Consent Agenda.

[84430 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept And Appropriate Grant Funds Up To Four Hundred Thousand Dollars (\$400,000.00) From The Alameda County Transportation Commission (ACTC) Measure B And/Or Vehicle Registration Fee (VRF) Grant Funding, For The Lake Merritt Channel To Bay Trail Connector Project (No. C242510); And
[12-0524-3](#)

This Matter was Adopted on the Consent Agenda.

[84431 CMS.pdf](#)

5) A Resolution Authorizing The City Administrator, Or Her Designee, To Reallocate Measure DD Series 2009B Bond Proceeds In An Amount Up To Seven Hundred Seventy Thousand Dollars (\$770,000.00) Within The Estuary Waterfront Access Category From The Brooklyn Basin Project (C394410) To A Sub-Project For The Lake Merritt Channel To Bay Trail Connector Project (No. TBD)

[12-0524-4](#)

This Matter was Adopted on the Consent Agenda.

[84432 CMS.pdf](#)

S-7.24-CC Subject: Crisis In Higher Education & College Works Scholarship Program
From: Councilmember Desley Brooks
Recommendation: Receive An Informational Report And Overview On The Crisis In Higher Education And College Works Scholarship Program

[12-0339](#)

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

[View Report.pdf](#)

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S-7.25-CC Subject: Multipurpose Senior Services Program Funds FY 2013-2014
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate State Of California Standard Agreement Funds In The Amount Of \$1,405,480 And Enter Into An Agreement With The State Of California, Department Of Aging For The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2013-2014, And 2) Enter Into Professional Service Agreements With Various Vendors To Provide In-Home Services To Frail Seniors For The Period July 1, 2013 Through June 30, 2014, With A One Year Option To Renew

[12-0476](#)

This Matter was Adopted on the Consent Agenda.

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[84433 CMS.pdf](#)

S-7.26-CC Subject: Senior Companion & Foster Grandparent Program Grant Funds
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds For Fiscal Year 2013-2014 From 1) The Corporation For National And Community Services (CNCS) In The Amount Of \$329,802 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) And 2) The Alameda County Transportation Commission (ACTC) In The Amount Of \$92,500 For The SCP/Taxi Up & Go (TUGO) Project

[12-0527](#)

This Matter was Adopted on the Consent Agenda.

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[84434 CMS.pdf](#)

S-7.27-CC Subject: Senior AIDES Program Grant Funds FY 2013-2014
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In An Estimated Amount Of \$981,426 From Senior Services America, Inc., For The Oakland Senior Aides Program For Fiscal Year 2013-2014
[12-0528](#)

This Matter was Adopted on the Consent Agenda.

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[84435 CMS.pdf](#)

S-7.28-CC Subject: Oakland Paratransit Program Funds FY 2013-2014
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Measure B Pass-Through Funds In The Amount Of \$947,481 And Measure B Gap Grant Funds Up To \$92,500 From The Alameda County Transportation Commission (ACTC) For Fiscal Year 2013-2014 To Provide Paratransit Services; And Authorizing The City Administrator To Negotiate And Execute Reimbursement Agreements In Amounts Of: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$200,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company, Metro Yellow Cab Company And Yellow Cab Company, And 3) \$200,000 To Veterans Transportation, Inc. DBA Veterans Transportation And Veterans Cab Company; And Authorizing The City Administrator To Execute Amendments To The Agreements For Any Additional Amounts Received Under Measure B Or Reallocation, Of Funds Without Returning To City Council
[12-0529](#)

This Matter was Adopted on the Consent Agenda.

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[84436 CMS.pdf](#)

S-7.29-CC Subject: CDCR GSW Transitional Employment & Job Placement Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Amend The Public Entity Agreement Between The City Of Oakland And The California Department Of Corrections And Rehabilitation (CDCR) To Extend The Contract Through June 30, 2014, With Additional Funding In The Amount Of \$2,808,895 Given To The City Of Oakland To Provide A Golden State Works (GSW) Transitional Employment And Job Placement Services Program For Oakland Residents On Parole; And 2) Enter Into A Grant Agreement With Volunteers Of America (VOA) In The Amount Of \$2,325,000 To Provide Parolee Work Crews, Job Placement, And Job Retention Services From July 1, 2013 Through June 30, 2014
[12-0507](#)

This Matter was Adopted on the Consent Agenda.

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[84437 CMS.pdf](#)

S-7.30-CC Subject: Second Contract Amendment With Michael Glenn Investigations
From: Oakland Police Department
Recommendation: Adopt A Resolution Amending The Contract With Michael Glenn Investigations To Complete Additional Investigation-Related Work On Police Misconduct Claims Resulting From Occupy Oakland Protest Incidents, By Increasing The Contract Amount By Twenty Thousand Dollars (\$20,000) For A Total Contract Amount Of One Hundred Twenty Thousand Dollars (\$120,000)
[12-0515](#)

This Matter was Adopted on the Consent Agenda.

