



# 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 Agency / City Council Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

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

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Tuesday, January 19, 2010

6:00 PM

Oakland City Hall, 3rd Floor

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1 Pledge of Allegiance

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*The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:26pm.*

2 Roll Call / ORA & Council

ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Present: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*The following individual spoke under Open Forum:*

- Delores Allen
- Nancy Cross
- Gene Hazzard
- Sanjiv Handa
- Vincent Garrett

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this item*

5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

*There was no action necessary for this item.*

- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this time.*

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on December 8, 2009 and January 5, 2010

**\*Approve as Submitted**

**8. PRESENTATION OF CEREMONIAL MATTERS**

- 8.1 Subject: Deputy Chief David Kozicki - Honorarium  
From: Councilmember Reid  
Recommendation: Adopt A Resolution Honoring Deputy Chief David Kozicki On His Retirement From The Oakland Police Department And For His Many Years Of Service To The Citizens Of Oakland

[09-1108](#)

**\*Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 2/16/2010**

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- 8.2 Subject: East Oakland Faith Deliverance Center Recognition  
From: Councilmember Reid  
Recommendation: A Resolution Honoring The Angelic Voices Of The East Oakland Faith Deliverance Center For Earning The Right To Compete In The National Finals Of The How Sweet The Sound Best Church Choir In America Competition In Detroit, Michigan.

[09-1107](#)

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**Adopted**

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- 8.3 Subject: Teen Dating Violence Awareness And Prevention Month  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Proclaiming The Month Of February 2010 As Teen Dating Violence Awareness And Prevention Month

[09-1116](#)

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**Adopted**

*The following individual spoke on this item and did not indicate a position:*

- Sanjiv Handa

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S-8.4 Subject: Robert Glaze - Retirement  
From: Councilmember Reid  
Recommendation: Adopt A Resolution Recognizing And Honoring Robert Glaze For His Dedicated Service To The City Of Oakland Upon His retirement After 40 Years  
[09-1125](#)

**Adopted**

*Agency/Councilmember --- made a motion seconded by Agency/Councilmember ---to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 8.4 hat there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.*

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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

**10. CONSENT CALENDAR (CC) ITEMS:**

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10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic  
[09-1089](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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10.2-CC Subject: Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland  
[09-1090](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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10.3-CC Subject: Registration Of Foreclosed And Vacant Residential Buildings  
From: Councilmembers Reid, Quan, and Kaplan  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Oakland Municipal Code To Establish A New Chapter 8.54  
Requiring The Registration Of Foreclosed And Vacant Residential Building; And  
[09-0953](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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[12991 CMS.pdf](#)

2) An Ordinance Amending The Master Fee Schedule (Ordinance Number 12948 C.M.S.) To  
Establish New Fees For Registering Vacant Buildings  
[09-0953-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
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10.4-CC Subject: Sewage Overflow Valves Installation  
From: Councilmember Jean Quan  
Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal  
Code To Require The Installation Of Sewage Overflow Devices On Privately Maintained  
Sewer Laterals  
[09-0946](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
- Sara Aminzadeh  
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10.5-CC Subject: Leslie And Demarcus Carminer - Settlement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Leslie Carminer And Demarcus Carminer V. City Of  
Oakland, Et Al., Alameda County Superior Court Case No. RG09-430540, City Attorney File  
No. 26788, In The Amount Of \$19,000.00. This Case Involves A Claim For Damages Resulting  
From An Automobile Accident On July 17, 2008 Involving A Vehicle Driven By Leslie  
Carminer And An Oakland Police Department Patrol Vehicle (OPD)  
[09-1114](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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10.6-CC Subject: Conflict Of Interest Code Amendments  
From: City Attorney's Office  
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant Positions To Update The Designation Of Positions Covered By The Code  
[09-1113](#)

