



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>

Tuesday, January 05, 2010

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:14pm.

2 Roll Call / ORA & Council

COUNCIL MEMBERS:

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individuals spoke during open forum:

- Darnel Livingston
- Doug Bloch
- Manuel Rivas
- Kate O'Hara
- Bruce Nye
- Sanjiv Handa

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

There was no action necessary for this item.

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

There was no action necessary for this item

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

There was no action necessary for this item.

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

The minutes were not included in the packet and no action was necessary for this item. The draft minutes for the 12/8/09 ORA/City Council meeting will return 1/19/2010 for approval.

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Honorarium To Congresswoman Barbara Lee
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Acknowledging The Honorable Congresswoman Barbara Lee For Her Years Of Dedicated Leadership In The Fight Against HIV/AIDS
[09-1076](#)
[Play Video](#)

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

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

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

- Sean Sullivan
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[82457 CMS.pdf](#)

- 8.2-CC Subject: National Blood Donor Month
From: Councilmembers Kaplan And Brunner
Recommendation: Adopt A Resolution Proclaiming The Month Of January As "National Blood Donor Month" For Oakland And Announcing The City Of Oakland Blood Drive On Thursday Jan 28, 2010 From 10am To 3pm
[09-1077](#)
[Play Video](#)

This Matter was Adopted on the Consent Agenda.

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

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Vance Quan.

10. CONSENT CALENDAR (CC) ITEMS:

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- 10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
 With Regard To The AIDS Epidemic
 09-1068

This Matter was Adopted on the Consent Agenda.

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

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

- Darnell Levingston

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- 10.2-CC Subject: Medical Cannabis Health Emergency
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
 Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
 The City Of Oakland
 09-1069

This Matter was Adopted on the Consent Agenda.

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

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10.3-CC Subject: Ernest White - 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 Ernest White v. City Of Oakland, et al., Alameda County
Superior Court No. RG08375382, City Attorney File No. 26153, In The Amount Of \$9,200.00.
This Case Involves A Trip And Fall In Front Of 826 58th Street, Oakland, California (Public
Works Agency)
[09-1070](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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[82461 CMS.pdf](#)

10.4-CC Subject: Elizabeth Clark - 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 Elizabeth Clark v. City Of Oakland, Alameda County
Superior Court Case No. RG06289271, Our File No. 25255, In The Amount Of \$15,000.00
(Oakland Police Department)
[09-1072](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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10.5-CC Subject: Kaitlin Limrite - 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 Kaitlin Limrite v. The City Of Oakland, et al., Alameda
County Superior Court No. RG08375679 Our File No. 26140, In The Amount Of \$36,000.00
(Oakland Police Department)
[09-1073](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Sanjiv Handa*
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[82463 CMS.pdf](#)

10.6-CC Subject: The Oaks Hotel - Operating Assistance Grant
From: Community And Economic Development Agency
Recommendation: Adopt An An Agency Resolution Amending Resolution 2009-0082 To
Change The Recipient Of A \$200,000 Grant For Operating Assistance For The Oaks Hotel
From The John Stewart Company To Oaks Associates
[09-1074](#)

This Matter was Adopted on the Consent Agenda.

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

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[2010-0001 CMS.pdf](#)

10.7-CC Subject: Alameda County Mosquito Abatement District Appointment
From: Council President Brunner
Recommendation: Adopt A Resolution Re-Appointing Marisel E. Brown To The Alameda
County Mosquito Abatement District Board Of Trustees
[09-1075](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
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10.8-CC Subject: 81st Avenue Library Computer Lab - Name Change
From: Oakland Public Library
Recommendation: Adopt A Resolution To Name The Computer Lab At The 81st Avenue
Library The "Koret Computer Lab"
[09-0940](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
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[82465 CMS.pdf](#)

10.9-CC Subject: Oakland Complete Count Committee
From: Community And Economic Development Agency
Recommendation: Adopt A Proclamation That A City Of Oakland Complete Count Committee Shall Be Formed To Work With Community And Business Organizations, The Faith-Based Community, And Organizations Serving Our Diverse Ethnic, Racial, Generational, And Cultural Population To Encourage Full Participation In The 2010 Decennial Census
[09-1052](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Eluise Bolden*
 - *Bill Dawkins*
 - *Sanjiv Handa*
- [View Report.pdf](#)

