



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, March 15, 2011

5:30 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 6:09 p.m.

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Rebecca Kaplan, At-Large, and President Larry Reid, Dist. 7

ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Present: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

There were 11 speakers during open forum

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Jeffrey "Fuzzy" Young, Freddie Howard, and Volie Reid.

4.1 Subject: Commending Bill Russell
From: Councilmember Nadel And Council President Reid
Recommendation: Adopt A Resolution Commending Basketball Hall Of Famer Bill Russell
On Receiving America's Medal Of Freedom In Recognition Of His Contributions To The Civil
Rights Movement
[10-0463](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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S-4.2 Subject: West Coast Blues Hall Of Fame
From: Council President Larry Reid
Recommendation: Adopt A Resolution Recognizing And Honoring The 23rd Annual Bay Area Blues Society's West Coast Blues Hall Of Fame And Awards Show To Be Held On March 27th, 2011
[10-0494](#)

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 Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-4.2 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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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF
March 1, 2011

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

It was announced that items 9.3. regarding the public hearing on Delinquent Real Estate Transfer Taxes was withdrawn and will be rescheduled to a future Council meeting and item 12 regarding 319 Chester Street was withdrawn and rescheduled to the April 5th City Council agenda.

7. CONSENT CALENDAR (CC) ITEMS:

Agency/Councilmember Kaplan made a motion seconded by Agency/Councilmember Brunner to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.20 and S-7.21 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 would result in a substantial adverse impact were it deferred to a future meeting.

- 7.1-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
[10-0457](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

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7.2-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
[10-0458](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.3 ~~Subject: Commercial And Residential Zoning Amendments~~
~~From: Community And Economic Development Agency~~
~~Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To: (A)~~
~~Amend The Oakland Planning Code To Create New Zones For The City's Commercial And~~
~~Residential Areas And Make Related Text Amendments; (B) Amend The Zoning Maps To~~
~~Include The New Commercial And Residential Zones; (C) Amend The Zoning Maps To~~
~~Include Height Areas For The New Commercial Zones And Other New Zones On The City's~~
~~Major Transportation Corridors; And (D) Amend The Document "Guidelines For Determining~~
~~Project Conformity With The General Plan And Zoning Regulations" To Reflect The Above~~
~~Changes.~~
[10-0306](#)

There was 1 speaker on this item

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[View Supplemental p2.pdf](#)
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7.4-CC Subject: Locations Of New Parking Meters
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.36.140
To Add Street Segments To The Established Parking Meter Zones Throughout The City Of
Oakland (TITLE CHANGE)
[10-0364-1](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item

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7.5-CC Subject: Settlement Agreement - Jami Kaludi
From: Office Of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Jamil Kaludi V. City Of Oakland, Alameda County
Superior Court Case Nos. R09-455256 In The Amount Of \$75,000.00 As A Result Of A Trip
And Fall Accident On Bryant Street. (Public Works Agency)
[10-0475](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner

