



# 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, April 20, 2010

5:30 PM

Oakland City Hall, 3rd Floor

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1 Pledge of Allegiance

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*The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:46 pm.*

2 Roll Call / ORA & Council

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ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Present: 7 - 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:*

- Marion Coleman
- Diony Gamoso
- Bill Coburn
- Ben Glickstein
- Mark Blunck
- Sanjiv Handa
- Gene Hazzard

- 4           ACTIONS ON SPECIAL ORDERS OF THE DAY  
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council  
Acknowledgements/Announcements):
- Agency/Councilmember Nadel took a point of personal privilege and requested  
that the meeting be adjourned in memory of Eve Bach*
- Agency/Councilmember Reid took a point of personal privilege and requested  
that the meeting be adjourned in memory of Otis Sanstram*
- Agency/Councilmember Kernighan took a point of personal privilege and  
requested that the meeting be adjourned in memory of Elba Fong*
- Agency/Councilmember Quan took a point of personal privilege and requested  
that the meeting be adjourned in memories of Tan Chen Yu and Dorothy Haight*
- Councilmember Kernighan requested her association with the adjournment for  
Tan Chen Yu*

- 4.1       Subject:    United Methodist Church's 114th Anniversary Celebration  
From:        Council President Brunner  
Recommendation: Adopt A Resolution Recognizing And Commending Shattuck Avenue  
United Methodist Church On Its 114th Anniversary  
[09-1312](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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- 4.2 Subject: Asian Youth Services Committee  
From: Councilmember Kernighan  
Recommendation: Adopt Resolution Recognizingf Oakland Police Department's Asian Youth Services Committee (AYSC) For Its 20 Years Of Commitment To The Needs Of Asian Youths And Distinguished ServiceTo The Community  
[09-1334](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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- 4.3 Subject: Renaming City Hall Hearing Rooms  
From: Councilmember Reid  
Recommendation: Adopt A Resolution From The Office Of The President Pro Tempore Larry E.Reid Regarding A Tribute To Sgt. Daniel Sakai, Sgt. Mark Dunakin, And Sgt. Ervin Romans And Officer John Hege, Who Lost Their Lives On March 21, 2009, By Naming Each Of The Hearing Rooms In The City Hall After The Fallen Officers At A Cost Not To Exceed \$1,340.  
[09-1335](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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:*

- *Olu Oluwole Sr.*
  - *Jose Dorado*
  - *Geoff Collins*
  - *Sanjiv Handa*
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S-4.4 Subject: Sexually Exploited Minors Awareness Week  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Supporting Sexually Exploited Minors Awareness  
Week, April 19 Through April 24, 2010  
[09-1283](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF  
THE MARCH 16, 2010

**No Action Taken**

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):

*The following adjustments to the agenda were announced*

*1) Withdrawal and Rescheduling of items 7.12 and 7.15 to the May 4, 2010  
City Council Agenda as Consent Calendar Items.*

*2) Withdrawal of Item 7.13 with rescheduling to a future meeting.*

*3) Withdrawal of items 17 and 19.*

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

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S-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  
[09-1336](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council 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  
[09-1337](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.3 Subject: Environmental Monitoring Costs At Spunkmeyer Field  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A  
Settlement Agreement In The Amount Of \$36,900, With The Port Of Oakland To Cover A  
Portion Of The Environmental Monitoring Costs At Spunkmeyer Field  
[09-1326](#)

