



# 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, July 07, 2009

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 6:12 PM.*

2 Roll Call / ORA & Council

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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 under Open Forum:*  
*- Tao Matthews*  
*- 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.

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*Councilmember Kernighan requested to speak and register a No vote on items 10.6-CC and 10.7-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 June 30, 2009

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**A motion was made by Councilmember Reid, seconded by Councilmember De La Fuente, to \*Approve the Minutes. 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

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

- 8.1 Subject: Office Of Parks And Recreation - Recognition

From: Parks And Recreation

Recommendation: Adopt A Resolution Honoring The Office Of Parks And Recreation For One Hundred Years Of Service To The City Of Oakland And Recognizing Its History And Some Of The Significant Milestones Achieved During The Past Century

[09-0583](#)

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**A motion was made by Councilmember Nadel, seconded by Councilmember Reid, 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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S-8.2      Subject:      Support For The People Of Iran  
From:          Council President Jane Brunner  
Recommendation: Adopt A Resolution Declaring Support For The People Of Iran Who Are  
Acting In Good Faith To Secure Their Democratic Rights To Transparent Self Governance  
[09-0625](#)  
[Play Video](#)

**A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, 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

*Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember Quan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 8.2 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.*

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## **9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Judith Suessmeier*

## **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  
[09-0554](#)

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**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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10.2-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  
[09-0555](#)  
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**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:      Property Sale - 453 Ashton Avenue & 2656 And 2660 98th Avenue  
From:            Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing 1) The Sale At No Cost Of One City-Owned  
Single Family Dwelling At 453 Ashton Avenue And Two City-Owned Parcels At 2656 And  
2660 98th Avenue To The Rotary Club Of Oakland, Inc., For The Development Of Affordable  
Housing By The Peralta Community College District Under The City/Peralta/Rotary House  
Project, And 2) The Allocation Of \$10,000 From The Proceeds Of Each Sale To The Laney  
College Tool Fund  
[09-0334](#)  
[Play Video](#)

**This Matter was Approved 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  
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10.4-CC Subject: Civic Bay Friendly Landscaping  
From: Public Works Agency And Councilmember Quan  
Recommendation: Adopt An Ordinance Amending Chapter 15.35 Of The Oakland Municipal Code, "Green Building Requirements For City Building Projects And Traditional Public Works Projects", To Add Civic Bay-Friendly Landscaping Requirements For All City Of Oakland, Redevelopment Agency And Public-Private Partnership Projects That Include Landscaping  
[09-0352](#)  
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**This Matter was Approved 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

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10.5-CC Subject: Tax Amnesty Program  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Establishing A Time-Limited Tax Amnesty Program Forgiving Payment Of Penalties And Interest On Penalties Applicable To Under-Reported And Un-Reported Business Taxes, Parking Taxes, Transient Occupancy Taxes, And Utility Users Taxes (TITLE CHANGE)  
[09-0477](#)  
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**This Matter was Approved 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 spoke on this item:*

- *Sanjiv Handa*

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10.6-CC Subject: Oakland Municipal Code Amendment - Parking Fines  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010  
"Schedule Of Parking Fines" To Increase Parking Fines  
[09-0502](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Kernighan  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
*Council reiterated the June 30, 2009 amendment the Ordinance that the fines for Section 10.36.050, 10.36.060 and 10.36.100 should remain at \$55.00 and directed staff to make sure the amended Ordinance is submitted for signature*

*The following individual spoke on this item:*

- Sanjiv Handa  
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[12952 CMS.pdf](#)

10.7-CC Subject: Vehicle Code Parking Fines- Parking Meters & Trucks  
From: Budget Office  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010  
"Schedule Of Parking Fines" To Increase California Vehicle Code Parking Fines, And Amending O.M.C. Section 10.36.050 "Parking Meter Indication That Space Is Illegally In Use", To Increase The Parking Meter Hours, And Amending O.M.C. Section 10.48.010 "Schedule Of Parking Fines" To Increase Parking Fines Related To Illegal Truck Parking  
[09-0539](#)  
[Play Video](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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[12953 CMS.pdf](#)

