



# 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, June 17, 2008

6:00 PM

Oakland City Hall, 3rd Floor

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1 Pledge of Allegiance

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*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:05 PM.*

2 Roll Call / ORA & Council

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ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*The following individuals spoke under Open Forum:*

- Donnell Satterfield*
- Karl Beitel*
- Shirnell Smith*
- Ciaran Scally*
- Jeff Levin*
- Robert Frates*

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.

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*Councilmember Brooks requested to speak on item 10.12-CC*

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)

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*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.

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*There was no action necessary for this item*

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on May 6, 2008 and May 20, 2008

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**A motion was made by Councilmember Reid, seconded by Councilmember Kernighan, to \*Approve the Minutes. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

#### **8. PRESENTATION OF CEREMONIAL MATTERS**

- 8.1 Subject: 2008 Distinguished Schools - Recognition  
From: Councilmembers Kernighan, De La Fuente & Brunner  
Recommendation: Adopt A Resolution Commending Three Oakland Elementary Schools - Lincoln, Hillcrest And Think College Now - For Their Selection As 2008 Distinguished School Award Honorees By The California School Recognition Program Of The State Of California Department Of Education

07-1352

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

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

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8.2 Subject: Bruce Beasley - Recognition  
From: Councilmember Henry Chang  
Recommendation: Adopt A Resolution Honoring Oakland Artist Bruce Beasley On His Selection By The International Olympic Committee As One Of The Top 20 Artists In The World To Make And Showcase A Monumental Sculpture For The "2008 Beijing Olympics"  
[07-1372](#)  
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**A motion was made by Member Chang, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Nadel  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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8.3 Subject: Dennis Richmond - Recognition  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Honoring Dennis Richmond On His Retirement From KTVU Channel 2 After More Than 40 Years Of Broadcast Service  
[07-1409](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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8.4 Subject: Chabot Space & Science Center - Recognition  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Proclaiming Chabot Space & Science Center Day June 21, 2008, At The Chabot Space Games Honoring Chabot's 125th Anniversary  
[07-1437](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

*Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Kent Brown*

**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  
[07-1456](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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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  
[07-1457](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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~~10.3-CC~~     ~~Subject:    Tract 7868 – Final Map~~  
~~From:        Community and Economic Development Agency~~  
~~Recommendation: Adopt The Following Pieces Of Legislation~~

~~1) A Resolution Conditionally Approving A Final Map For Tract No. 7868 For The Tassafaronga Affordable Housing Project At 968 81st Avenue For The Oakland Housing Authority Foundation; And~~  
~~[07-1276](#)~~

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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~~2) A Resolution Approving A Subdivision Improvement Agreement With The Oakland Housing Authority Foundation For Deferred Construction Of Public Infrastructure Improvements At 968 81st Avenue For The Final Map For Tract No. 7868 For The Tassafaronga Affordable Housing Project~~  
~~[07-1276-1](#)~~

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

10.4-CC     Subject:    Priority Project Funds - District Five  
From:        Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To Oakland Babe Ruth League In The Amount Of \$750.00 To Fund Travel Expenses On Their Fall College Tour  
[07-1403](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.5-CC Subject: Priority Project Funds - District Five  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Lend-A-Hand Foundation In The Amount Of \$400.00 To Fund The Purchase Of Back-To-School Backpacks  
[07-1404](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.6-CC Subject: Priority Project Funds - District Five  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Glenview Elementary School PTA In The Amount Of \$1,000.00 To Fund Travel Expenses For Glenview Elementary School's Odyssey Of The Mind Tournament  
[07-1405](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.7-CC Subject: Habitat For Humanity - Final Tract Map  
From: Community and Economic Development  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Final Map For Tract No. 7904 At 10800 Edes Avenue For Phase II Of An Affordable Housing Project For Habitat For Humanity Of The East Bay; And  
[07-1387](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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2) A Resolution Approving A Subdivision Improvement Agreement With Habitat For Humanity Of The East Bay For the Final Map For Tract No. 7904 For Deferred Construction Of Public Infrastructure Improvements At 10800 Edes Avenue For A Phase II Affordable Housing Project  
[07-1387-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.8-CC Subject: Final Map Tract 7803 - 2335 Market Street  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract No. 7803 To Convert Six Rental Housing Units To Condominium Ownership At 2335 Market Street  
[07-1365](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.9-CC Subject: Glen Daniels Trails/Kings Estates Open Space - New Trail  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For A Pay-Go Funded Contract In The Amount Of \$40,000 With Volunteers For Outdoor California (V-O-Cal), A Non-Profit Volunteer Trail Building And Maintenance Organization, For Construction Of A New Trail At Glen Daniels Trails/King Estates Open Space  
[07-1432](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.10-CC Subject: 333 Wayne Avenue - Final Map Tract 7754  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract No. 7754  
To Convert Five Rental Housing Units To Condominium Ownership At 333 Wayne Avenue  
[07-1425](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.11-CC Subject: Sharp Business Systems - Copy Rental Contract  
From: Department of Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Sharp Business Systems, Pleasanton, California In An Annual Amount Not-To-Exceed Three Hundred, Thirty-Three Thousand, Two Hundred Sixteen Dollars (\$333,216.00) For Cost Per Copy Rental Of Convenience Copiers For A Two-Year Term With Two (2) Options To Extend The Contract For Two (2) Additional One-Year Terms At An Annual Rate Of Three Hundred, Thirty-Three Thousand, Two-Hundred Sixteen Dollars (\$333,216.00), For A Total Not-To-Exceed Contract Amount Of One Million, Three Hundred Thirty Two Thousand, Eight Hundred Sixty Four Dollars And No Cents (\$1,332,864.00)  
[07-1330](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.12-CC Subject: Relocation Plan For Pacific Renaissance Plaza Residential Project  
From: Community and Economic Development  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Residential Relocation Plan For Pacific Renaissance Plaza Residential Project  
[07-1257](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brunner  
ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 6 - Member Chang, Councilmember Kernighan,  
Councilmember Nadel, Councilmember Quan, Councilmember Reid and  
President of the Council De La Fuente  
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2) An Agency Resolution Approving The Residential Relocation Plan For Pacific Renaissance Plaza Residential Project  
[07-1257-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brunner  
ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 6 - Member Chang, Councilmember Kernighan,  
Councilmember Nadel, Councilmember Quan, Councilmember Reid and  
President of the Council De La Fuente  
[2008-0044 CMS.pdf](#)