10.10-CC Subject: Citywide Guardrail Installations & Traffic Signals
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Ray's Electric, The Lowest Responsible Responsive Bidder, For Citywide Guardrail Installation And The Installation Of A Traffic Signal At The Intersection Of International Boulevard And 50th Avenue (City Project Nos. C313620, C270310 And C313810) In Accord With Project Plans And Specifications And Contractor's Bid In An Amount Not-To-Exceed Two Hundred Eighty-Three Thousand Three Hundred Twenty-Two Dollars (\$283,322.00), And Waiving Advertising And Bidding For And Awarding A Contract To Ray's Electric For Installation Of An Additional Traffic Signal At The Intersection Of Foothill Boulevard And 64th Avenue For An Amount Not-To-Exceed Two Hundred Thousand Dollars (\$200,000.00); And

[09-1022](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Accepting And Appropriating Funds From The Redevelopment Agency Up To Three Hundred Thousand Dollars (\$300,000.00) Under The Cooperation Agreement From The Foothill Boulevard And Seminary Avenue Streetscape Improvement Project For The Resurfacing Of Macarthur Boulevard From 90th Avenue To Foothill Boulevard; And
[09-1022-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[82467 CMS.pdf](#)

3) An Agency Resolution Contributing Central City East Redevelopment Funds Up To Three Hundred Thousand Dollars (\$300,000.00) To The City Of Oakland Under The Cooperation Agreement From The Foothill Boulevard And Seminary Avenue Streetscape Improvement Project For The Resurfacing Of Macarthur Boulevard From 90th Avenue To Foothill Boulevard
[09-1022-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- *Sanjiv Handa*
[2010-0002 CMS.pdf](#)

10.11-CC Subject: The Lion Creek Restoration Project
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Rejecting All Bids And Waiving Any Further Advertising And Bidding And Authorizing The City Administrator To Negotiate Starting With The Lowest Bidder To Award A Construction Contract For The Lion Creek Restoration Project For An Amount Not To Exceed Five Hundred Forty Thousand Dollars (\$540,000.00) Without Returning To Council(TITLE CHANGE)
[09-0996](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82468 CMS.pdf](#)

10.12-CC Subject: Window Rehabilitation - Melrose Library
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract For The Melrose Library Window Rehabilitation Project In Accord With Specification No. P337310 And With Contractor's Bid To Rockridge Builders In The Amount Of One Hundred Thirty-Seven Thousand Six Hundred Eighty-Three Dollars (\$137,683.00)
[09-0968](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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10.13-CC Subject: Tax Auditing Services Contract
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Enter Into A Professional Services Contract With Hinderliter, De Llamas And Associates For Sales And Use Tax Data And Auditing Services For An Amount Not To Exceed \$11,500 Annually In Fixed Costs Plus Additional Audit Fees Based On Percentages Of Sales And Use Tax Revenue Discovered And Recovered By The City As A Result Of An Audit And Authorizing The City Administrator To Enter Into A Three Party Professional Services Contract With The Redevelopment Agency And HDL Coren & Cone For Property Tax Data And Auditing Services For An Amount Not To Exceed \$22,000 Annually In Fixed Costs Plus Additional Audit Fees Based On Percentages Of Property Tax Revenue Discovered And Recovered By The City As A Result Of An Audit; And Authorizing Both Contracts For An Initial Three-Year Period Ending December 30, 2012 With Two Optional Annual Extensions Of The Contracts; And
[09-0938](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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2) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Three Party Professional Services Contract With The City Of Oakland And HDL Coren & Cone For Property Tax Data And Auditing Services For An Amount Not To Exceed \$22,000 Annually In Fixed Costs Plus Additional Audit Fees Based On Percentages Of Tax Revenue Discovered And Recovered By The City As A Result Of An Audit For An Initial Three-Year Contract Period Ending December 30, 2012; And Authorizing Two Optional Annual Extensions Of The Contract

[09-0938-1](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Sanjiv Handa*

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[2010-0003 CMS.pdf](#)

10.14-CC Subject: Oakland Waterfront-Uptown Shuttle
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution To (1) Accept And Appropriate \$997,000 In Grant Funds From The Bay Area Air Quality Management District For The Oakland Broadway Shuttle; (2) Accept And Appropriate \$80,000 In Fiscal Year 2009/2010 And \$80,000 In Fiscal Year 2010/2011 In Matching Funds For The Broadway Shuttle From The Redevelopment Agency Under The Cooperation Agreement; (3) Authorize The City Administrator Without Returning To Council To Accept And Appropriate Any Additional Public And Private Grants And Financial Support For The Broadway Shuttle; And (4) Authorize An Agreement With AC Transit To Operate The Broadway Shuttle For Two Years; And

[09-0870](#)

This Matter was Adopted on the Consent Agenda.