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10.8-CC Subject: Master Fee Schedule Amendment  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish New Fees For Parking At Lakeside Park And Increase The Citywide Parking Meter Rate To \$2.00 Per Hour  
[09-0552](#)  
[Play Video](#)

**This Matter was Approved 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 spoke on this item:*

- Sanjiv Handa

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10.9-CC Subject: Priority Project Funds - District Five  
From: Vice Mayor De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Unity Council In The Amount Of \$10,000 To Fund Expenses Related To The Dia De Los Muertos 2009 Festival  
[09-0562](#)  
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**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 spoke on this item:*

- Sanjiv Handa

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10.10-CC Subject: Mark S. Kauffman - Recognition  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Recognizing And Honoring Mark S. Kauffman, General Manager -Oakland-Alameda County Coliseum And ORACLE Arena For Twenty Four Years Of Dedicated Service In The Facilities Management Industry  
[09-0581](#)  
[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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[82114 CMS.pdf](#)

10.11-CC Subject: Chabot-Dunsmuir Purchase And Sale Agreement  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The City Administrator, Without Returning To Council, To Negotiate And Execute A Purchase And Sale Agreement With Chabot-Dunsmuir LP For City Acquisition Of Seven Parcels Totaling Approximately 64 Acres Located Northwest Of Dunsmuir Ridge (The "Property"), Subject To A Conservation Easement In Favor Of The East Bay Regional Park District ("District"), For One Million Twenty-Five Thousand Dollars (\$1,025,000), Plus One Hundred Thousand Dollars (\$100,000) For Closing Costs And Ninety-Five Thousand Dollars (\$95,000) For Capital And Other Costs, From Measure DD Funds, And To Grant The District A Recreational Trail Easement Over And Across The Property And Other Adjacent City-Owned Lands  
[09-0487](#)  
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**This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 21, 2009 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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10.12-CC Subject: As-Needed Transportation Engineering Services  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With Kimley-Horn And Associates, Inc., For As-Needed Transportation Engineering Services An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00);

[09-0511](#)

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**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 Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With Wood Rodgers, For As-Needed Transportation Engineering Services In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00);

[09-0511-1](#)

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**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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3) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With AECOM, For As-Needed Transportation Engineering Services In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00);

[09-0511-2](#)

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**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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4) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With Dowling Associates, Inc., For As Needed Transportation Engineering Services In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00);

[09-0511-3](#)

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**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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5) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With RBF Consulting, For As-Needed Transportation Engineering Services In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00); And

[09-0511-4](#)

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**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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6) A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Service Agreement With Fehr & Peers, For As-Needed Transportation Engineering Services In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00)

[09-0511-5](#)

**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

*Council directed that staff review the contracts and that companies be informed of the possibility of re-negotiation for lower amounts*

*The following individual spoke on this item:*

- Sanjiv Handa

- Sonny Barger

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10.13-CC Subject: Highway Safety Improvement Program  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The Administrator Or Designee To Accept  
And Appropriate Three Hundred Three Thousand Five Hundred Seventy Dollars (\$303,570.00)  
Highway Safety Improvement Program (HSIP) Grant Funds To Install Protected Left Turn  
Phasing And Pedestrian Countdown Heads At Various Signalized Intersections Citywide  
[09-0512](#)  
[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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[82121 CMS.pdf](#)

10.14-CC Subject: Purchase And Sale Agreement - Joseph Santini & Mortimer Properties  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And  
Execute A Purchase And Sale Agreement To Sell Approximately 3,300 Square Feet Of  
City-Owned Surplus Real Property Located Adjacent To 3207 Mandela Parkway To Joseph O.  
Santini And Mortimer Properties, LLC The Adjoining Property Owners, For The Total Fair  
Market Value Of Thirty Three Thousand Dollars (\$33,000.00)  
[09-0470](#)  
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**This Matter was Approved on Introduction for Final Passage to the  
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,  
due back on July 21, 2009 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 spoke on this item:*  
- Robert Risebrough  
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[12956 CMS.pdf](#)