**This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on February 2, 2010 on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- *Sanjiv Handa*  
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10.7-CC Subject: Amendment To Negotiate Settlement Agreement Contract  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Amending Resolution No. 82448 C.M.S. (1) To Reflect The Name Change Of The Alexandria Group Of MPRI, The Contractor That The Council Authorized To Perform Independent Monitoring Services In An Amount Not To Exceed \$1,500,000, To Assure Compliance With A Court Order In Delphine Allen, Et Al V. City Of Oakland, USDC Case No. COO-4599 THE, A Lawsuit Alleging That Certain Oakland Police Officers Violated Plaintiffs' Civil Rights, And (2) To Authorize The City Administrator To Execute The Agreement With The Contractor Under The Contractor's New Name, Police Performance Solutions, LLC  
[09-1117](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- *Sanjiv Handa*  
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10.8-CC Subject: Robert Valladon - Settlement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Robert Valladon, Et Al. V. City Of Oakland, United  
States District Court Case No. C06-07478, Our File No. X02960 (Oakland Police Department)  
[09-1122](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 6 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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10.9-CC Subject: Amicus Brief - Challenging Chicago's Ban On Handguns Sales  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City  
Of Oakland, To Join In An Amicus (Friend Of The Court) Brief In The United States Supreme  
Court Asking The Court To Uphold The Decision Of The Court Of Appeals For The Seventh  
Circuit Dismissing Law Suits Challenging Chicago's Ban On The Possession And Sale Of  
Handguns  
[09-1123](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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S-10.10-C Subject: Rehabilitation Of Margarido Paths And Stairs - Mosto Construction  
C From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Mosto Construction For The Rehabilitation Of Margarido Paths And Stairs (Project No. C214850) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Not-To-Exceed One Hundred Twenty-Nine Thousand Six Hundred Seventy-Four Dollars (\$129,674.00)  
[09-1055](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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S-10.11-C Subject: Rehabilitation Of Eucalyptus Paths And Stairs - Andes Construction  
C From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Andes Construction, Inc., For The Rehabilitation Of Eucalyptus Paths And Stairs (Project No. C214840) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Not-To-Exceed One Hundred Ninety-Four Thousand Nine Hundred Twenty-Five Dollars (\$194,925.00)  
[09-1056](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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S-10.12-C Subject: Jefferson Square Park Improvement Project - Mcguire And Hester  
C From: Community And Economic Development Agency  
Recommendation: Adopt Resolution Awarding A Contract To The Lowest, Responsible,  
Responsive Bidder, Mcguire And Hester, In An Amount Not-To-Exceed Four Hundred Thirty  
Seven Thousand Seven Hundred Five Dollars (\$437,705.00) For The Construction Of The  
Jefferson Square Park Improvement Project In Accord With Plans And Specifications For The  
Project (No. P338310) And Contractor's Bid Therefore  
[09-1057](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
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[82496.pdf](#)

S-10.13-C Subject: As-Needed General Economic Consulting Contracts  
C From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2007-0057 To  
Increase The Funding Allocation For As-Needed General Economic Consulting Service  
Contracts By \$150,000 From A Total Not-To-Exceed Amount Of \$480,000 To \$630,000  
[09-1016](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
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[2010-0012.pdf](#)

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S-10.14-C Subject: Gazzali's Supermarket - Grant  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A Grant In An Amount Not To Exceed \$65,000, To Gazzali's Supermarket At 73rd And Bancroft Avenue In The Central City East Redevelopment Project Area To Pay Off An Economic Development Administration Working Capital Loan  
[09-0911](#)

**This Matter was Adopted as Amended to establish the successful completion of the course as specified in the language in the 3 and 4th bullets as a requirement in the "Further Resolved" on page 3 of the resolution. on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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[2010-0013 CMS.pdf](#)

S-10.15-C Subject: Wopac One-Year Extension  
C From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A One Year Extension Of The Project Area Committee For The West Oakland Redevelopment Project To November 18, 2010  
[09-1043](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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S-10.16-C Subject: Sole Source Agreement - Police Resource System  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Waive The Competitive Request For Qualifications/Proposals (RFQ/RFP) Process, And Enter Into A Sole Source Agreement With Analysis Central Systems In An Amount Not To Exceed One Hundred Ninety Thousand And Seven Hundred Dollars (\$190,700) For Implementation Of The Police Resource Optimization System (PROS) Within The Oakland Police Department  
[09-1087](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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S-10.17-C Subject: 2008-2009 City Administrator Approved Purchases And Contracts  
C From: Contracting and Purchasing  
Recommendation: Receive An Informational Report Listing All Purchases And Contracts Authorized By The City Administrator, Or The City Administrator Designee, Within The City Administrator's Contract Authority During Fiscal Year 2008-2009 In Accordance With Oakland Municipal Code Section 2.04.020.D.2  
[09-0629](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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S-10.18-C Subject: Employee and City Official Parking  
C From: Finance And Management Agency  
Recommendation: Discussion And Possible Action On An Administrative Policy On Employee  
And City Official Parking Privileges And Assigning Employees And Officials To Specific  
Parking Garages  
[09-1040](#)

**This Matter was Approved as Amended as Bifurcated by Directing 1) the City Administrator to relocate City Staff from the Clay street garage to the Clay Street garage basement or other garages, 2) Verify that City employees who are supposed to pay for parking are paying for parking; 3) Provide the average occupancy of city garages; 4) Address the revenue implications of the amount of the free parking provided to City staff; 5) Detail the monthly cost for parking at the City garages; 6) Provide a list of employees who receive free parking as a requirement of their associated MOUs and referring the report back to committee. on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