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

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2) An Agency Resolution Contributing \$80,000 In Fiscal Year 2009/2010 And \$80,000 In Fiscal Year 2010/2011 For A Total Of \$160,000 In Central District Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement For The Implementation Of The Oakland Broadway Shuttle
[09-0870-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Lisa Hire
[2010-0004 CMS.pdf](#)

10.15-CC Subject: Macarthur Transit Village Project - 1st Phase
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Approving The Macarthur Transit Village Redevelopment Project Residential And Commercial Relocation Plans;
[09-0979](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82472 CMS.pdf](#)

2) An Agency Resolution Approving The Residential And Commercial Relocation Plans For The Macarthur Transit Village Project; And
[09-0979-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2010-0005 CMS.pdf](#)

3) An Agency Resolution Approving A Replacement Housing Plan For The Macarthur Transit Village Project
[09-0979-2](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Sanjiv Handa*
[2010-0006 CMS.pdf](#)

10.16-CC Subject: Neighborhood Projects Initiative Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Funding In An Amount Not To Exceed \$227,500 Under The Broadway/Macarthur/San Pablo Neighborhood Projects Initiative Program For 1) Pedestrian Scale Lights On Telegraph Avenue Between 40th And 42nd Streets, 2) New Golden Gate District Identification Signs, 3) New Street Trees On Telegraph Avenue From 27th To 34th Streets, 4) Resurfacing The Golden Gate Recreation Center Playground And Basketball Courts, 5) Removal And Redesign Of The Koreatown/Northgate Banners, And 6) Improvements To The Existing Playground At Mosswood Park, Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$147,500 To Construct A Portion Of The Public Improvements Under The Program, And Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The Agency
[09-0981](#)

This Matter was Adopted on the Consent Agenda.

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

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[2010-0007 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$147,500 For City Public Improvements Within The Broadway/ Macarthur/ San Pablo Redevelopment Area Under The Neighborhood Projects Initiative Program, Including 1) Resurfacing The Golden Gate Recreation Center Playground And Basketball Courts, 2) Installing Street Trees On Telegraph Avenue From 27th To 34th Streets, 3) New Golden Gate District Identification Signs, And 4) Improvements To The Existing Playground At Mosswood Park, And Authorizing The City Administrator To Make Necessary Expenditures And Enter Into Contracts To Implement Projects Under The Program Without Returning To The City Council

[09-0981-1](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
[82473 CMS.pdf](#)

10.17-CC Subject: BART Plaza Remodel - Macarthur Transit Village Project
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Contract With PGA Design For An Amount Not To Exceed \$159,000 To Complete The Design For The Bart Entry Plaza Remodel For The Macarthur Transit Village Project

[09-0982](#)

This Matter was Adopted on the Consent Agenda.

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

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[2010-0008 CMS.pdf](#)

10.18-CC Subject: Courthouse Associates, LLC
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Accepting And Appropriating A \$77,500
Payment From Courthouse Associates, LLC To The Broadway/Macarthur/San Pablo Façade
Improvement Program
[09-0980](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[View Report.pdf](#)
[2010-0009 CMS.pdf](#)

10.19-CC Subject: As-Needed Environmental Consulting Agreements
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing Professional Services Agreements With Ases, Inc., Oaks Environmental, Essel Technology Services, Professional Services Incorporated (PSI), And SCA Environmental Consulting Services To Provide Environmental Consulting Services On An As-Needed Basis, Including Lead-Based Paint Risk Assessments, Paint Inspections And Clearance Testing For Residential Rehabilitation Projects Funded Through The Residential Lending And Rehabilitation Program, In An Aggregate Amount Not To Exceed \$200,000 For The Period Of December 14, 2009, Through June 30, 2011
[09-0942](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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10.20-CC Subject: Early Childhood Literacy Programming Grant
From: Oakland Public Library
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate A Grant In The Amount Of \$77,600 From First 5 Alameda County To Support The Oakland Public Library's Early Childhood Literacy Programming For Eighteen Months Beginning In Fiscal Year 2009-2010
[09-1020](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82475 CMS.pdf](#)