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10.15-CC Subject: Renaming Of Dunsmuir House And Gardens  
From: Office of Parks and Recreation  
Recommendation: Adopt A Resolution Renaming Dunsmuir House And Gardens To Dunsmuir  
Hellman Historic Estate  
09-0440  
[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

*The following individual spoke on this item:*

- Sanjiv Handa

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[82122 CMS.pdf](#)

10.16-CC Subject: Homeless Mobile Outreach Program - Contract Extension  
From: Department of Human Services  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Extend The Homeless Mobile Outreach Program Contract With Operation Dignity To September 30, 2009 In The Increased Amount Of \$76,905, For A Contract Total Of \$384,525, And 2) Authorizing The City Administrator To Extend The Eden Council For Hope And Opportunity Rental Assistance Program Contract To September 30, 2009 In The Increased Amount Of \$23,250, For A Contract Total Of \$209,250, And 3) Authorize The City Administrator To Enter Into Grant Agreements For Up To \$3,458,120 Based On The Results Of The Request For Qualifications Without Returning To City Council  
09-0509  
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**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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10.17-CC Subject: Public Art Design - Fire Station 18  
From: Cultural Arts and Marketing  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And  
Execute A Professional Services Agreement With Laurel True DBA True Mosaics Studio Inc.  
For Public Art Design, Fabrication And Installation Services For The Fire Station 18 Project In  
An Amount Not To Exceed One Hundred Fifteen Thousand Dollars (\$115,000)

[09-0514](#)

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**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 spoke on this item:*

- *Sanjiv Handa*

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10.18-CC Subject: National Medical Services - Professional Services Agreement  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee, On  
Behalf Of The City Of Oakland To 1) Waive The Competitive Request For Proposals (RFP)  
Process, And 2) Enter Into A Professional Services Agreement With National Medical Services  
(NMS) For The Period Of July 1, 2009 Through June 30, 2011 In An Amount Not To Exceed  
Forty Nine Thousand Nine Hundred And Ninety-Nine Dollars (\$49,999) For Forensic Testing

[09-0432](#)

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**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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[82125 CMS.pdf](#)

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10.19-CC Subject: 2009-2010 Cal Gang Reduction Intervention And Prevention Grant  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Grant For \$400,000 From The State Of California Governor's Office Of Emergency Services, Law Enforcement And Victims Services Division For A California Gang Reduction, Intervention And Prevention (CalGRIP) Grant And To Enter Into Grant Agreements For One Year, With A One Year Option To Renew, With The Public Health Institute In An Estimated Amount Of \$62,000 Annually And Healthy Oakland For An Estimated Amount Of \$50,400 Annually For Purposes Of Implementing Said Grant From July 1, 2009 Through June 30, 2011  
[09-0349](#)  
[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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[82126 CMS.pdf](#)

10.20-CC Subject: Measure Z Committee - Terms Of Appointment  
From: Office of the City Administrator  
Recommendation Adopt An Ordinance Amending Ordinance No. 12694 C.M.S., "Ordinance Establishing The Procedures Of The Community Oversight Committee Created By Measure Z, Entitled 'Oakland Cannabis Regulation And Revenue Ordinance' (Measure Z) And Providing The Terms And Responsibilities Of The Committee Members" In Order To Stagger The Appointment Terms Of Members To Odd And Even Years  
[09-0515](#)  
[Play Video](#)

**This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 21, 2009 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 spoke on this item:*  
- Sanjiv Handa  
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[12958 CMS.pdf](#)

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**Passed The Consent Agenda**

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

**Votes:** ORA\Councilmember 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

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A motion was made by Councilmember Reid, seconded by Councilmember Kaplan, to \*Approve as Submitted the oral report from the Office of the City Attorney of 3 final decisions made during Closed Session. Please refer to Attachment A for the details of the final decision. 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 spoke on this item:*

*- Sanjiv Handa*

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

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**\*Approve as Submitted**

**Votes:**

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

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*There was no action necessary for this item*

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

[Play Video](#)