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7.6-CC Subject: Settlement Agreement - Monina Clemente
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of CSAA/Monina Clemente For \$5,489.20 Payable To
CSAA Subrogee For Monina Clemente As A Result Of Property Damage Sustained In A
Collision With A City Vehicle (Public Works Agency)
[10-0476](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.7-CC Subject: Settlement Agreement - Julie Neumann
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Julie C. Neumann, In The Amount Of Seven Thousand
Three Hundred Ninety Four Dollars And Fifty Cents, (\$7,394.50), As A Result Of Property
Damage Sustained When During The Repair Of A City Sewer Main The Equipment Usage
Caused Sufficient Vibrations To Crack The Plaster Walls In The Claimant's Home On July 29,
2010 (Public Works Agency)
[10-0477](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.8-CC Subject: Settlement Agreement - Sylvia Wong
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Sylvia Wong In The Amount Of \$7,898.49, As A Result
Of Property Damage Sustained When A Sewer Main Backed Up Into The Claimant's Building
On June 21, 2010 (Public Works Agency)
[10-0478](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.9-CC Subject: Settlement Agreement - Donald Gates
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Donald Gates And Janet Jones V. City Of Oakland,
Alameda County Superior Court Case No. RG10-497687 In The Amount Of \$40,000.00 As A
Result Of Flooding Of The Gates-Jones Residence By Water Runoff From A City Street.
(Public Works Agency)
[10-0479](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item
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7.10-CC Subject: Settlement Agreement - Noemi Betel Olivares
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Noemi Betel Olivares V. City Of Oakland And Bryan
Franks, Alameda County Superior Court Case No. RG10-496217, In The Amount Of
\$17,500.00 As A Result Of A Motor Vehicle Collision At International Boulevard And 16th
Avenue On March 17, 2009 (Police Services Agency)
[10-0480](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.11-CC Subject: Settlement Agreement - Willia P. Renney
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Willia P. Renney V. City Of Oakland, Alameda County
Superior Court Case No. RG09-455340 In The Amount Of \$12,000.00 As A Result Of A Trip
And Fall Accident At 8th Street And Broadway. (Public Works Agency)
[10-0481](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.12-CC Subject: Settlement Agreement - Friendly Cab Company
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving Settlement Of Friendly Cab Company V.
City Of Oakland (Alameda Superior Court Case No. RG08422642, First District Court Of
Appeal Case No. A126744), By Friendly Cab Company's Payment Of \$45,000 Of \$100,000
Administrative Penalty And Its Compliance With Hazardous Materials Handling Obligations
(Oakland Fire Department; Hazardous Materials Handling Regulations)
[10-0485](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
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7.13-CC Subject: Support Wisconsin Workers
From: Councilmember Brunner And Councilmember Schaaf
Recommendation: Adopt A Resolution Supporting Wisconsin Workers And Calling Upon The
Wisconsin Legislature And All State Legislators To Respect Public Employees' Collective
Bargaining Rights
[10-0464](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item
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S-7.14-CC Subject: Labor Compliance Program
From: Contracting And Purchasing
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Approving The State Labor Compliance Program (LCP) For The City Of Oakland; And
[10-0415](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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2) An Agency Resolution Approving The State Labor Compliance Program (LCP) For The Oakland Redevelopment Agency
[10-0415-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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S-7.15-CC Subject: CalRecycle Grant
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate A Rubberized Asphalt Concrete Chip Seal Grant Up To A Maximum Award Amount Of \$500,000.00 From The California Department Of Resources Recycling And Recovery (Known As "CalRECYCLE")
[10-0436](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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S-7.16-CC Subject: Web-Based Recruitment Contract - Award
From: Department Of Human Resources Management
Recommendation: Adopt A Resolution Waiving Advertising, Bidding And The Request For Proposals/Qualifications Requirement And Authorizing The City Administrator To Increase The Contract With NEOGOV, Inc. To Purchase A Web-Based Recruitment And Job Application Product Upgrade And Technical Implementation Services Under A One-Year Subscription In An Amount Not-To-Exceed Twenty-Nine Thousand One Hundred And Ninety-Five Dollars (\$29,195.00) For The Period March 15, 2011 To March 14, 2012
[10-0410](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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S-7.17-CC Subject: Amending the Salary Schedule of Ordinance No. 12187 C.M.S
From: Department of Human Resources Management
Recommendation: Adopt An Ordinance To Make Corrections To Ordinance No. 12985 C.M.S. And Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add The Permanent Part Time (PPT) And Part Time (PT) Equivalent Classifications Of: Real Estate Agent, PPT; Real Estate Agent, PT; Receptionist To The City Auditor, PPT; Receptionist To The City Auditor, PT; Contract Compliance Officer, PPT; And Police Records Specialist, PPT
[10-0298](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item
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S-7.18-CC Subject: California State Association Of Counties Excess Insurance Authority
From: Finance and Management Agency
Recommendation: Adopt A Resolution Delegating Authority To The City Administrator To
Act On Behalf Of The City Of Oakland In Matters Relating To The CSAC Excess Insurance
Authority
[10-0359](#)