**No Action Taken**

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7.4-CC Subject: Robert Sumner - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Robert Sumner V. City Of Oakland, Alameda County  
Superior Court Case No. RG08-367401, In The Amount Of \$15,000.00 As A Result Of  
Allegations Of Use Of Excessive Force And False Imprisonment (Oakland Police Agency).  
[09-1338](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.5-CC Subject: Adam Hayes - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of CSAA A/S/O Adam Hayes, In The Amount Of  
\$8,779.80, As A Result Of Property Damage Sustained As A Result Of An Obstructed City  
Sewer Main On November 22, 2009 (Public Works Agency)  
[09-1339](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.6-CC Subject: Szeto And Krausz - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of Ponnice Szeto And David Krausz, Her Attorney In The  
Amount Of \$7,227.69, As A Result Of Property Damage And Bodily Injury Sustained In An  
Automobile Collision With A City Vehicle On May 4, 2009. (Budget & Finance)  
[09-1340](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.7-CC Subject: Majid Pirzadeh - Settlement Agreement  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of GEICO Insurance As Subrogee Of Majid Pirzadeh, In  
The Amount Of \$6,891.42, As A Result Of Property Damage Sustained As A Result Of A  
Traffic Collision On July 2009. (Police Department).  
[09-1341](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.8-CC Subject: Misuse Or Abuse Of Distinguishing Placards And Special License Plates  
From: Finance & Management Agency  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections  
10.48.010 "Schedule Of Parking Fines" To Add Or Increase A City Of Oakland Fine For  
California State Vehicle Code Sections 4461. 4463 "Misuse Or Abuse Of Distinguishing  
Placards And Special License Plates" To \$1,100 (One Thousand One Hundred Dollars), And  
Section 22507.8 " Disabled Person Parking Space" To \$368 (Three Hundred Sixty-Eight  
Dollars) And Section 22522 "3 Feet From Sidewalk Access Ramp" To \$313 (Three Hundred  
Thirteen Dollars)

[09-1135](#)

**A motion was made to Approved as Amended on Introduction for Final  
Passage on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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:*

- Sanjiv Handa

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7.9-CC Subject: Two Surplus Vacant Lots - Grand View Drive  
From: Community & Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The Sale Of Two City-Owned Surplus  
Vacant Lots Located Between 1522 Grand View Drive And 1600 Grand View Drive, Valued  
At Two Hundred Thousand Dollars (\$200,000) Each, To Hillside Homes Inc., For The Total  
Fair Market Value Of Four Hundred Thousand Dollars \$400,000

[09-1169](#)

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

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

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7.10-CC Subject: Schedule Of Parking Fines  
From: Finance And Management Agency  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections  
10.48.010 "Schedule Of Parking Fines" To Increase The City Of Oakland Fine For A  
Violation Of Oakland Municipal Code Section 10.36.30B "Valid Parking Receipt Not  
Displayed" From \$35.00 (Thirty Five Dollars) To \$55.00 (Fifty Five Dollars)  
[09-1197](#)

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

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

*The following individual (s) spoke on this item:*

- Sanjiv Handa  
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7.11-CC Subject: Billboard Franchise Agreement  
From: Office of The Mayor and City Administrator  
Recommendation: An Ordinance Authorizing The City Administrator To Negotiate And  
Execute A Billboard Relocation/Franchise Agreement And Sublease Amendments, Without  
Returning To Council, With Clear Channel Outdoor, Inc. (Clear Channel) Allowing Clear  
Channel To: (1) Construct A New Non-Digital Billboard At 165 98th Ave.; (2) Convert One  
Face Of A Billboard At Interstate 580 & Ettie Street To Light-Emitting Diode (LED)  
Technology; And (3) Standardize The Size Of And Convert To LED Technology A Sign On  
Land The City Subleases To Clear Channel At Oakport & Hassler ("Oakport Sign"), In  
Exchange For Increased Revenue Under The Oakport Sign Sublease, Removal Of 37 Existing  
Billboards, And Payment Of One Million Dollars To The City [TITLE CHANGE]  
[09-1031](#)

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

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

*The following individual (s) spoke on this item:*

- Dimas Cuevas  
- Sanjiv Handa  
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7.12 Subject: Youth Advisory Commission - District 6 Appointment  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Appointing Olivia Lucas As The District 6  
Representative To The Youth Advisory Commission  
[09-1322](#)