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14.1      Subject:    Bing Rong Mi - Appeal  
             From:        Office of the City Administrator  
             Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Denying The Appeal Filed By Bing Rong Mi And Upholding The Administrative Hearing  
Officer's Decision To Deny A Massage Establishment Permit For Sunny Relax, Located At 1531  
Webster Street, Oakland, California  
[09-0324](#)  
[Play Video](#)

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

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

*Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:30 PM*

*The following individuals spoke on this item:*

- Margaret Lowrie
- Raymond Yee
- Victor Jue
- BingRong Mi

*Agency/Councilmember Kernighan 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, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -8*

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[82128 CMS.pdf](#)



14.2 Subject: Municipal Code Amendment - Zone Creations  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, As Recommended By The City Planning Commission, To: (A) Amend The Oakland Planning Code To Create Four New Zones For The Central Business District And Make Related Text Amendments; (B) Amend The Zoning Maps To Include The New Central Business District Zones And Height/Bulk/Intensity Areas For The Central Business District; And (C) Amend The Document "Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations" To Reflect The Above Changes  
[09-0466](#)  
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**A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 21, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 2 - Councilmember De La Fuente and Councilmember Reid  
ORA\Councilmember Ayes: 5 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 8:01 PM*

*The following individuals spoke on this item:*

- Tao Matthews
- Naomi Schiff
- Mari RoseTaruc
- Joe DeCredico
- Kirk Miller
- Michael Pyatok
- Alison Finlay
- Gregory McConnell
- Pilar Schiavo
- Carlos Plazola
- Sherrie Matza
- Grace Shanahan
- Mark Brosuk
- Chris Roberts
- David Allan
- Gerald Green
- Christopher Buckley
- Ivar Diehl
- Max Allstadt

- Jonathan Bair
- Doug Davis
- Clinton Killian
- Zack Wasserman
- Kathy Kuhner
- Sean Sullivan
- Amie Fishman
- Michael Stewart
- Scott Peterson
- Tony Topano
- Jue O'Donoghue
- John Klein
- Joyce Roy

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

*Council amended the Ordinance as follows:*

*In the area currently classified as the "Central Business District" - The area from Madison Street to Harrison Street and from mid-block between 14th Street and 15th Street to 13th Street shall be designated as Height Area 2 until the time that a view corridor study is complete and consequent amendments to the Oakland Planning Code are approved by the City Council - The area currently designated Height Area 3 by the western shore of Lake Merritt, on Lakeside Drive from 14th Street to 17th Street shall be designated Height Area 1- Maximum analysis shall be required as a part of CEQA to determine if views to and from the Tribune Tower and City Hall will be adversely impacted by proposals to construct new buildings, and/or demolish or alter existing structures; Also, the City Council expressly directs the Planning Commission to consider all applications that are complete as the date of the final adoption of the Central Business rezoning, including the applications for development projects at 222 19th Street and 1443 Alice Street, on their merits under the previous zoning designations as stated in Section 6c of the Ordinance, and that the new zoning height limits, and other requirements, must not be considered as part of the Planning Commission's review and deliberations on these completed project applications*

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14.3 Subject: MacArthur Transit Community Partners - Agreement  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces  
Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An  
Owner Participation Agreement Between The Redevelopment Agency Of The City Of Oakland  
And Macarthur Transit Community Partners, LLC Which Provides For Funding In The Amount  
Of \$17.6 Million From The  
Broadway/Macarthur/San Pablo Redevelopment Project Area And \$16.4 Million From The Low  
And Moderate Income Housing Funds For The Macarthur Transit Village Project; And

[09-0467](#)

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**A motion was made by Councilmember Reid, seconded by President of the  
Council Brunner, that this matter be Adopted as Amended. 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 resolution was amended to make a correction on page 5 to change the  
reference to "deeds of trust" to "reversionary grant deed"*