10.13-CC Subject: Broadway/MacArthur/San Pablo Redevelopment Project  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2009  
[07-1312](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.14-CC Subject: Association Of Bay Area Governments Funding  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The Application For, Acceptance And Appropriation Of Up To \$30,000 From Association Of Bay Area Governments Community Engagement Funding Program To Provide Community Engagement Efforts Associated With The Lake Merritt BART Station Area Specific Plan Project And Up To \$30,000 To Provide Community Engagement Efforts Associated With The Broadway Retail Corridor Area Specific Plan  
[07-1313](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.15-CC Subject: 2008-2009 Multipurpose Senior Services Program  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept A Grant In The Amount Of \$1,581,165, From The State Department Of Aging For The Multipurpose Senior Services Program For Fiscal Year 2008-2009; And Authorizing The City Administrator To Allocate \$237,174 Of The Grant To Contract With Eight Agency Providers To Provide In Home Services To The Seniors Enrolled In MSSP In Amounts Up To \$40,000 Per Year Per Provider For All Providers For Fiscal Year 2008-2009; And Authorizing The City Administrator To Extend The Agreements For Two Years Subject To Satisfactory Performance And Funding Availability; And Authorizing the City Administrator To Accept, Appropriate And Allocate Any Additional Funding Received Without Returning To Council  
[07-1181](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.16-CC Subject: 2008-2009 Paratransit Services Contracts  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Funds In The Amount Of \$963,900 From Alameda County Transportation Improvement Authority (ACTIA) Measure B Funds And Apply For, Accept And Appropriate Up To \$323,000 Measure B Gap Funds For Fiscal Year 2008-2009 For Paratransit Services And Authorizing The City Administrator To Execute Contracts To Provide Paratransit Services For Fiscal Year 2008-2009 In Amounts Not To Exceed: 1) \$380,000 To V.I.P. Express Transport, Inc., 2) \$230,000 To Bay Area Community Services (BACS) 3) \$145,000 To Friendly Transportation DBA Friendly Transportation Inc., Friendly Cab Company, Metro Yellow Cab Company, And Yellow Cab Company, 4) \$145,000 To Veterans Transportation Inc. DBA Veterans Transportation Inc., Veterans Cab Company, And 5) \$200,000 To Shundor & Associates Inc. And Authorizing The City Administrator To Execute Amendments To The Contracts For Any Additional Amounts Received Under The Measure B Grant Without Returning To City Council [07-1182](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.17-CC Subject: 2008-2009 Senior Aides Program  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Funds In The Estimated Amount Of \$1,193,398 From Senior Services America, Inc., For The City Of Oakland Senior Aides Program For The Fiscal Year 2008-2009 [07-1183](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.18-CC Subject: 2008-2009 Senior Companion And Foster Grandparent Programs  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From The Corporation For National And Community Services (CNCS) In The Amount Of \$324,951 And The Alameda County Area Agency On Aging In The Amount Of \$19,568 And The City Of Berkeley In The Amount Of \$13,117 For The Senior Companion Program (SCP) And Foster Grandparent Program (FGP) For The Fiscal Year 2008-2009  
[07-1184](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.19-CC Subject: 2008-2009 Senior Services Grants  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute Grant Agreements Between The City And Eight Oakland Nonprofit Agencies (Alameda Community Food Bank, Alzheimer's Services Of The East Bay, Bay Area Community Services, Lifelong Medical Care, Inc., Rebuilding Together Oakland, Mercy Retirement And Care Center, St. Mary's Center And Vietnamese Community Development, Inc.) To Provide Services To Senior Citizens Under The Senior Services "Set-Aside" Funding For Fiscal Year 2008-09 In A Total Amount Not To Exceed \$295,000  
[07-1216](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.20-CC Subject: Oakland Fund For Children And Youth - Summer Programs  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Summer Programs For Children And Youth For Fiscal Year 2008-2009 In An Amount Not To Exceed \$989,590  
[07-1323](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.21-CC Subject: Equipment Purchase - TASER X26 Conducted Energy Weapon  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To: 1) Waive the Competitive Bid Process, 2) Purchase Four Hundred Fifty (450) TASER X26 Conducted Energy Weapons And Associated Equipment From TASER International, Inc., In An Amount Not To Exceed Six Hundred Forty-Five Thousand, And Five Dollars (\$645,005) For Deployment To All Sworn, Uniformed, Police Personnel, And 3) Appropriate Funds In The Amount Of Fifty-Five Thousand Dollars (\$55,000) Annually To The Police Department To Cover Annual And Recurring Costs Associated With Full Deployment Of The TASER Conducted Energy Weapons  
[07-0901](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.22-CC Subject: Bay Area Task Force - Reimbursements  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Twenty Thousand Dollars (\$20,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For Six (6) Police Officers And One (1) Sargeant For The Period Of March 15, 2008 To June 30, 2008 For Work Associated With The USDEA Greater East Bay Area Task Force (DEA Task Force)  
[07-1243](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.23-CC Subject: Global Positioning System (GPS) - Ankle Bracelet Monitoring Service  
From: Oakland Police Department  
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Waiving The Competitive Bid Process And Authorizing The City Administrator To Award A Lease Contract For Global Positioning System (GPS) Tracking Equipment And Tracking Services To Securealert, Inc., In An Amount Not-To-Exceed One Hundred Thousand Dollars (\$100,000.00) To Be Used In The Monitoring Of Persons On Probation In The City Of Oakland; and  
[07-1282](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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2) A Resolution Authorizing The City Administrator To Enter Into Memorandums Of Understanding With The Adult And Juvenile Divisions Of The Alameda County Probation Department For The Loan, At No Cost To The County, Of The City's Global Positioning System (GPS) Monitoring Bracelets And Tracking Services For The Purposes Of Monitoring Persons On Probation Living In The City Of Oakland  
[07-1282-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[81364 CMS.pdf](#)

10.24-CC Subject: B&B Auto, LLC - Vehicle Towing Service  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Awarding A Five-Year Contract, Plus Two One-Year Extension Options, With an Estimated Gross Revenue Value of \$8,000,000 To B&B Vehicle Processing, Inc. For Towing And Storage Of Vehicles, Collection And Administration Of City's Administrative Towing Fees, Lien Sale By Public Auction Of Abandoned Vehicles And Various Administrative Services Connected With The Towing Operation, And Authorizing The City Administrator To Accept And Appropriate An Estimated Annual Payment In The Amount Of \$1,300,000 From B&B Vehicle Processing, Inc. For Payment Of Administrative And Other Costs In Connection With The Requirements Of The Contract  
[07-1299](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Council directed staff to have this report come back on a quarterly basis and that the following information be included: 1) The number of juveniles that come through the desk; 2) The number referred and where they are referred to; and 3) The number of repeat offenders*