This Matter was Adopted as Amended as amended with direction to staff to include an estimate of funds to be expended for the purchase of insurance. on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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S-7.19-CC Subject: Purchase Of Property At 3550 Foothill Blvd
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 3550 Foothill Boulevard In The Central City East Redevelopment Project Area From SK Squared, LLC, In An Amount Not To Exceed \$715,000, And Authorizing Up To \$200,000 For Abatement, Demolition And Real Estate Closing Costs
[10-0382](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item
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S-7.20-CC Subject: Purchase Of Property At 711 71st Avenue
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 711 71" Avenue, In The Coliseum Redevelopment Project Area, From Martial Deduction Trust, Gordon A. Berke And Elinor Berke Living Trust, Warren L. Sussman And Sandra Sussman Living Trust, And 2006 Eskanos Family Trust, In An Amount Not To Exceed \$1,400,000, And Authorizing Up To \$300,000 For Abatement, Demolition And Real Estate Closing Costs
[10-0384](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item

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2) A City Resolution (1) Authorizing The City Administrator To Apply For And Accept A Grant From The California Department Of Transportation (CalTRANS), Transportation Grant Program, In The Amount Of \$300,000 For A Broadway Transit Alternatives Analysis Study, And Enter Into A Contract With CalTRANS To Administer The Grant; And (2) Appropriating The CalTRANS Grant Funds [TITLE CHANGE]

[10-0434-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

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S-7.21-CC Subject: Broadway Street Car Transit Study
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) Agency Resolution (1) Authorizing The Agency Administrator To Apply For And Accept A Grant From The California Department Of Transportation (CalTRANS), Transportation Grant Program, In The Amount Of \$300,000 For A Broadway Transit Alternatives Analysis Study, And Enter Into A Contract With CalTRANS To Administer The Grant; (2) Appropriating The CalTRANS Grant Funds; And (3) Appropriating A Local Match From The Central District Redevelopment Area In The Amount Of \$30,000 [TITLE CHANGE] ; AND
[10-0434](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There was 5 speaker on this item

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2) A City Resolution Authorizing The City Administrator To Apply, Accept And Appropriate A Grant From The California Department Of Transportation, Transportation Planning Environmental Justice Grant Program In The Amount Of \$200,000 For The Lowell Street Corridor Community Streetscape Plan And Authorizing A Local Match Of \$20,000 From City Council District 1 Discretionary Funds [TITLE CHANGE]
[10-0438-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There was 1 speaker on this item

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S-7.22-CC Subject: Transportation Planning Environmental Justice Grant Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

(1) An Agency Resolution Authorizing The Agency Administrator To Apply, Accept And Appropriate A Grant From The California Department Of Transportation, Transportation Planning Environmental Justice Grant Program In The Amount Of \$200,000 For The Lowell Street Corridor Community Plan And Authorizing A Local Match Of \$20,000 From Broadway/MacArthur/San Pablo Redevelopment Project Funds; AND

[10-0438](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

There was 1 speaker on this item

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S-7.23-CC Subject: Overtime Usage - Oakland Police Department
From: Councilmember Larry Reid
Recommendation: Receive A Quarterly Informational Report From The Oakland Police Department Detailing Overtime Usage For Fiscal Year 2010-2011, Including A Brief Description Of Activities Overtime Was Used To Fund
[09-0560](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

There was 1 speaker on this item

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Passed The Consent Agenda

A motion was made by Councilmember Nadel, seconded by President Pro Tempore De La Fuente, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

- 8 Oral Report of Final Decisions Made During Closed Session & Disclosure of Non-Confidential closed session discussions

A motion was made by Councilmember Nadel, seconded by President Pro Tempore De La Fuente, to *Approve as Submitted the report of the City Attorney of 4 final decisions made during Closed Session with the details referenced in Attachment A of these minutes. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

There was 1 speaker on this item

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

9.1 Subject: Assessment Of Liens - Business Taxes
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or [10-0450](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
Upon the reading of Item 9.1. by the City Clerk, the Public Hearing was opened at 6:52 p.m.

There was one speaker on the item.