*Council amended the Owner Participation Agreement (OPA) to read as follows:  
Section 3.3.3. As an additional inducement to the Agency to enter into this  
Agreement, to commit the Agency funds described herein and to be a  
co-applicant for the Prop IC Funds, Developer shall cause BRIDGE Housing  
Corporation ("BRIDGE") to deliver to the Agency, prior and as a condition to  
disbursement by the Agency of any Prop IC Funds or any Agency funds other  
than the \$2.5 million described in Section 3.2.2.3, a completion guaranty in the  
form attached hereto as Exhibit N-5, guarantying completion of the Phase II  
vertical improvements described in Section 2.6.2 and in the Preliminary  
Development Plan. The BRIDGE Completion Guaranty may be terminated by  
BRIDGE and be of no further force and effect if any of the following conditions  
is not satisfied by the date set for commencement of construction of Phase II in  
the Project Schedule, as such date may be extended pursuant to Section 6.9 or  
15.8 of this Agreement: (1) delivery to the Phase II Vertical Developer of the  
finished development pad for Phase II as a separate legal parcel and with all  
infrastructure necessary for Phase I(I completed and in place (unless such  
condition is not satisfied due to the collusion of BRIDGE and MTCP, BUILD  
or BART in order to avoid BRIDGE's obligations under the Guaranty); (2)  
commencement of the Phase Ii ground lease between BART and the Phase II  
Vertical Developer; and (3) issuance of all governmental approvals and permits  
required for commencement of construction of Phase II and (4) receipt by the*

*Phase II Vertical Developer of binding commitments for, and closing of, public financing or other subsidies, tax-exempt bond financing, customary affordable housing construction and/or permanent bank financing, and/or purchase of low income housing tax credits, sufficient, to complete and operate Phase II, The BRIDGE Completion Guaranty shall also terminate and be of no further force and effect if any of the events set forth in the last sentence of Section 3.3.2 shall occur. Notwithstanding the foregoing, to the extent BRIDGE or a BRIDGE Affiliate continues as the Phase II Vertical Developer, the BRIDGE Completion Guaranty shall not be terminated*

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Subject: MacArthur Transit Community Partners - Agreement  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance, As Recommended By The City Planning Commission,  
Authorizing The City Administrator To Negotiate And Execute A Development Agreement  
Between The City Of Oakland And MacArthur Transit Community Partners LLC Regarding The  
Property And Project Known As "The MacArthur Transit Village  
Project"  
[09-0467-1](#)

**A motion was made by Councilmember Reid, seconded by President of the Council Brunner, 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 21, 2009. 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

*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 10:22 PM*

*The following individuals spoke on this item:*

- Barry Luboviski
- Walter Miles
- Christopher Waters
- Andrea Osgood
- Wendy Silvani
- Michele Coit
- Sanjiv Handa

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

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**ACTION ON NON-CONSENT ITEMS:**

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15      Subject:    Energy And Climate Action Plan  
From:        Public Works Agency  
Recommendation: Adopt A Resolution Approving Preliminary Planning Targets For  
Development Of The Draft Oakland Energy And Climate Action Plan  
[09-0474](#)  
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**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, 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 individuals spoke on this item:*

- Tom Guarino
- Ian Kim
- Karen McKinley
- Dave Room
- Gary Gerber
- Dahlia Moodie
- Kirsten Schwind
- Donal Mahon
- Rory Cox
- Mari Rose Taruc
- Dana Paredes
- Terry Rosson
- Graham Lierley

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16            Subject:    Action Plan For Civilianization Of Internal Affairs  
              From:        Oakland Police Department  
              Recommendation: Action On A Proposal To Transfer Intake Of Citizen Generated Complaints  
              Against Members Of The Oakland Police Department From Internal Affairs To The Citizens'  
              Police Review Board (TITLE CHANGE)  
              [09-0434](#)  
              [Play Video](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*The Council approved the proposal in concept and directed that staff return in September with the following: - A Plan for the intake of citizen generated complaints by the Citizen's Police Review Board (CPRB), including any opportunities for grant funding that could be used for implementation. This should be an action item with an resolution.*

*Additionally staffed was requested to provide the following information in a future report: 1) An explanation of the CPRB process for intake and how it compares to the Internal Affairs Department (IAD) process for intake; 2) A timeline for the transition including a list of IAD officers that can be transferred from IAD; 3) A list of potential funding sources with application deadlines; 4) Approved changes to the Negotiated Settlement Agreement (NSA); and 5) A clear resolution summarizing the transfer*