*The following individuals spoke on this item:*

- Andre Spearman

- Gene Hazzard

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~~10.25-CC~~ -Subject: Assembly Bill 822  
From: Councilmember Quan  
Recommendation: ~~Action On A Report Providing An Analysis Of Assembly Bill 822 (Levine) An  
Act To Add Section 42913 To The Public Resources Code, Relating To Recycling: Multi-Family  
Dwellings~~  
[07-1318](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.26-CC Subject: Bond Rating System Reform  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Supporting Reform Of The Bond Rating System To Eliminate Discrimination Against Municipal Bonds  
[07-1356](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.27-CC Subject: Arlene Reiff Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Arlene Reiff V. City Of Oakland; Et Al., Alameda County Superior Court Case No. RG07312065, In The Amount Of \$34,142.00 As A Result Of A Trip And Fall Accident At Or Near 4125 Piedmont Avenue. (Public Works Agency)  
[07-1458](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.28-CC Subject: Ameir Rollins Settlement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Ameir Rollins V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG06298877, City Attorney's File No. 25466, In The Amount Of One Hundred Thousand Dollars And No Cents (\$100,000.00) As A Result Of An Alleged Assault And Battery Incident Arising Out Of An Oakland Police Officer Shooting That Rendered Mr. Rollins Permanently Quadriplegic (OPD)  
[07-1459](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.29-CC Subject: Fred Mestas And Kevin Johnson Settlement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Fred Mestas And Kevin Johnson V. City Of Oakland, Et Al., California Court Of Appeal Case No. A120153, In The Amount Of \$6,000.00 (Oakland Police Department)  
[07-1460](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.30-CC Subject: William Caldwell Settlement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle The Case Of William Caldwell, Et Al., V. The City Of Oakland, Et Al., U.S. District Court Action No. C06-07322 MHP, Our File No. 25256, In The Amount Of \$975,000. This Case Involves Alleged Use Of Excess Police Force And Negligence (PSA)  
[07-1461](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.31-CC Subject: Laurel District Streetscape Improvement  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember Quan's  
Pay-Go Funds To Laurel District Association In The Amount Of Five Thousand Dollars  
(\$5,000.00) To Fund Completion Of Phase II Of The Laurel District Streetscape Improvement  
Placement Of 48 Container Planters Along MacArthur Boulevard  
[07-1436](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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10.32-CC Subject: California Nurses Association  
From: Councilmembers Jane Brunner & Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of A Settlement Of The Contract Dispute  
Between The California Nurses Association And The Caregivers And Healthcare Employees  
Union And Alta Bates Summit Medical Center  
[07-1439](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
*The following individuals spoke on this item:*  
- Joanne Jung  
- Thorild Urdal  
- Jan Rodolfo  
- Sharon Cornu  
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10.33-CC Subject: Chabot Space & Science Center Historic Marker  
From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember Quan's Pay-Go Funds To Chabot Space & Science Center In The Amount Of One Thousand Four Hundred Ninety Dollars (\$1,490.00) To Fund Installation Of The Chabot Space & Science Center Historic Marker In Lafayette Square Park  
[07-1441](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.34-C Subject: Revocable And Conditional Permit - 2355 Broadway, LLC  
C From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting 2355 Broadway LLC A Revocable And Conditional Permit To Allow A New Electrical Transformer And Vault For An Existing Building At 2355 Broadway To Encroach Under The Public Sidewalk Along 24th Street  
[07-1360](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.35-C Subject: Storm Drainage Pipes Rehabilitation - Shepherd Canyon Road  
C From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate \$970,000.00 For A Capital Improvement Project To Rehabilitate Deteriorated Storm Drainage Pipes And Structures Under Shepherd Canyon Road From Shelterwood Drive To Gunn Drive  
[07-1366](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.36-C Subject: 42nd/High Street Projects Agreement Amendment  
C From: Community and Economic Development Agency  
Recommendation: Adopt Resolution Authorizing The City Administrator Or Her Designee To Execute A Cooperative Agreement And An Amendment To The Existing Freeway Agreement With The California Department Of Transportation (CALTRANS), For The High Street Seismic Retrofit And 42nd/High Street Projects  
[07-1435](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.37-C Subject: 2521 And 2529 Seminary Avenue - Real Property Purchase  
C From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 2521 And 2529 Seminary Avenue, From Danilo Mayorga Sr. For \$1,450,000 Less Cost Of Environmental Site Remediation And Authorizing Up To \$100,000 For Costs For Demolition And Real Estate Closing  
[07-1310](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.38-C Subject: Independent Auditor's Report - Redevelopment Agency  
C From: Community and Economic Development Agency  
Recommendation: Receive An Informational Report Presented In Compliance With The Independent Auditor's Findings On The Redevelopment Agency Of The City Of Oakland Including The Following Reports For The 2006-2007 Fiscal Year: A) Redevelopment Agency Annual Housing Activity Report; B) Blight Report; C) Property Report; And D) Loan Report  
[07-1333](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.39-C Subject: Overtime Reports  
C From: Councilmember Quan  
Recommendation: Adopt A Resolution Requiring The City Administrator To Produce  
Semiannual Overtime Reports, Including Budgeted, Year-To-Date Actual, And Year-End  
Projected Overtime Expenditures  
[07-1429](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
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S-10.40-C Subject: Youth Employment Partnership - Agreement  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The  
Youth Employment Partnership, Inc., To Provide Workforce Training For Graffiti Abatement  
Services In The Coliseum Project Area In An Amount Not To Exceed \$30,000  
[07-1361](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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S-10.41-C Subject: Cypress Mandela Training Center - Agreement  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A One Year Agreement With The  
Cypress Mandela Training Center To Provide Workforce Training For Graffiti Abatement  
Services In The West Oakland Project Area In An Amount Not To Exceed \$45,000  
[07-1362](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente

*The following individuals spoke on this item:*

- Art Shanks

- Bob Brauer

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S-10.42-C Subject: Oakland Artists Agreement  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing One Year Agreements With  
Oakland Artists To Provide Workforce Training To Oakland Youth Through The Creation Of A  
Mural Beautification And Graffiti Abatement Project In The Coliseum And Central City East  
Redevelopment Project Areas In A Total Amount Not To Exceed \$ 78,000  
[07-1363](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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S-10.43-C Subject: Gateway Development Service Agreement Amendments  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Oakland Redevelopment Agency (Agency) Resolution Regarding  
Amendments To Existing Professional Services Agreements In Support Of Development Of The  
Gateway Development Area At the Former Oakland Army Base:

1) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The  
Professional Services Agreement With Kimley-Horn & Associates In An Amount Not To Exceed  
Nine Hundred Sixty Thousand Dollars (\$960,000) For A Total Contract Amount Of Two Million  
Nine Hundred Sixty Thousand Dollars (\$2,960,000); And

2) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The  
Professional Services Agreement With URS Corporation To Extend The Term Of The Contract  
To June 30, 2010, With No Change To The Existing Contract Amount; And

3) Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The  
Professional Services Agreement With Lamphier-Gregory In An Amount Not To Exceed One  
Hundred Thousand Dollars (\$100,000) For A Total Contract Amount Of Six Hundred Forty  
Three Thousand Dollars (\$643,000)

[07-1364](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
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S-10.44-C Subject: Library Advisory Commission Meetings  
C From: Oakland Library  
Recommendation: Adopt An Ordinance To Amend Ordinance No. 8064 C.M.S., To Change The Frequency Of Meetings To Be Held By The Library Advisory Commission  
[07-1274](#)

**A motion was made to Approved As Amended On Re-Introduction on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.45-C Subject: Oakland Police Department - Juvenile Desk Report  
C From: Councilmembers Jane Brunner and Patricia Kernighan  
Recommendation: Action On A Report On The Police Department's Juvenile Desk Including But Not Limited To Updates On (1) Staffing Levels And Cooperation With Social Service Agencies On Referring Juvenile Offenders To Measure Y And Other Intervention Services, And Following Through The Juvenile Justice System; And (2) Opportunities For Youth Ventures To Coordinate Follow-Up Services And Tracking Outcomes For Individual Juveniles With Agencies Including The Alameda County Probation Department, District Attorney's Office, Measure Y Programs, And Oakland Unified School District  
[07-0504-2](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.46-C Subject: Mortgage Lending Bills  
C From: Community And Economic Development  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To Support Assembly Bill 69 (Lieu) To Expand Reporting Requirements By Mortgage Lenders And Servicers To Include Information About Defaults, Foreclosures And Loan Modifications;