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: Brunner, De La Fuente, Kaplan, Nadel, Schaaf, and President of the Council Reid -6; Excused: Brooks, Kernighan - 2

There was 1 speaker on this item

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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or [10-0450-1](#)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code
[10-0450-2](#)

Not Adopted

9.2

Subject: Delinquent Mandatory Garbage Fees
From: Finance And Management Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[10-0451](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
Upon the reading of Item 9.2. by the City Clerk, the Public Hearing was opened at 7:03 p.m.

There was one speaker on the item.

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: Brunner, De La Fuente, Kaplan, Nadel, Schaaf, and President of the Council Reid -6;

Excused: Brooks, Kernighan - 2

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

[10-0451-1](#)

Not Adopted

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

[10-0451-2](#)

Not Adopted

9.3

Subject: Assessment Of Liens - Delinquent Taxes

From: Finance And Management Agency

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

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

[10-0452](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council**

There was 1 speaker on this item

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

[10-0452-1](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code
[10-0452-2](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency/ City Council**

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 Subject: Commercial And Residential Zoning Amendments
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To: (A) Amend The Oakland Planning Code To Create New Zones For The City's Commercial And Residential Areas And Make Related Text Amendments; (B) Amend The Zoning Maps To Include The New Commercial And Residential Zones; (C) Amend The Zoning Maps To Include Height Areas For The New Commercial Zones And Other New Zones On The City's Major Transportation Corridors; And (D) Amend The Document "Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations" To Reflect The Above Changes.
[10-0306](#)

A motion was made by Councilmember Brunner, seconded by Councilmember Nadel, that this matter be Approved for Final Passage in conformance with all changes adopted at the March 1, 2011 City Council agenda. With direction to staff to return with The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There were 20 speakers on this item

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[View Supplemental #2.pdf](#)
[View Supplemental p1 1.pdf](#)
[View Supplemental p2.pdf](#)
[13064 CMS.pdf](#)

11 Subject: Authorizing Sale Of 319 Chester Street
 From: Community And Economic Development Agency
 Recommendation: Adopt An Ordinance Authorizing The Sale Of A City-Owned Parcel At 319
 Chester Street To The Alliance For West Oakland Development For A Purchase Price Of
 \$94,000, Authorizing Seller Financing For The Purchase Price, Authorizing A \$400,000
 Construction Loan, And Authorizing A Disposition And Development Agreement With The
 Developer To Develop The Parcel With A Single-Family Home
 [10-0096](#)

***Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 4/5/2011**

There were 2 speakers on this item

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S-12 Subject: Problem Solving Officer (PSO) Deployment Strategy
 From: Oakland Police Department
 Recommendation: Receive A Report From The Police Department Detailing The Current
 Status Of Problem Solving Officer Deployment And The Continued Implementation Of The
 Violence Prevention And Public Safety Act Of 2004 (Measure Y)
 [10-0369](#)

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

Votes: ORA\Councilmember Excused: 2 - Vice Mayor Brooks and Councilmember
Kernighan

ORA\Councilmember Ayes: 6 - President Pro Tempore De La Fuente,
Councilmember Kaplan, Councilmember Nadel, President of the Council Reid,
Councilmember Schaaf and Councilmember Brunner

There was 2 speaker on the item.

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S-13 Subject: Second Quarter Revenue And Expenditure Results
From: Office Of Budget
Recommendation: Receive A Report And Possible Action On Fiscal Year 2010-2011 Second
Quarter Revenue And Expenditure Results And Year-End Projections For Four Selected Funds
- General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310),
Equipment Fund (4100) And Facilities Fund (4400); And Overtime Analysis For The General
Purpose Fund (1010) And All Funds
[10-0448](#)

No Action Taken

There was 1 speaker on this item

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

**(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the
Council)**

*There being no further business, and upon the motion duly made, the
Agency/Council adjourned the meeting in memory of Jeffrey "Fuzzy" Young,
Freddie Howard, Volie Reid, and all of the victims of the Japan Tsunami at
8:45 p.m.*

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please contact the Office of the City Clerk. When possible, please notify the City Clerk 48
hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.
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chemical sensitivities, please refrain from wearing strongly scented products to meetings.

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GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE
SAFETY OF THOSE ATTENDING MEETINGS.**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY
COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN
THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR,
OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

City Clerk and Clerk of the Council