*The following individuals spoke on this item:*

- Eric Sisneros
- Hamid Grinage
- Pamela Holmes-Morton
- Ken Pratt
- David
- Rashidah Grinage
- Sanjiv Handa
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17            Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

09-0188

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17.1

Subject: ARRA Neighborhood Stabilization Grant

From: City Administrator

Recommendation: Receive An Informational Report On The Neighborhood Stabilization Program  
2 Grant Under The American Recovery And Reinvestment Act, 2009 For the Purpose Of  
Assisting In The Redevelopment Of Abandoned And Foreclosed Homes

[09-0548](#)

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

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

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

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17.2      Subject:    Early Head Start Expansion Grant  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For Early Head Start ARRA Expansion Grant Funds Made Available Through The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") To Support The Enrollment Of Additional Children And Families As Well As Create New Teaching And Other Positions In Early Head Start Programs  
[09-0536](#)  
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**A motion was made by Councilmember Kaplan, seconded by Councilmember Nadel, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*Council amended the resolution to change the second to last further resolved to read as follows:*

*Resolved: That the City Council hereby authorizes the City Administrator or his designee to apply for, accept and appropriate Early Head Start Expansion grant funds from the American Recovery and Reinvestment Act of 2009 (Federal "Stimulus Package") for the purpose of serving a total of 80 infants/toddlers in a combination of home based and center based options and an additional 124 children through partnerships with Brighter Beginnings, Booth Child Development Center and YMCA; and be it*

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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17.3 Subject: ARRA - Fire Station Rehabilitation Grant  
From: City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Fifteen Million Dollars For The City Of Oakland Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") Assistance To Firefighters Fire Station Construction Grant Program To Fund The Construction Of New, And Modification Of Existing, Fire Stations In Oakland, To Help Fuel The Economic Recovery By Enhancing Response Capability And To Protect The Community From Fire And Fire Related Hazards  
[09-0549](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
*Council amended the resolution to add the following:*  
*Further Resolved: That Oakland's proposed projects are for the rebuild of Fire Stations 25, located at 2795 Butters Drive, and 29, located at 1016 66th Avenue, in addition to multiple upgrades and enhancements to fire stations throughout the city; and be it*  
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17.4 Subject: ARRA - City/Port Port Security Grant  
From: City Administrator  
Recommendation: Receive An Informational Report Regarding The City's Role In The Port Of Oakland Application For Port Security Grant Funds Under The American Recovery And Reinvestment Act Of 2009 ("ARRA")  
[09-0550](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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S-17.5      Subject:    State Water Resources Control Board - Agreements  
              From:        Office of the City Administrator  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Financial Assistance Agreement With The State Water Resources Control Board And To Accept And Appropriate Three Million Four Hundred Fifty Thousand Dollars (\$3,450,000) From The State Water Resources Control Board Funds For Removal Of Stormwater Pollutants At Lake Merritt And The Oakland Estuary With Funds Received Through The American Recovery And Reinvestment Act Of 2009 (ARRA); And

[09-0624](#)

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

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2) A Resolution Authorizing The City Administrator Or His Designee To Enter Into A Financial Assistance Agreement With The State Water Resources Control Board And To Accept And Appropriate One Million Three Hundred Thousand Dollars (\$1,300,000) From The State Water Resources Control Board Funds For The City Of Oakland Rainwater Harvesting Program With Funds Received Through The American Recovery And Reinvestment Act Of 2009 (ARRA)

[09-0624-1](#)

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

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S-17.6      Subject:    Neighborhood Stabilization Program 2 Grant  
From:        Office of the City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Up To \$25 Million In Grant Funds From The American Recovery And Reinvestment Act 2009 (Federal Government's "Stimulus Package") Neighborhood Stabilization Program 2 (NSP2) Grant For The Purpose Of Assisting In The Redevelopment Of Abandoned And Foreclosed Homes  
[09-0627](#)  
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**A motion was made by Councilmember Kaplan, 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 Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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18            Subject:    Municipal Code Amendment-Chapter 13.08  
From:        Community and Economic Development Agency  
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  
[09-0275](#)  
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**A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, 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 21, 2009. The motion failed by the following vote:**