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[84438 CMS.pdf](#)

S-7.31-CC Subject: Oakland Unite Violence Prevention Programs Renewal FY 2013-2014
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Renew Oakland Unite Grant Agreements Between The City Of Oakland And Various Public And Non-Profit Agencies To Provide Violence Prevention Programs For An Estimated Amount Of \$6,023,073 For Fiscal Year 2013-2014
[12-0512](#)

This Matter was Adopted on the Consent Agenda.

[View Report.pdf](#)
[84439 CMS.pdf](#)

S-7.32-CC Subject: Amending Article 10 Of Oakland Municipal Code-Parking Regulations
From: Oakland Police Department
Recommendation: Adopt An Ordinance Amending Title 10 Of The Oakland Municipal Code To (1) Supplement And Clarify Terms Affecting Parking In Limited-Time Parking Zones And (2) Amend The Parking And Meter Holidays To Conform With Currently Observed Holidays
[12-0517](#)

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

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[View Supplemental.pdf](#)

S-7.33-CC Subject: FY 2011-2012 Measure Y Evaluation
From: Office Of The City Administrator
Recommendation: Receive The Measure Y Program Evaluation For Fiscal Year 2011-2012
[12-0538](#)

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

[View Report.pdf](#)

Passed The Consent Agenda

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Kalb, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

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

A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, to *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

**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 6:59 p.m.

Councilmember Schaaf made a motion, seconded by President Pro Tempore Kaplan to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

- 9.1 Subject: Wildfire Prevention Assessment District Report And Assessment Levy
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention Assessment District For Fiscal Year 2013-14 And The Levying Of Assessments
[12-0565](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

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[84440 CMS.pdf](#)

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:02 p.m.

Councilmember Schaaf made a motion, seconded by President Pro Tempore Kaplan to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.2 Subject: Landscaping & Lighting Assessment District Report And Assessment Levy
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year 2013-14 And The Levying Of Assessments 12-0566

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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[84441 CMS.pdf](#)

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:03 p.m.

President Pro Tempore Kaplan made a motion, seconded by Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.3 Subject: Measure M: FY 2013-2014 Tax Adjustment
From: City Administrator's Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2013-2014 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M)
[12-0514](#)

A motion was made by President Pro Tempore 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 18, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:05 p.m.

Vice Mayor Reid made a motion, seconded by Councilmember Gallo, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.4 Subject: Measure N: FY 2013-2014 Tax Adjustment
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2013-14 Increase To A Special Tax Imposed For Paramedic Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The Paramedic Services Act Of 1997 (Measure N)
[12-0516](#)

A motion was made by Vice Mayor Reid, seconded by Councilmember Gallo, 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 16, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:06 p.m.

Vice Mayor Reid made a motion, seconded by Councilmember Gibson McElhaney, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

- 9.5 Subject: Measure Q: FY 2013-2014 Tax Adjustment
From: City Administrator's Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2013-14 Increase To A Special Tax Imposed For Library Services, In Accordance With The Consumer Price Index, And Pursuant To The Library Services Retention And Enhancement Act Of 2004 (Measure Q)
[12-0520](#)

A motion was made by Vice Mayor Reid, seconded by Councilmember Gibson McElhaney, 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 18, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 7:07 p.m.

Councilmember Gallo made a motion, seconded by Vice Mayor Reid, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.6 Subject: Measure Y: FY 2013-2014 Tax Adjustment
From: City Administrator's Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
Authorizing A Fiscal Year 2013-14 Increase To A Special Tax Imposed For Violence
Prevention And Public Safety Services, In Accordance With The Consumer Price Index, And
Pursuant To The Violence Prevention And Public Safety Act Of 2004 (Measure Y)
[12-0522](#)

A motion was made by Councilmember Gallo, seconded by Vice Mayor 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 18, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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Upon the reading of Item 9.7 by the City Clerk, the Public Hearing was opened at 7:10 p.m.

Vice Mayor Reid made a motion, seconded by President Pro Tempore Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.7

Subject: Central Estuary Area Plan

From: Department Of Planning And Building

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance, As Recommended By The City Planning Commission, Amending The Oakland Planning Code To Create The Central Estuary District Zoning Regulations And Make Conforming Changes To Other Planning Code Sections And The Oakland Zoning Map; And [12-0532](#)

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the June 18, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

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2) A Resolution, As Recommended By The City Planning Commission, Adopting The Central Estuary Area Plan, Amendments To The Estuary Policy Plan And Related Design Guidelines And Authorizing Planning Staff To Make (1) Minor Ongoing Revisions To The Adopted Design Guidelines For The Central Estuary Consistent With The Central Estuary Area Plan, Estuary Policy Plan And Oakland Planning Code But With Major Revisions To Be Made By The Planning Commission; And (2) Non-Substantive Technical Conforming Changes (Essentially Correction Of Typographical And Clerical Errors And Minor Clarifications) To The Central Estuary Area Plan Prior To Formal Publication Consistent With The Estuary Policy Plan And Oakland Planning Code Without Returning To The City Council Or City Planning Commission

[12-0532-1](#)

A motion was made by Vice Mayor Reid, seconded by President Pro Tempore Kaplan, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

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Upon the reading of Item 9.8 by the City Clerk, the Public Hearing was opened at 7:21 p.m.

7 individuals spoke on this item.