10.21-CC Subject: Eleven Mills Act Abatement Program
From: Vice Mayor De La Fuente
Recommendation: Adopt An Ordinance Expanding And Making Permanent The Mills Act
Property Tax Abatement Program For Qualified Historic Properties Which Was Established As
A Two-Year Pilot Program Via Ordinance No. 12784 C.M.S.
[09-0872-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
[View Report.pdf](#)
[12987 CMS.pdf](#)

10.22-CC Subject: Renewal Fee For Residential Permit Parking
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Ordinance Number 12948 C.M.S. (Master
Fee Schedule), As Amended, To Increase The Renewal Fee For Residential Parking Permits
From Twenty Dollars (\$20) To Thirty-Five Dollars (\$35) Annually.
[09-0849](#)

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

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

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

- *Sanjiv Handa*
- *Jon Gabel*
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[12988 CMS.pdf](#)

10.23-CC Subject: Geo Spatial Technologies Agreement
From Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Waive The Competitive Request For Qualifications/Proposals (RFQ/RFP) Process, And Enter Into A Sole Source Agreement With Geo Spatial Technologies Inc., In An Amount Not To Exceed \$250,000 For Implementation Of The Automatic Vehicle Licensing (AVL) And Global Positioning System (GPS) Programs
[09-1047](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Sanjiv Handa*
[View Report.pdf](#)
[82476 CMS.pdf](#)

10.24-CC Subject: Coliseum Redevelopment Project Area - Amendment Eight
From: Community and Economic Development Committee
Recommendation: Adopt An Ordinance Adopting The Eighth Amendment To The Coliseum Redevelopment Plan Extending The Time Limit For Eminent Domain Authority For An Additional Twelve Years And Setting A Bonded Indebtedness Limit
[09-0904](#)

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

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

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10.25-CC Subject: 2009-2010 Linkages Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds From The Alameda County Area Agency On Aging In The Amount Of \$51,546 For The Linkages Program And \$2,014.25 For The Respite Program For Fiscal Year 2009-2010; And Authorizing The City Administrator To Apply For And Accept \$188,594 From Alameda County For Targeted Case Management Claims; And Authorizing The City Administrator To Accept And Appropriate \$77,642 From Alameda County Disabled Parking Fines For The Linkages Program For Fiscal Year 2009-2010; And Authorizing The Appropriation And Allocation Of A Balance Of \$21,090 In The Linkages Handipark Funds For The Linkages Program Fiscal Year 2009-2010
[09-0239](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
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Passed The Consent Agenda

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, 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 De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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

A motion was made by Councilmember Nadel, seconded by Councilmember Quan, to *Approve as Submitted the report of no final decision made during closed session The motion carried by the following vote:

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

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

- Sanjiv Handa

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

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

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

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

There was no action necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

ACTION ON NON-CONSENT ITEMS:

15 Subject: Status Of The Implementation Of Ranked Choice Voting
From: Council President Brunner
Reommendation: Discussion And Action On A Report On The Implementation Of Ranked
Choice Voting
[09-1009](#)
[Play Video](#)

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

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

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

- Sanjiv Handa
- Judy Cox
- Pamela Drake
- Laura Wells
- Dave Kadlecek
- Blair Bobier
- Esperanza Tervalon-Daumont
- Kate Ohara
- Leslie Bowets
- Janet Kobren
- Emily Pears
- William Patterson
- Charlie Hahn
- Joe Sarapochillo
- Steve Lowe
- Gen Katz
- Randall Whitney
- Valerie Winemiller
- Laura Blair
- Agnes Ramirez Grace
- Matt Novak
- Carlos Plazola
- Grant Chappel
- Sugi Loni
- Jonathan Nack
- Susan Schacher
- Igor Tregub
- Steven Hill
- Amber Chan