**Votes:** ORA\Councilmember Abstained: 2 - Councilmember Kaplan and Councilmember Kernighan  
ORA\Councilmember Noes: 2 - Councilmember De La Fuente and Councilmember Reid  
ORA\Councilmember Ayes: 4 - Councilmember Brooks, Councilmember Nadel, Councilmember Quan and President of the Council Brunner  
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19 Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal  
Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At  
Parking Stations Operated Exclusively For Large Diesel Trucks  
[09-0206](#)  
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**A motion was made by Councilmember Kaplan, seconded by President of the Council Brunner, that this matter be Not 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

*Council directed staff to proceed with negotiations with OMSS and to return to Council with a contract and resolution upon conclusion of the negotiations and reiterated that the Council policy is to provide business incentives and/or economic development incentives in the negotiations for OMSS to enter into the lease*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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20 Subject: 2008-2009 Supplemental Workforce Investment Board Budget  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Amending Resolution No. 82058 C.M.S. To Accept And Appropriate An Additional \$1,153,487 In Fiscal Year 2008-2009 American Recovery And Reinvestment Act (ARRA) Workforce Investment Act Title 1 Youth Employment Funds, Accepting And Appropriating \$3,563,032 In Fiscal Year 2008-2009 ARRA Workforce Investment Act Title 1 Adult And Dislocated Worker Employment Funds, Accepting And Allocating \$34,000 In Fiscal Year 2008-2009 WIA Title 1 15% Demonstration Project Funds, And Allocating Said Funds To The Oakland Private Industry Council, Inc., As The Oakland Workforce Investment System Administrator To Designated Youth And Adult Service Providers  
[09-0541](#)  
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**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Adopted as Bifurcated. 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

*Council bifurcated this item and decided to accept, appropriate and allocate the Federal Year 2008-2009 American Recovery and Reinvestment Act (ARRA) Workforce Investment Act Title 1 Youth Employment funds as per the resolution and recommended that the Adult and Dislocated Worker Employment Funds discussion be continued to July 21, 2009*

*The following individual spoke on this item:*

- Sanjiv Handa  
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21 Subject: Swimming Fees Increase  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish New Fees For Monthly Passes And Increase The Day/Individual Rate For Senior Or Disabled Lap Swim From \$2.25 To \$3.75 And Senior Or Disabled 10-Count Swim Pass Books From \$17.50 To \$30.00  
[09-0586](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 7/21/2009**

*The following individual spoke on this item:*

- Sanjiv Handa  
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22 Subject: Lion Creek Restoration Project Implementation  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Cooperative Agreement With The Alameda County Flood Control And Water Conservation District And To Authorize The Expenditure Of An Additional \$395,000.00 (Three Hundred Ninety-Five Thousand Dollars) In Measure DD Creek Restoration Funds To Implement The Lion Creek Restoration Project  
[09-0472](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, 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 spoke on this item:*

- Sanjiv Handa

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23 Subject: Lamphier-Gregory - Professional Services Agreement  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Professional Services Agreement With Lamphier-Gregory In An Amount Not To Exceed Four Hundred Thousand Dollars (\$400,000) For A Total Contract Amount Of One Million Forty Three Thousand Dollars (\$1,043,000) And To Extend The Term Of The Contract From July 1, 2009 To June 30, 2011, With Two Additional One-Year Extensions By Mutual Written Agreement By The Parties, For Environmental Review Services Related To The Former Oakland Army Base  
[09-0510](#)

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**A motion was made by Councilmember Reid, seconded by Councilmember Kaplan, 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 spoke on this item:*