*The following individual(s) spoke on this item and did not indicate a position:*

- Rebecca Saltzman

- Jonathan Bair

- Sanjiv Handa

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### **Passed The Consent Agenda**

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, 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 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session

**A motion was made by Councilmember Kaplan, seconded by Councilmember De La Fuente, to \*Approve as Submitted the report of the City Attorney of 3 final decisions made during Closed Session and included with these minutes, referenced as "Attachment A." The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual spoke on this item and did not indicate a position:  
- Sanjiv Handa*

- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance

**A motion was made by Councilmember Kernighan, seconded by Councilmember Quan, to \*Approve as Submitted the report of no non-confidential closed session discussion during closed session. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*There was no action necessary for this item.*

**COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL  
THEREAFTER:**

- 13 Reconsideration of Ordinances pursuant to Charter Section 216  
*There was no action necessary for this item.*

**14. Consideration of items with statutory Public Hearing Requirements:**

**ACTION ON NON-CONSENT ITEMS:**

15      Subject:    Appointment To The Board Of Port Commissioners  
From:        Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Michael Lighty As A Member Of The  
Board Of Port Commissioners  
[09-1082](#)  
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**A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Adopted and with the addition of Mayor Dellums vote as the 5th Aye to break the tie vote of the Council. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 4 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Reid and President of the Council Brunner  
ORA\Councilmember Ayes: 4 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
- Kent Lewandowski  
- Adith Vaidiya  
- Sean Sullivan  
- Abdul Khan  
- Jessica Medine  
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16 Subject: Immediate Hiring Freeze  
From: Council President Brunner And Vice-Mayor De La Fuente  
Recommendation: Adopt A Resolution Implementing An Immediate Hiring Freeze On All Positions Funded By The General Fund And Requiring That The City Administrator And Other Appointing Authorities Obtain City Council Authorization/Approval To Fill Any Positions Funded By The General Fund

[09-1119](#)

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**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Adopted direction to the City Administrator to return with a list of classifications to be hired at the February 2, 2010 Council meeting and referring to the Finance committee the creation of criteria for long term approach of hiring specified classifications. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

*The following individual(s) spoke on this item and did not indicate a position:*

- Sanjiv Handa
- Vickie Carson
- Jeff Levin

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17 ~~Subject: Oakland Golf LLC – Rent Relief~~  
~~From: Office Of Parks And Recreation~~  
~~Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal Year July 1, 2009 Through June 30, 2010 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81241 (C.M.S.) On May 6, 2008~~

~~[09-1011](#)~~

~~[Play Video](#)~~

**\*Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 2/2/2010**

*The following individual(s) spoke on this item and did not indicate a position:*

- Sanjiv Handa
- Tom Isaak
- Darryl Davis
- Tom Scott
- Spencer Tyrus

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18 Subject: Paramount Theater Of The Arts Board Of Directors  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Re-Appointing Lorenzo Hoopes, Clinton Killian, Rob  
McKean And Ed Thomas As Members Of The Paramount Theater Of The Arts Board Of  
Directors  
[09-1081](#)

**\*Withdrawn with No New Date**

*The following individual(s) spoke on this item and did not indicate a position on  
this item:*

- Ken Pratt
  - Paul Cobb
  - Dennis Marshall
  - Michael Donnelly
  - Ronald McClain
  - Rebecca Saltzman
  - Peggy Moore
  - Michael Colbruno
  - Max Allstadt
  - Sean Sullivan
  - Gene Hazzard
  - Sanjiv Handa
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19 Subject: Vice Mayor - One Year Term  
From: President Jane Brunner  
Recommendation: Adopt A Resolution Electing Councilmember \_\_\_\_\_ As Vice Mayor  
Of The City Of Oakland For A One-Year Term Pursuant To City Charter Section 208  
[09-1112](#)  
[Play Video](#)

**A motion was made by Councilmember De La Fuente, seconded by  
Councilmember Nadel, that this matter be Adopted as Amended with the  
nomination of Councilmember Quan as Vice Mayor of the City of Oakland  
The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner

*The following individual(s) spoke on this item and did not indicate a position:*