- *Iris Winogrand*
- *Lindsay Vurek*
- *Rebecca Saltzman*
- *Jenn Pac*
- *Terence Candell*
- *Sharon Cornu*
- [View Report.pdf](#)

16 Subject: Ranked Choice Voting Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing The City Administator To Negotiate And
Execute A Memorandum Of Understanding Between The County Of Alameda And The Cities
Of Oakland, Berkeley And San Leandro Regarding Ranked Choice Voting, In An Amount Not
To Exceed \$1,500,000 With Oakland's Share Being \$946,950.00
[09-1059](#)
[Play Video](#)

A motion was made by Councilmember Brooks, seconded by President of the Council Brunner, that this matter be Adopted with direction to staff to work with the County of Alameda to return in 1 month by February 2, 2010, with an earlier timeline for the Voter Outreach and Education plan and with written responses to the questions submitted by Vice Mayor De La Fuente. The motion carried by the following vote:

Votes: ORA\Councilmember Noes: 2 - Councilmember De La Fuente and President of the Council Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid

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

- Sanjiv Handa
- Judy Cox
- Pamela Drake
- Dave Kadlecek
- Blair Bobier
- Esperanza Tervalon-Daumont
- Kate Ohara
- Nwamaka Agbo
- Robbie Clark
- Jessamyn Sabbag
- Leslie Bowets
- William Patterson
- Charlie Hahn
- Joe Sarapochillo
- Steve Lowe
- Gen Katz
- Randall Whitney
- Valerie Winemiller
- Laura Blair
- Agnes Ramirez Grace
- Matt Novak
- Carlos Plazola
- Grant Chappel

- Jonathan Nack
- Joel Tena
- Susan Schacher
- Steven Hill
- Amber Chan
- Monica Tell
- Laura Arreola
- Ron Silva
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- 17 Subject: Municipal Nomination Election - June 8, 2010
From: Council President Brunner
Recommendation: Adopt An Ordinance Establishing The Date Of The City Of Oakland's
Municipal Nomination Election As Tuesday, June 8, 2010 To Confirm With The Statewide
Primary
[09-1061](#)

***Withdrawn with No New Date**

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

- Randall Whitney

- 18 Subject: Fox Theater Renovation Project Loan
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Agency Administrator To Provide A
Loan To Fox Oakland Theater, Inc., A California Non-Profit Corporation, In An Amount Not
To Exceed \$2,000,000 To Fund The Completion Of The Fox Theater Renovation Project
[09-0945](#)
[Play Video](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Reid, that this matter be Adopted as bifurcated to pay the contractors and, as a friendly amendment by Councilmembers Nadel and Kernighan, referral of the audit issue to the Community and Economic Development committee. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[2010-0010 CMS.pdf](#)

A motion moved, seconded and carried to continue the meeting past 10:30 pm

19 Subject: Registration Of Foreclosed And Vacant Residential Buildings
From: Councilmembers Reid, Quan, and Kaplan
Recommendation: Adopt The Following Pieces Of Legislation:

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

[Play Video](#)

A motion was made by Councilmember Brooks, seconded by Councilmember De La Fuente, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 19, 2010 to 1) include the new definition of foreclosure as provided by the City Attorney

2) amend section 8.54.030 to change “is foreclosed upon...” to “has been foreclosed upon...” to ensure properties with established vacancies of 30 or more days at the effective date of this ordinance be included in the penalty assessment

3) to require the full annual fee to be imposed throughout the year

4) directing staff to develop and implement the online payment system as quickly as possible with the intent of expanding the system in the future; and

referred the matter to committee to address the gaps in the ordinance. The motion carried by the following vote:

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

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

A motion was made by Councilmember Brooks, seconded by Councilmember De La Fuente, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 19, 2010 to 1) include the new definition of foreclosure as provided by the City Attorney

2) amend section 8.54.030 to change "is foreclosed upon..." to "has been foreclosed upon..." to ensure properties with established vacancies of 30 or more days at the effective date of this ordinance be included in the penalty assessment

3) to require the full annual fee to be imposed throughout the year

4) Directing staff to develop and implement the online payment system as quickly as possible with the intent of expanding the system in the future; and

referred the matter to committee to address the gaps in the ordinance.

and with the amendments as recommended by the December 15, 2009 Community and Economic Development Committee accordingly:

to include amendments to the ordinance on page 4 as follows: 1) under "Collections", changed the word "buyer" on the 4th line to say "owner". Changed the word "buyer" on the 5th line to say "owner" ; and 2) add at the end of the report that this Ordinance, once adopted would have a two year Sunset Clause that would be reviewed on the two year anniversary date of adaptation.