[07-1388](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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2) A Resolution To Support Assembly Bill 1830 (Lieu) To Reform Mortgage Lending Practices For High-Cost, Subprime And Nontraditional Loans;

[07-1388-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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3) A Resolution To Support Assembly Bill 2359 (Jones) To Prohibit Mortgage Lending Terms That Require Borrowers Of High-Cost, Subprime And Nontraditional Loans To Waive Their Legal Rights, Remedies, Obligations Or Procedures, And To Provide For Assignee Liability For Affirmative Claims Or Defences That A Borrower Could Have Asserted Against The Original Lender Of A High-Cost Loan;

[07-1388-2](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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4) A Resolution To Support Assembly Bill 2740 (Brownley) To Regulate The Charging Of Fees By Servicers Of Home Loans And Require Prompt Response To Borrower Requests For Information And Dispute Resolution;

[07-1388-3](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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5) A Resolution To Support Senate Bill 1137 (Perata) To Modify And Establish New Processes For Home Loan Foreclosure Procedures

[07-1388-5](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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S-10.47-C Subject: Support Of Assembly Bill 31

C From: Community And Economic Development

Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 31, Which Would Establish Legislative Intent To Make \$400 Million Available For The Acquisition And Development Of Urban Parks, Recreational Areas And Facilities Through Competitive Grants Under The Urban Parks Act Of 2006, Changes The Target Community Definition From "Heavily Urbanized County" To "Critically Underserved Community" And Establishes Priority Grant Award Criteria

[07-1389](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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S-10.48-C Subject: Support For Internet Radio  
C From: Councilmembers Jane Brunner and Nancy Nadel  
Recommendation: Adopt A Resolution In Support Of The Internet Radio Equality Act (H.R. 2060, S. 1353) And Pandora, A Free Online Radio Station Located In Oakland's Uptown Area Enterprise Zone  
[07-1446](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.49-CC Subject: Sun Microsystems Agreements  
From: Department of Information Technology  
Recommendation: Adopt A Resolution Authorizing The City Administrator To:  
(1) Exercise The Renewal Clause Of The Master Lease-Purchase Agreement With Sun Microsystems Finance, Inc., To Finance The Purchase Of The Hardware, Equipment, Software And Services Necessary To Accomplish A "Technology Refresh" Of The City's Primary Information Technology Systems Infrastructure In A Finance Amount Not-To-Exceed Three Million Two Hundred Twenty-Two Thousand Five Hundred Dollars (\$3,222,500.00); And,  
  
(2) Purchase The Sun Microsystems Equipment And Services From Govstor, LLP Through A State Of California Department Of General Services Cooperative Agreement Established Under The California Strategic Sourcing Initiative Statewide Contract Program In An Amount Not-To-Exceed Two Million Four Hundred Ninety-Two Thousand Eight Hundred One Dollars (\$2,492,801.00); And,  
  
(3) Waive The City's Formal Bidding And Competitive RFP/RFQ Selection Requirements, And Informally Bid And Award Contracts To Third Party Vendors For The Purchase Of Related Equipment And Services Needed For The Sun Microsystems' Technology Refresh In An Amount Not To Exceed Four Hundred Seventy Thousand Four Hundred Seventy Four Dollars (\$470,474.00), Without Return To Council  
[07-1370](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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**Passed The Consent Agenda**

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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

*There was no action necessary for this item*

*The following individual spoke on this item:*

*- Sanjiv Handa*

- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the Sunshine Ordinance

*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:**

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14.1      Subject:    Acceptance of Wildfire Prevention Annual Report  
             From:        Budget Office  
             Recommendation: Conduct A Public Hearng 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 2008-2009 And Levying Of The Assessments  
             [07-1171-1](#)  
             [Play Video](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 1 by the City Clerk, the Public Hearing was opened at 7:40 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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14.2      Subject:    Landscaping & Lighting Assessment Improvement  
              From:        Public Works Agency  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
              Ordering Improvement To The City Of Oakland Landscape And Lighting Assessment District  
              And Confirming The Levying Of The Assessments And Directing The Fiscal Year 2008-2009  
              Assessment To Be Turned Over To The County Auditor For Billing And Collection  
              [07-1279](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 2 by the City Clerk, the Public Hearing was opened at 7:46 p.m.*

*The following individuals spoke on this item:*

- David Mix
- Sanjiv Handa

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

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14.3      Subject:    Library Services Retention And Enhancement Act (Measure Q)  
              From:        The Budget Office  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
              Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Library Services  
              In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure  
              Q)  
              [07-1302](#)

**A motion was made by Councilmember Quan, seconded by Councilmember Reid, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:59 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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14.4      Subject:    Paramedic Services Act Of 1997 (Measure N)  
              From:        The Budget Office  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
              Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Paramedic  
              Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N)  
              [07-1303](#)

**A motion was made by Member Chang, seconded by Councilmember Kernighan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 4 by the City Clerk, the Public Hearing was opened at 8:03 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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14.5      Subject:    Emergency Medical Services Retention Act Of 1997 (Measure M)  
              From:        The Budget Office  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
                          Authorizing A Fiscal Year 2008-2009 Increase To A Special Tax Imposed For Emergency  
                          Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997  
                          (Measure M)  
              [07-1304](#)

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 5 by the City Clerk, the Public Hearing was opened at 8:06 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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14.6 Subject: Delinquent Business Taxes  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or

[07-1398](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 6 by the City Clerk, the Public Hearing was opened at 8:07 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or

[07-1398-1](#)

**Not Adopted**

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3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code  
[07-1398-2](#)

**Not Adopted**

14.7 Subject: Delinquent Mandatory Garbage Fees  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For October/November/December 2007, Monthly Accounts And January/February/March 2008, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-1399](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 7 by the City Clerk, the Public Hearing was opened at 8:12 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-1399-1](#)

**Not Adopted**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code  
[07-1399-2](#)

**Not Adopted**

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14.8      Subject:     Delinquent Transient Occupancy Taxes  
             From:        Finance and Management Agency  
             Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient  
             Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or [07-1400](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 8 by the City Clerk, the Public Hearing was opened at 8:03 p.m.*

*The following individuals spoke on this item:  
- Sanjiv Handa*

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

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[81390 CMS.pdf](#)

2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or [07-1400-1](#)

**Not Adopted**

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3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code [07-1400-2](#)

**Not Adopted**

14.9

Subject: Delinquent Real Property Taxes  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or [07-1401](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Upon the reading of Item 14. 9 by the City Clerk, the Public Hearing was opened at 8:03 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[07-1401-1](#)

**Not Adopted**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code

[07-1401-2](#)

**Not Adopted**

14.10 Subject: Recycling Facilities - Moratorium  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing A Temporary Moratorium On The Establishment Or Expansion Of An Activity Or Facility That Involves Primary Recycling And Intermediate Processing Facilities, To Take Effect Immediately Upon Adoption  
[07-1449](#)