- Sanjiv Handa

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24      Subject:    Children's Fund Planning & Oversight Committee Appointment  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Appointing Brandon Sturdivant Sr. As A Member Of The  
Children's Fund Planning And Oversight Committee  
[09-0520](#)  
[Play Video](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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25      Subject:    Children's Fund Planning & Oversight Committee Appointment  
From:        Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Re-Appointing Lande Ajose As The District Two Adult  
Member Of The Planning And Oversight Committee Of The Oakland Fund For Children And  
Youth  
[09-0521](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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26            Subject:    Children's Fund Planning & Oversight Committee Appointment  
                 From:            Councilmember Patricia Kernighan  
                 Recommendation: Adopt A Resolution Re-Appointing James Matthews As The District 2 Youth  
                 Member Of The Planning And Oversight Committee Of The Oakland Fund For Children And  
                 Youth  
                 [09-0522](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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27            Subject:    Children's Fund Planning & Oversight Committee Appointment  
                 From:            Vice Mayor Ignacio De La Fuente  
                 Recommendation: Adopt A Resolution Reappointing Maurilio Leon As A Member Of The  
                 Children's Fund Planning And Oversight Committee  
                 [09-0538](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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28 Subject: Children's Fund Planning & Oversight Committee Appointment  
From: Council President Jane Brunner  
Recommendation: Adopt A Resolution Re-Appointing David Klein As A Member Of Children's  
Fund Planning And Oversight Committee  
[09-0558](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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29 Subject: Children's Fund Planning & Oversight Committee Appointment  
From: Council President Brunner  
Recommendation: Adopt A Resolution Re-Appointing McKayla Brekke As A Member Of The  
Children's Fund Planning And Oversight Committee  
[09-0557](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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30 Subject: Budget Advisory Committee Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Victoria  
Kolakowski As A Member Of The Budget Advisory Committee  
[09-0600](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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31 Subject: Wildfire Prevention Assessment District Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Delores J. McDonough As A Member Of The  
Wildfire Prevention Assessment District Advisory Board  
[09-0601](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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32 Subject: Paramount Theater Of The Arts Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Re-Appointing Omar Benjamin, Tom Hart And David Johnson As Members Of The Paramount Theater Of The Arts Board Of Directors  
[09-0602](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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33 Subject: Violence Prevention & Public Safety Oversight Committee Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming Appointment Of Michael E. Brown, Jr. As A Member Of The Violence Prevention And Public Safety Oversight Committee  
[09-0603](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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34 Subject: Citizen's Police Review Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Howard Tevelson, And Bryan Thompson, As  
Members Of The Citizen's Police Review Board  
[09-0604](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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35 Subject: Children's Fairyland Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Karen Boyd As A Member Of The Children's  
Fairyland Board  
[09-0605](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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36 Subject: Community Policing Advisory Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Jennifer Pae As A Member Of The  
Community Policing Advisory Board  
[09-0606](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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37 Subject: Housing, Residential Rent And Relocation Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Jasmin V. Edouard As A Member Of The  
Housing, Residential Rent And Relocation Board  
[09-0607](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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38 Subject: Youth Ventures Joint Powers - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Dan Lindheim, City Administrator, To The Board Of Trustees Of The Youth Ventures Joint Powers Authority To Complete The Four Year Term Vacated By The Former Assistant City Administrator That Began On July 1, 2007 And Ends June 30, 2011

[09-0608](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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S-39 Subject: Opposition To Assembly Bill 155  
From: Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution In Opposition To Assembly Bill 155 (Mendoza) Which Would Require Local Agencies To Obtain Approval From The California Debt And Investment Advisory Commission (CDIAC) Prior To Filing For Bankruptcy

[09-0590](#)

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**A motion was made by Councilmember Nadel, seconded by Councilmember Reid, 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 spoke on this item:*

- Sanjiv Handa

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S-40      Subject:    National Flood Insurance Program  
From:        Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending Ordinance No. 10956 C.M.S. To Continue  
The Eligibility Of The City Of Oakland To Participate In The National Flood Insurance Program  
(NFIP) Of The Federal Emergency Management Agency (FEMA)  
[09-0614](#)  
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**A motion was made by Councilmember Quan, 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 21, 2009. 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 Judith Suessmeier at 1:00 AM*

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*City Clerk and Clerk of the Council*