The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[12992 CMS.pdf](#)

20 Subject: Sewage Overflow Valves Installation
 From: Councilmember Jean Quan
 Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal
 Code To Require The Installation Of Sewage Overflow Devices On Privately Maintained
 Sewer Laterals
 [09-0946](#)
 [Play Video](#)

A motion was made by Councilmember Quan, seconded by Councilmember Reid, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 19, 2010 to the recommendations of the December 15, 2009 Public Works Committee to amend the ordinance to remove section 13.08.410. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[12993 CMS.pdf](#)

21 Subject: Citywide Parking Policy
 From: Community And Economic Development Agency
 Recommendation: Discussion And Possible Action On Draft Principles And Scope For A
 City-wide Parking Study
 [09-0966](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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22 Subject: Master Agreement - Oakland Alameda County Coliseum
 From: Vice Mayor De La Fuente
 Recommendation: Adopt A Resolution Authorizing And Approving The Execution Of
 Supplement No. 3 To The Master Agreement And Exhibits To The Master Agreement, Among
 The Oakland Alameda County Coliseum Authority, The City Of Oakland, The County Of
 Alameda And The Oakland Raiders, Which Supplement No.3 Extends The Term Of The
 Master Agreement Under Which The Oakland Raiders Play Football At The Oakland Alameda
 County Coliseum Stadium
 [09-1062](#)

No Action Taken

This item was acted upon at the December 8, 2009 City Council meeting.

23 Subject: Community Block Grant 2010/2011
 From: Department Of Human Services
 Recommendation: Adopt A Resolution Authorizing The City Administrator 1) To Accept And
 Appropriate A Renewal Grant In An Anticipated Amount Of \$718,453 Annually In Community
 Services Block Grant (CSBG) Funds For Calendar Years 2010 And 2011 From The State Of
 California Department Of Community Services And Development (CSD) And Any Additional
 CSBG Funding That May Become Available And; 2) Negotiate And Execute Grant
 Agreements With Service Providers In Alignment With The City's 2010-2011 State Approved
 Community Action Plan Without Returning To Council
 [09-0958](#)
 [Play Video](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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[82479 CMS.pdf](#)

24 Subject: Appointments To Various Commissions
From: Office of the Mayor
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Confirming The Mayor's Appointment Of Marlene Hurd And Leticia Escalera As Members Of The Commission On Persons With Disabilities;

[09-1085](#)

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

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

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[82480 CMS.pdf](#)

2) A Resolution Appointing Nancy Sidebotham As A Member Of The Community Policing Advisory Board;

[09-1084](#)

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

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

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3) A Resolution Confirming The Mayor's Appointment Of Joyce Hsu As A Member Of The Public Art Advisory Committee;

[09-1083](#)

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

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

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- 4) A Resolution Appointing Michael Lighty As A Member Of The Board Of Port Commissioners;
[09-1082](#)

Not Adopted

A motion was made by Councilmember Nadel, seconded by Councilmember Quan to adopt the legislation; Upon call of the roll, the motion tied: Ayes: Councilmembers Kaplan, Kernighan, Nadel, Quan-4; Noes: Councilmembers Brooks, De La Fuente, Reid, Brunner-4; Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. and City Charter Section 200 this item was continued to the January 19, 2010 City Council Agenda for the purposes of allowing the Mayor to cast the tie breaking vote on the motion.

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[82501.pdf](#)

- 5) A Resolution Re-Appointing Lorenzo Hoopes, Clinton Killian, Rob McKean And Ed Thomas As Members Of The Paramount Theater Of The Arts Board Of Directors;
[09-1081](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 1/19/2010**

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- 6) A Resolution Appointing Peggy Simmons As A Member Of The Library Advisory Commission; and
[09-1080](#)

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

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

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[82483 CMS.pdf](#)

- 7) A Resolution Appointing Damon Powell As A Member Of The Cultural Affairs Commission
[09-1079](#)

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

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

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

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There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Vance Quan at 12:00 a.m.

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