**A motion was made by Councilmember Nadel, seconded by Member Chang, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Kernighan  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Upon the reading of Item 14. 10 by the City Clerk, the Public Hearing was opened at 8:03 p.m.*

*The following individuals spoke on this item:*

- Aaron Forkash
- Paul Forkash
- Marc Madden
- Scott Peterson
- Sanjiv Handa

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

*Council amended the resolution at Section 3 to remove the word "modified" and to place this word in Section 10 with clarifying language. Section 10 was further amended to remove the word "unlawful" and replace with the language "a conflict"*

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**AT THIS TIME, THE CITY COUNCIL WILL HEAR ITEMS 34 THROUGH  
41 AND CONTINUE THE DISCUSSIONS REGARDING THE  
2008-2009 MIDCYCLE BUDGET**

**PLEASE REFER TO THE MATERIALS FOR ITEMS 34 THROUGH 41  
WHICH BEGIN ON PAGE 30 OF THIS AGENDA**



**ACTION ON NON-CONSENT ITEMS:**

15           Subject:     Taxi Cab Fare Increases  
              From:       Office of the City Administrator  
              Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 To:  
              A) Increase Basic Fare Components, Add New Fare Components, And Authorize Collection  
              From Passengers Of All Mandatory Fees Paid By Drivers; And

B) Authorize City Administrator To Establish A Gasoline Surcharge Should Gasoline Prices  
Warrant

[07-0710-3](#)

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**A motion was made by Councilmember Reid, seconded by Councilmember Nadel, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 6 - Member Chang, Councilmember Kernighan,  
Councilmember Nadel, Councilmember Quan, Councilmember Reid and  
President of the Council De La Fuente  
*Council amended the Ordinance to remove "Section C" regarding fees for  
passengers that use credit cards.*

*The following individuals spoke on this item:*

- Andre Baillergeau

- Abdo Shrooh

- M. Anwar Zadran

- Sanjiv Handa

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16           Subject:    Sale Of 2008-2009 Tax And Revenue Anticipation Notes  
              From:       Finance and Management Agency  
              Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year  
              2008-2009 In An Amount Not To Exceed \$155,000,000 And The Issuance And Sale Of  
              2008-2009 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable)  
              Therefor And Approving Certain Related Matters  
              [07-1315-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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[12874 CMS.pdf](#)

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17      Subject:      Planning Code Amendments  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To:  
(1) Add Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones", Which Will Create The  
Following Four New Zones: Commercial Industrial Mix-1, Commercial Industrial Mix-2,  
General Industrial And Industrial Office;  
(2) Amend The City's Zoning Maps To Map These Proposed Zones In Areas In The City That  
Currently Have The General Plan Land Use Designations Of Business Mix And General  
Industrial/Transportation;  
(3) Amend Chapter 17.10 "Use Classifications";  
(4) Add Chapter 17.100 "S-19 Health And Safety Protection Overlay Zone"; And Amend Zoning  
Map To Add Overlay;  
(5) Amend Chapter 17.120 "Performance Standards"; And  
(6) Amend The "Guidelines For Determining Project Conformity With The General Plan And  
Zoning Regulations" To Reflect The New Zones  
[07-0978](#)  
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**A motion was made by Councilmember Nadel, seconded by  
Councilmember Quan, that this matter be Approved for Final Passage.  
The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember  
Quan  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Reid and  
President of the Council De La Fuente  
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[View Supplemental.pdf](#)  
[View Supplemental.pdf](#)  
[12875 CMS.pdf](#)

18

~~Subject: Sun Microsystems Agreements~~

~~From: Department of Information Technology~~

~~Recommendation: Adopt A Resolution Authorizing The City Administrator To:~~

~~(1) Exercise The Renewal Clause Of The Master Lease Purchase Agreement With Sun Microsystems Finance, Inc., To Finance The Purchase Of The Hardware, Equipment, Software And Services Necessary To Accomplish A "Technology Refresh" Of The City's Primary Information Technology Systems Infrastructure In A Finance Amount Not To Exceed Three Million Two Hundred Twenty Two Thousand Five Hundred Dollars (\$3,222,500.00); And,~~

~~(2) Purchase The Sun Microsystems Equipment And Services From Govstor, LLP Through A State Of California Department Of General Services Cooperative Agreement Established Under The California Strategic Sourcing Initiative Statewide Contract Program In An Amount Not To Exceed Two Million Four Hundred Ninety Two Thousand Eight Hundred One Dollars (\$2,492,801.00); And,~~

~~(3) Waive The City's Formal Bidding And Competitive RFP/RFQ Selection Requirements, And Informally Bid And Award Contracts To Third Party Vendors For The Purchase Of Related Equipment And Services Needed For The Sun Microsystems' Technology Refresh In An Amount Not To Exceed Four Hundred Seventy Thousand Four Hundred Seventy Four Dollars (\$470,474.00), Without Return To Council~~

~~07-1370~~

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19

Subject: Exclusive Negotiating Agreement - Avant Housing And Hahn Family

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Exclusive Negotiating Agreement With Avant Housing, LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By Telegraph Avenue, Broadway, 22nd Street, And 21st Street; And

07-1281

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

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

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2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Avant Housing, LLC, And The Hahn Family To Redevelop Portions Of The Block Bounded By Telegraph Avenue, Broadway, 22nd Street, And 21st Street

[07-1281-1](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

[2008-0050 CMS.pdf](#)

20

Subject: 2008-2009 Linkages And Respite Programs Grant

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept, Grant Funds From The Alameda County Area Agency On Aging In The Amount Of \$206,184 For The Linkages Program And \$8,057 For The Respite Program For Fiscal Year 2008-2009; And Authorizing The City Administrator To Apply For And Accept \$280,000 From Alameda County For Targeted Case Management Claims; And Authorizing The Appropriation Of A Balance Of \$22,794 In The Linkages Handipark Funds For The Linkages Program Fiscal Year 2008-2009

[07-1180](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brooks and Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

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- 21      Subject:    Arts And Cultural Services In Oakland - Contracts  
From:        Cultural Arts And Marketing  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Cultural Services Grants With Seventy (70) Oakland-Based Nonprofit Organizations And Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year 2008-2009 In A Total Amount Not To Exceed \$1,144,838.51  
[07-1305](#)
- A motion was made by Councilmember Quan, seconded by Councilmember Nadel, that this matter be Adopted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente  
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[81394 CMS.pdf](#)
- 22      Subject:    Consent To Search Report  
From:        Councilmembers Brooks and Kernighan  
Recommendation: Action On A Report And Recommendation From The Office Of Chief Of Police On The Development Of A Consent To Search Program For The City Of Oakland, Which Is A Gun Control Strategy Used In Other Cities Across The Country To Locate Guns That May Be In Possession Of Juveniles, And May Have Been Used In The Commission Of Crimes In The City  
[07-1080-4](#)  
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- A motion was made by Councilmember Brooks, seconded by Councilmember Nadel, that this matter be Continued to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 15, 2008. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
- Council directed staff to update the brochure with the following information: 1) Parenting resources; 2) "How are families selected for participation?" to "How can families schedule a home visit?"; 3) "Those selected" to "Those requesting a home visit"; 4) "...explain Operation Safe Homes and ask whether parents would like to participate." to "assist parents in their native language if they so desire." and 5) change the language regarding other illegal items to language that explains the items have to be in plain view.*
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23      Subject:    Oakland Police Officers' Association - Arbitration Award  
From:        Finance And Management Agency  
Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Approving The Arbitration Award And Memorandum Of Understanding Pertaining To Sworn Police Officers In Bargaining Units PP1 And PT1, Represented By The Oakland Police Officer's Association, Covering The Period Of July 1, 2006 To June 30, 2010  
[07-1306](#)