Councilmember Brooks made a motion, seconded by President Pro Tempore Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Councilmember: Brooks, Gallo, Gibson McElhaney, Kaplan, Reid, Schaaf, and President Kernighan - 8

9.8 Subject: Army Base Rezoning And Development Agreement

From: Department Of Planning And Building

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

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

[12-0533](#)

[Gateway.pdf](#)

2) An Ordinance, As Recommended By The City Planning Commission, Authorizing The City Administrator To Negotiate And Execute A Development Agreement Between The City Of Oakland And Prologis CCIG Oakland Global, LLC, A Delaware Limited Liability Company, For The Development On Approximately 160 Acres In The Gateway Development Area Of The Former Oakland Army Base To Be In A Form And Content Substantially In Conformance With The Attached Documents, Without Returning To City Council; And

[12-0533-1](#)

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

A motion was made by Councilmember Brooks, seconded by President Pro Tempore Kaplan, that this matter be Continued to the Meeting of the Oakland City Council, due back on June 18, 2013. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Council President Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid and Councilmember Brooks
Council directed staff to return in two weeks and address the following issues:

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

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: New Dog Play Area Appeal
From: Department Of Planning And Building
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Upholding The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission, And Granting Approval Of An Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208); Or
[11-0624](#)

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2) A Resolution Denying The Appeal (A12-062), Of The Decision Of The Oakland Planning Commission And Denying The Application For A Minor Conditional Use Permit For The Creation Of A New Dog Play Area At Lakeview Park (Planning Case File No. Cull-208)
[11-0624-1](#)

No action taken.

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

A motion was made by Councilmember Gibson McElhaney, seconded by Councilmember Schaaf, that this matter be *Approve as Submitted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks
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13 Subject: Council Redistricting Criteria
From: Department Of Planning And Building
Recommendation: Adopt A Resolution Establishing Criteria And Guidelines For The 2013
City Of Oakland Redistricting
[12-0561](#)

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

Votes: ORA\Councilmember Absent: 1 - Vice Mayor Reid
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Council President Kernighan and Councilmember Brooks

Council approved recommendations as amended and adopted Councilmember Kalb's amendments provided on the dais, except that the last "Resolved" will be deleted from Councilmember Kalb's amendments.

Council also directed that the dates of the scheduled public meetings must conform with that district's Councilmember's schedule.

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[84443 CMS.pdf](#)

S-14 Subject: Amending The Oakland Municipal Code For Debarment Actions
From: Councilmember Desley Brooks
Recommendation: Adopt An Ordinance Amending Oakland's Contractor Debarment Ordinance Codified At Oakland Municipal Code Chapter 2.12 (Enacted By Ordinance No. 12926 C.M.S.), To, In Addition To The City Administrator, Authorize The City Council: 1) Consider Information And Evidence Concerning The Existence Of Grounds For Debarment, And 2) Determine Whether To Proceed With A Debarment Action, And Establishing A Standard For The Commencement Of Debarment Actions
[12-0444](#)

A motion was made by Councilmember Brooks, seconded by President Pro Tempore Kaplan, 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 18, 2013 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and Councilmember Brooks

Council approved recommendations as amended and further amended the ordinance with the following:

- 1. Under Section 2.12.030, Section D will be deleted;*
- 2. Under Section 2.12.040, for Section B, Council adopted the amendment forwarded by the Finance Committee, and added the following language: "...action when evidence supporting a ground or grounds for debarment as set forth in Section 2.12.060 exists. After such decision, the City Administrator shall issue a notice of proposed debarment...";*
- 3. Under Section 2.12.060, For Section A, Council rejected amendment supplied by City Attorney on the dais and adopted the amendment forwarded by the Finance Committee; and*
- 4. Under Section 2.12.240, first paragraph, Council adopted the amendments provided by the City Attorney on the dais.*

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S-15 Subject: Central District Subordinated Refunding TABs, Series 2013
From: Office Of The City Administrator
Recommendation: Adopt An Oakland Redevelopment Successor Agency Resolution
Authorizing The Issuance And Prescribing The Terms, Conditions And Form Of Not To
Exceed \$117,000,000 Principal Amount Of The Oakland Redevelopment Successor Agency
Central District Redevelopment Project Subordinated Tax Allocation Refunding Bonds, Series
2013, Approving The Form Of And Authorizing The Execution And Delivery Of A Fourth
Supplemental Indenture Of Trust And A Bond Purchase Agreement; Approving The Form Of
And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing
Execution And Delivery Of An Official Statement; Approving The Selection And Retention Of
A Financial Advisor And Underwriter; Authorizing Payment Of Costs Of Issuance; And
Authorizing And Approving Necessary Actions In Connection Therewith
[12-0540](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Gallo, Councilmember Gibson
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan,
Councilmember Schaaf, Vice Mayor Reid, Council President Kernighan and
Councilmember Brooks
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[2013-016 ORSA.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 Dennis McCarthy, Ron Williams, Kimberly
Harvey and Darryl Ross at 10:59 p.m.*

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please contact the Office of the City Clerk. When possible, please notify the City Clerk 48
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MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

City Clerk and Clerk of the Council