- Sanjiv Handa
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20 Subject: 2010 Federal Legislative Agenda Approval  
From: City Council  
Recommendation: Action On A Report On 2010 Federal Legislative Agenda  
[09-1124](#)  
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**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Approved as Amended with direction that staff work to expand the definitions of Transit Villages to include Eastmont and West Oakland, return with a comparison of requested appropriations and awarded appropriations. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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S-20.1 Subject: City Of Oakland Recovery Zone (ARRA)  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Designating The City Of Oakland A Recovery Zone Pursuant To 26 U.S.C. 1400U-1-1400U-3, Enacted By The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")  
[09-1086](#)  
[Play Video](#)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Adopted as Amended with an addition of a "Further Resolved" that states "that projects to be funded from Recovery Bonds shall be approved by the City Council.", the addition of Transit Villages of West Oakland and Eastmont under the expanded definition of Transit Villages, and with the requirement that Transit Villages be included on both categories of the funding opportunities. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
- Sanjiv Handa  
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S-20.2 Subject: Pacific Renaissance Plaza Lawsuit  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Amending City Resolution No. 80841 C.M.S. Authorizing Settlement Of The Pacific Renaissance Plaza Lawsuit To (1) Extend The Timeline For Repaying The City's Legal Costs By Twenty-Four Months, And (2) Allow Resales Of Project Units To Households Earning Up To 120% Of Area Median Income And;

[09-1015](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Recused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan

*The following individual(s) spoke on this item and did not indicate a position:*

- Sanjiv Handa

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2) An Agency Resolution Amending Agency Resolution No. 2007-71 C.M.S. Authorizing Settlement Of The Pacific Renaissance Plaza Lawsuit To (1) Extend The Timeline For Repaying The City's Legal Costs By Twenty-Four Months, And (2) Allow Resales Of Project Units To Households Earning Up To 120% Of Area Median Income

[09-1015-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Recused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan

*The following individual(s) spoke on this item and did not indicate a position:*

-Sanjiv Handa

[2010-0011.pdf](#)

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S-20.3      Subject:    Measure Y Report  
              From:        Office Of The City Administrator  
              Recommendation: Receive An Informational Report: Outcome Evaluation Of Measure Y  
              Community Policing Efforts For Fiscal Year 2008-2009, Conducted By Resource Development  
              Associates (RDA)  
              [09-1012](#)  
              [Play Video](#)

**A motion was made by Councilmember Kernighan, seconded by President of the Council Brunner, that this matter be \*Received and Filed With the following direction of the January 12, 2010 Public Safety Committee wherein staff were directed to submit the following information in a future Evaluation report on Measure Y: 1) Analyzing the types of community policing projects in which the police department participates; 2) How to assess the PSO fairly within the district while working on Measure Y problems whether in pairs or individually; 3) Include statistical information from the SVU on domestic violence crimes; and 4) Include Truancy Officer statistics.**

**Further direction to staff to submit a future separate report including:**

- 1) A follow-up report on OFD's mentoring programs that are currently conducted at the Fire Houses;**
- 2) A report from Neighborhood Services Detailing NCPC priorities; implementation status; and types of attendees at NCPC meetings as to whether the 10 or 30 attendees at the NCPC meetings are representing neighborhood watch groups;**
- 3) An update from OPD regarding the implementation of the findings recommended in this evaluation;**
- 4) Request that OPD and Neighborhood Services take a serious look at the data in Section 3 & 4 and incorporate it into their strategic plan where appropriate;**
- 5) Recommendations that if we continue with Measure Y in its current state or an altered version that ensures the City has one person preferably in the City Administrator's office who is solely responsible for ensuring that all agencies receiving funds are using them appropriately and performing activities that adhere to the spirit and letter of the initiative;**
- 6) Request that the City Administrator, appropriate City agencies and Council staff, work in collaboration with OPD on a comprehensive Violence prevention plan that incorporates OPD's strategic plan, and Measure Y; and**
- 7) Response as to how OPD/the City is addressing preventative policing with decreased dispatch. and Council further directed that staff include**

**8) information on what other jurisdictions are doing nationwide to provide incentives and career tracks for PSO's in upcoming reports.**

**Council further indicated support to the recommendations submitted in the Measure Y report The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
-Sanjiv Handa  
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21           Subject:    Public Safety And Transportation Protection Act  
              From:       Councilmember Jean Quan  
              Recommendation: Adopt A Resolution In Support Of The Local Taxpayer, Public Safety And  
              Transportation Protection Act Of 2010, Which Will Prohibit The State From Taking Local  
              Revenue  
              [09-1118](#)  
              [Play Video](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The following individual(s) spoke on this item and did not indicate a position:*  
-Sanjiv Handa  
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**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting shall conclude no later than 10:30 p.m., unless extended by Majority Vote of the Council)**

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*The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 9:53 pm.*

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*City Clerk and Clerk of the Council*