[Play Video](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Member Chang and Councilmember Nadel  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Brunner, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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2) A Resolution Approving An Initial Memorandum Of Understanding Between The City Of Oakland And The Oakland Police Management Association, Representing Employees In Representation Unit UN2, Covering The Period Of July 1, 2006 To June 30, 2010; And  
[07-1306-1](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Member Chang and Councilmember Nadel  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Brunner, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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3) An Ordinance Amending The Salary Schedule Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees In Representation Units PP, PT, And UN2 By Two Percent Effective July 1, 2006, Two Percent Effective January 1, 2007, Four Percent Effective July 1, 2007, Four Percent Effective July 1, 2008 And Four Percent Effective July 1, 2009, Pursuant To The Memoranda Of Understanding For The Oakland Police Officers' Association And The Oakland Police Management Association  
[07-1306-2](#)

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be Approved for Final Passage.**

**The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 2 - Member Chang and Councilmember Nadel  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Brunner, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*The following individual spoke on this item:*

- Sanjiv Handa

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24 Subject: Caldecott Improvement Project  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And  
Execute A Settlement Agreement With The California Department Of Transportation Relating To  
The Caldecott Improvement Project (Fourth Bore)  
[07-1423](#)  
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**A motion was made by Councilmember Brunner, seconded by Councilmember Reid, that this matter be Adopted as Amended. The motion carried by the following vote:**

- Votes:** ORA\Councilmember Abstained: 1 - Councilmember Nadel  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Council amended the resolution to add the following language:*  
*"subject to the following revisions:*  
1) *There will be mediation of disputes if there is no resolution at the Director of Caltrans and Mayor level;*  
2) *For a Significant Matter, any party may elevate the dispute to the Director of Caltrans and Mayor level;*  
3) *There shall be no off-haul trucks/vehicles between the hours of 9:00 PM - 7:00 AM, except during the initial stages of tunneling when materials are unable to stored/stockpiled within the tunnel;*  
4) *Contra Costa Transportation Authority and Alameda County Congestion Management Agency shall vote approval for the Second Funding of \$2 million before expiration of the Tolling Agreement;*  
5) *California Transportation Commission shall vote approval for the First Funding of \$2 million in the 2008 STIP before expiration of the Tolling Agreement;*  
6) *Caltrans shall only enter private property for inspections prior to blasting operations with the permission of property owners/occupants;*  
7) *Delete the following language on page 9, section 2(e)ii: "Tunnel Road between Hiller Drive and Caldecott Lane"*

*The following individuals spoke on this item:*

- Russell Snyder*
- Bob Brauer*
- Bijan Sartipi*
- Jonathan Bair*
- Art Shanks*
- Ron Bishop*
- Ellen Peterson*
- Richard Grassetti*
- Andrew Slirka*

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25 Subject: Oakland Community Housing Portfolio  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation

1) An Agency Resolution Authorizing A \$65,000 Grant From The Agency's 2006 Affordable Housing Bond Fund To The John Stewart Company For Capital Improvements To And Payment Of Outstanding Payables For The Oaks Hotel At 587 15th Street;

[07-1424](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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[2008-0051 CMS.pdf](#)

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2) An Agency Resolution Authorizing A \$150,000 Grant From The Agency's 2006 Affordable Housing Fund To John Stewart Company For Capital Improvements To Payment Of Outstanding Payables For Kenneth Henry Court At 6455 Foothill Boulevard;

[07-1424-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

[2008-0052 CMS.pdf](#)

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3) An Agency Resolution Allocating Up To \$191,288 From The Agency's 2006 Affordable Housing Bond Fund For To Pay Liability Insurance Premiums For Nine Oakland Community Housing, Inc. Affiliated Affordable Rental Properties In Oakland;  
[07-1424-2](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[2008-0053 CMS.pdf](#)

4) An Agency Resolution Authorizing An Amendment To A Housing Services Contract With Eden Information And Referral For A Tenant Assistance Program In An Amount Not To Exceed \$893,650 To Assist Households Displaced From Seven Affordable Rental Properties In Oakland Owned By Affiliates Of Oakland Community Housing, Inc., Including Up To \$643,650 For Rental Assistance Payments, Up To \$50,000 For Motel Vouchers, And Up To \$200,000 To Administer The Program, Thereby Increasing The Total Amount Of The Contract To \$973,650; And Accepting A Contribution Of \$843,650 From The Redevelopment Agency Under The Cooperation Agreement And Allocating Up To \$50,000 In Community Development Block Grant Funds For This Program;  
[07-1424-3](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[2008-0054 CMS.pdf](#)

5) An Agency Resolution Authorizing A Contribution Of Up To \$843,650 In Low And Moderate Income Housing Funds To The City Under The Cooperation Agreement To Fund A Contract With Eden Information And Referral To Provide A Tenant Assistance Program For Households Displaced From Seven Affordable Rental Properties In Oakland Owned By Affiliates Of Oakland Community Housing, Inc.; And  
[07-1424-4](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[2008-0055 CMS.pdf](#)

6) An Agency Resolution Approving The Transfer Of Home Resales And Loan Servicing Of The Second Mortgage Program For The Jingtown Homes Project, Including The Transfer Of All Remaining Funds Held By Jingtown Housing, Inc., To The City To Be Administered By The City For The Remainder Of The Affordability Term  
[07-1424-5](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*The following individuals spoke on this item:*

- *Dori Kojima*
- *Analisa Anthony*
- *Lisa Motoyama*
- *Carlos Castellanos*

[2008-0056 CMS.pdf](#)

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26 Subject: Civil Service Rules Revision  
From: Finance and Management Agency  
Recommendation: Receive An Informational Report Regarding The Revision Of The Civil  
Service Board's Personnel Manual (Civil Service Rules)

[07-1442](#)

[Play Video](#)

**A motion was made by Councilmember Quan, seconded by Councilmember Reid, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*The following individual spoke on this item:*

- Jeff Levin

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27 Subject: Civil Service Rules - Addition  
From: Finance and Management Agency  
Recommendation: Adopt A Resolution Approving The Addition Of Rule 5.03 -Continuous Testing With Rule Of The List For Entry Level Classifications To The Personnel Manual Of The Civil Service Board In Accordance With Municipal Code 2.08.030 (Ordinance No. 8979 C.M.S.)  
[07-1443](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/1/2008**

*Council directed staff to return to the July 1, 2008 City Council meeting with the following information: 1) The cost (financial impact) and the cost to the organization of losing potentially viable employees (i.e. long time permanent part time employees) because of this process; 2) A methodology for continuous testing with out the rule of the list and the option to hire the top candidates*

*The following individual spoke on this item:*

- Jeff Levin

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S-28      Subject:    Team Oakland Program  
              From:        Public Works Agency  
              Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter A One Year Agreement With A One Year Option For Renewal With The Nonprofit Youth Employment Partnership, Inc. (YEP) To Implement The Team Oakland Program In An Amount Not To Exceed \$249,000.00 Each Year  
[07-1395](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Council directed staff to keep track of the streets YEP works on and to have Public Works staff monitor and give direction to YEP*

*The following individual spoke on this item:*

- Michele Clark

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[81398 CMS.pdf](#)

S-29      Subject:    Five Year Financial Plan  
              From:        Councilmember Quan  
              Recommendation: Adopt A Resolution Amending Resolution No. 77923 C.M.S. Regarding The City Of Oakland Long-Term Financial Planning Policy To Add A Specific Date When The Five-Year Financial Plan Is To Be Provided To The City Council  
[07-1431](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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[81399 CMS.pdf](#)

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S-30 Subject: Business Services Contract  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement With Oakland Commerce Corporation For Business Retention And Expansion Services To Businesses In Oakland In An Amount Not To Exceed \$150,000 For The Period Beginning July 1, 2008, And Ending The Earlier Of December 31, 2008, Or 120 Days After Notice Of Termination, And Authorizing An Amount Not To Exceed \$4,500 For Contract Compliance  
[07-1237-1](#)

**Not Adopted**

*A motion was made by Councilmember Nadel, seconded by Councilmember Kernighan to approve the six month contract as recommended by staff, the motion tied with the following vote: Ayes: Brooks, Kernighan, Nadel, Quan - 4; Noes: Brunner, Chang, Reid, President De La Fuente - 4*

*The following individual spoke on this item:*

*- Elin Christopherson*

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S-31 Subject: 2008-2009 Children And Youth Services  
From: Department of Human Services  
Recommendation: Adopt A Resolution Appropriating And Allocating \$695,275 In Interest Income Earned To The Oakland Fund For Children And Youth; Appropriating And Allocating \$2,060,973 From Fund Balance In Kids First! Children's Fund (1780); And Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2008-2009 In An Amount Not To Exceed \$12,830,415  
[07-1324](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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[81400 CMS.pdf](#)

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S-32 Subject: 2007-2008 Measure Y Grantee Programs Report  
From: Department of Human Services  
Recommendation: Action On A Report On Progress Of Fiscal Year 2007-2008 Measure Y Grantee Programs, A Motion To Approve Allocations Of \$385,380 To City Agencies To Administer Violence Prevention Programs In Fiscal Year 2008-2009, And A Resolution Authorizing The City Administrator To Execute Agreements Between The City Of Oakland And Various Agencies To Provide Violence Prevention Programs For A Total Amount Not To Exceed \$6,428,189 (\$6,058,189 Measure Y Funding And \$370,000 Matched Sources) For The Period Of July 1, 2008 To June 30, 2009 And To Execute A No-Cost Amendment To The Agreement With Youth Employment Partnership, Inc. Extending The Agreement Until June 30, 2009

[07-1371](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Reid  
ORA\Councilmember Noes: 1 - President of the Council De La Fuente  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan

*Council directed staff to take \$50,000 of the funds allocated for the 2nd Step Program and use it for the Restorative Justice Program and return to the Public Safety Committee with that portion including a report on the possibility of expanding the Restorative Justice Program in the middle schools*

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[81401 CMS.pdf](#)

S-33 Subject: Measure Y Evaluation - Berkeley Policy Associates  
From: Office of the City Administrator  
Recommendation: Receive The Measure Y (Violence Prevention And Public Safety Act Of 2004) Outcome Evaluation Report For Violence Prevention Programming, 2005-2008

[07-1374](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council on 7/1/2008**

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**CONTINUED DISCUSSION OF THE 2008-2009 MIDCYCLE BUDGET ITEMS**

S-34 Subject: Misdemeanor Prosecution Program  
From: Vice Mayor Larry Reid/Council President De La Fuente/The Mayor  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Implement The  
Infraction And Misdemeanor Prosecution Program As Part Of The City's Crime Fighting  
Strategic Plan; Authorizing Its Funding In An Amount Not To Exceed Six Hundred Fifty Eight  
Thousand Four Hundred And Fifty Five Dollars (\$658,455); And Authorizing Its Implementation  
To Begin Immediately To Help Remedy The Criminal Conditions Adversely Impacting the  
Quality Of Life Of Oakland Residents (TITLE CHANGE)  
[07-1235](#)  
[Play Video](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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[81402 CMS.pdf](#)

S-35 Subject: Internal Service Funds Report  
From: Budget Office  
Recommendation: Action On A Report Discussing The Financial Status Of The Internal Service  
Equipment Fund (4100) And The Internal Service Facilities Fund (4400), And Providing Options  
For Internal Service Rate Changes For User Agencies/Departments In Order To Balance The  
Fund  
[07-1264](#)

**A motion was made by Councilmember Reid, seconded by President of the  
Council De La Fuente, that this matter be \*Received and Filed. The  
motion carried by the following vote:**

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

*The following individual spoke on this item:*

- Sanjiv Handa

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S-36 Subject: Master Fee Schedule Amendment  
From: The Budget Office

Recommendation: Adopt An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify, And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Attorney, Office Of The City Clerk, Oakland Public Library, Police Services Agency, Fire Services Agency, Office Of Parks And Recreation, Public Works Agency, And Community And Economic Development Agency

[07-1343](#)

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**A motion was made by Councilmember Reid, seconded by Member Chang, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 1, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*A motion was made by President De La Fuente to amend the Ordinance as follows:*

*PARKS AND RECREATION*

*B. Park Use Permits 11. Lakeside Park Bandstand a.1-2 (p.G-1) Increase to \$115 for first 2 hours, \$60 each additional hour. Do not increase this fee.*

*C. Rental Facilities 1. Indoor a. Lodges 1-3 9 12 (p. G-2) Increases of up to 25%. Do not increase these rental fees for residents or Oakland based community-based/non-profits. Do not add holiday surcharge.*

*C. Rental Facilities 1. Indoor b. Garden Center 2.a,b,c,g,h,m,o,p,q,u 3.a 6 (p.G-2 to G-4). Up to 42.86% increases in rental rates. Do not increase these rental fees for residents or Oakland based community-based/non-profits. Do not add holiday surcharge.*

*C. Rental Facilities 1. Indoor - d. Studio One and Recreation Centers 1.b 6 (p.G-5 to p. G-6) 25% increase in rental rate, new holiday surcharge. Do not increase rental fees for residents or introduce new holiday surcharge.*

*E. Field Rentals (Groups) 1.Residents b.2 (p.G-8) Addition of Charter Schools, increase of fee from \$15 to \$30/hr for private schools and organizations Strike "charter schools".*

*E. Field Rentals (Groups) c. Adults 2-3 (p.G-8) Increase up to 50% for Adult Field Use Do not increase these fees.*

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*E. Field Rentals 3. Additional Fees a-b New Youth and Adults Sports Field Usage Fee Accept this fee, but proceeds must go to pay for field maintenance. Aquatics 8. Swimming Instruction Classes a. 3 a. 7 (p.G-15) Up to 20% increase to fee Do not increase fee for Youth Instruction and Parent and Child Instruction for Residents.*

*Aquatics 8. Swimming Instruction Classes a.15. Junior Lifeguard Program (p.G-16) 16.67% increase Do not increase fee*

*8. Aquatics a.16 Youth Swim Team (P.G-16) 16.67% increase Do not increase fee*

*CEDA*

*F. Tree and Sidewalk Services 1. Service Fee for Tree Planting 2. Tree Removal Permits (p H-3) Proposed Fee Increases of 44.44% Eliminate both fees under 1. Service Fee for Street Tree Planting. Change the description of 2. f. on page H-4 to read "Undeveloped land, replace tree in-lieu fee"*

*and removing the proposed parking under Parks and Recreation Section D "Service Fees" 1(a) on page G-8 and sending this fee to a future committee for discussion and remaining status quo on the current fees*

*Councilmember Quan seconded the motion and made a friendly amendment regarding the current penalty for leaving a garbage/recycling/green waste can on the curb or street after the allowed time period as follows:*

- 1) Change from a fee based on hourly inspection costs, to a set fine.*
- 2) Fine will only be imposed after a warning letter has been sent and if the can still hasn't been removed*
- 3) Fine will be \$50 after the initial warning; then escalate by \$50 more for continued violation to \$100, then \$150...*

*The friendly amendment was accepted by President De La Fuente*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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S-37

Subject: 2008-2009 Budget Changes

From: The Budget Office

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The Second Year Of The City's Fiscal Year 2007-2009 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 80674 C.M.S., Based On The Mid-Cycle Budget Review Of Fiscal Year 2008-2009 Revenues And Expenditures;

[07-1344](#)

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

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brooks and Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

*Council amended the resolution as follows:*

*1. Reduce The Proposed City Shut Down From 12 To 5 Days. The City Will Be Closed From December 26th Through January 2nd. One Day May Be Covered By Vacation And/Or Holiday. \$1.47M Savings Compared To \$4.4M Savings*

*2. Eliminate 26 Vacant General Purpose Fund FTEs. These Are In Addition To The 6% Vacancy Rate. The Recommended positions are as follows: City Administrator's Office - Assistant Budget Analyst, Program Analyst I, Program Analyst II; CEDA - Program Analyst III; City Attorney - Deputy City Attorney III; City Clerk - Administrative Analyst I, Citywide Records Manager, Legislative Recorder; Department of Humans Services - Administrative Assistant I, Office Assistant II; Information Technology - Operations Support Specialist; Finance And Management - Human Resources Systems Analyst, Senior, Parking Meter Repair Worker, Public Service Representative; Library - Librarian, Senior, Library Aide, Office Assistant II, Payroll Personnel Clerk II, Stationary Engineer, Office of the Mayor - Project Manager III; Museum - Museum Guard; Parks & Recreation - Administrative Assistant II, Executive Assistant, Park Attendant, PPT, Recreation Specialist II, PPT. The City Administrator May Bring Substitutions To The List To The July 15, 2008 Council Meeting For Approval. \$2,600,000 Savings*

*3. Add An Additional 0.2 Percent "Across The Board" Departmental Cut. \$950,000 Savings*

*4. Eliminate The Existing Public Safety Director Position From Mayor's Budget; Eliminate The Proposed Public Safety Director Position In The Police And Fire Budgets. \$382,000 Savings*

*5. Eliminate The Proposed One-Time Strategic Planning Contract Services. \$150,000 Savings*

6. Restore Funding To The School Of The Arts. \$350,000 Restored
7. Restore Seismic Retrofit Program. \$500,000 Was Mistakenly Charged To The General Purpose Fund Rather Than The Redevelopment Agency As Per The Original Budget. Additionally, Because Of The Start-Up Period \$150,000 Was Not Used. Restore \$500,000 In Ora; Restore \$350,000\* In General Purpose Fund
8. Eliminate Selected Fee Increases In The Master Fee Schedule And Do Not Add Associated Recreation Attendant PPT. \$150,000 Decreased Revenue
9. Restore Funding To The 211 Program. \$100,000 Restored

*\*During the discussion it was decided that this \$350,000 would be used to maintain the landscaping of Mandela Parkway and that the surplus estimated at \$200,000 (if any) would be put into the Seismic Retrofit Program*

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- 2) An Agency Resolution Amending The Second Year Of The Redevelopment Agency's Fiscal Year 2007-2009 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 80674 C.M.S., Based On The Mid-Cycle Budget Review Of Fiscal Year 2008-2009 Revenues And Expenditures; And  
[07-1344-1](#)

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

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brooks and Councilmember Reid  
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente  
[2008-0057 CMS.pdf](#)

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3) A Resolution Establishing An Appropriations Limit For Fiscal Year 2008-2009 Pursuant To Article XIII B Of The California Constitution  
[07-1344-2](#)

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

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brooks and Councilmember Reid  
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

*The following individuals spoke on this item:*

- Barbara Bernstein
- Sharon Cornu
- Sanjiv Handa  
[81404 CMS.pdf](#)

S-38

Subject: Safety Vehicle Replacement

From: The Budget Office

Recommendation: Action On A Report Discussing Public Safety Vehicle Replacement  
[07-1411](#)

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**A motion was made by Councilmember Reid, seconded by Member Chang, that this matter be \*Received and Filed. The motion carried by the following vote:**

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

*The following individuals spoke on this item:*

- Sanjiv Handa  
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S-39      Subject:    Low Usage Vehicles  
             From:        The Budget Office  
             Recommendation: Action On A Report Discussing The Process For Addressing Low Usage  
             Vehicles  
             [07-1412](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Reid, that this matter be \*Received and Filed. The motion carried by the following vote:**

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

*The following individuals spoke on this item:*

- Sanjiv Handa

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S-40      Subject:    City Paid Parking Spaces  
             From:        The Budget Office  
             Recommendation: Action On A Report Discussing The Number And Cost Of City Paid Parking  
             Spaces For City Employees  
             [07-1413](#)

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**A motion was made by Councilmember Brunner, seconded by Councilmember Nadel, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*Council directed staff to eliminate as many as possible of the paid parking spaces for city employees during negotiations*

*The following individuals spoke on this item:*

- Sanjiv Handa

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S-41 Subject: Payroll And Compensation Audit Follow Up  
From: Council President De La Fuente  
Recommendation: Action On A Report From The City Administrator Regarding Implementation  
Of Recommendations From The City Auditor's Payroll And Compensation Audit  
[07-1054-3](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
*Council directed that this report come back at a later date with a legal opinion  
from an independent city attorney*

*The following individuals spoke on this item:*

- Sanjiv Handa  
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**Continuation of Open Forum**

*The following individual spoke under the continuation of Open Forum:*  
- Wells Twombly

**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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*There being no further business, and upon the motion duly made, the  
Agency/Council adjourned the meeting in memory of Kent Brown at 2:07 AM.*

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