**This Matter was \*Rescheduled to the Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council, to be heard at the May 4, 2010  
meeting on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.13-CC Subject: Budget Advisory Committee Appointment  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing Appointing Michael Kilian As A Member  
Of The Budget Advisory Committee  
[09-1324](#)

**This Matter was Adopted to the Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.14-CC Subject: Intensive Arts Education Programs  
From: Councilmember De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Priority Project Funds To The Museum Of Children's Art In The Amount Of \$18,900 To Fund Intensive Arts Education Programs Serving 1,132 Children In Oakland's Fruitvale Neighborhood  
[09-1273](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.15-CC Subject: Measure Z Appointment - Dhar Mann  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Appointing Dhar Mann As A Member Of The Measure Z Community Oversight Committee, To Oversee The Implementation Of The Oakland Cannabis Regulation And Revenue Ordinance  
[09-1275](#)

**This Matter was Adopted to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 4, 2010 on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.16-CC Subject: Sexually Exploited Minors Awareness Week  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Supporting Sexually Exploited Minors Awareness Week, April 19 Through April 24, 2010  
[09-1283](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.17-CC Subject: Quan Travel - Sacramento April 22-23, 2010  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing Vice Mayor Jean Quan To Travel To Sacramento, CA On April 22-23 2010 To Attend League Of California Cities Board Of Director Meeting  
[09-1302](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.18-CC Subject: Final Map Tract No. 8012 - 6409 Benvenue Avenue  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Approving A Final Map For Tract No. 8012 Located At 6409 Benvenue Avenue And Conditionally Accepting Irrevocable offers Of Dedication From Jerry And Mary Ann Boddum For Public Access And Public Utility Easements  
[09-1304](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.19-CC Subject: Elmhurst Library Renovation  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing A Construction Contract For The Elmhurst Library Renovation Project In Accord With Specification No. B273610 And With Contractor's Bid To B-Side Construction, Inc., In The Amount Of One Hundred Sixty-Three Thousand Twenty-Four Dollars (\$163,024.00)  
[09-1237](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.20-CC Subject: Camps-In-Common Contract  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution 1) Awarding A Contract To Camps-In-Common ("Nonprofit") To Provide Project Management Services For Specific Capital Improvement Projects At Feather River Camp Up To The Amount Of Thirty Thousand Dollars (530,000.00), 2) Waiving Advertising And The Request For Proposal/ Qualifications Process For Said Project Management Services, 3) Waiving Advertising And Authorizing Limited Solicitation Of Competitive Bids For Construction Of Improvements From The Feather River Camp Area, And 4) Authorizing The City Administrator To Award And Execute Such Construction Contract(S) Without Return To Council  
[09-1238](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.21-CC Subject: Vacant Land Located On 66th Avenue At Joe Morgan Way  
From: Community And Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The Sale Of Vacant Land Located On  
66th Avenue At Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum  
Complex In The Coliseum Redevelopment Project Area, To The Redevelopment Agency Of  
The City Of Oakland For \$1,000,000  
[09-1222](#)

**A motion was made to Approved As Amended On Introduction to the  
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,  
due back on May 4, 2010 on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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2) An Agency Resolution Authorizing The Purchase Of Vacant Land Located On 66th Avenue  
At Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum Complex In The  
Coliseum Redevelopment Project Area, From The City Of Oakland For \$1,000,000 And  
Authorizing Up To \$10,000 For Real Estate Closing Costs  
[09-1222-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.22-CC Subject: Anti-Human Trafficking Task Force Recovery Act Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Amending Authorizing Resolution No. 82408 C.M.S., Dated November 17, 2009 And Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Three Hundred And Seventy-Five Thousand Dollars (\$375,000) From The State Of California, California Emergency Management Agency (CAL EMA), Fiscal Year 2009/2010 Anti-Human Trafficking Task Force Recovery Act Program, American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package"), Associated With The Continued Implementation Of The East Bay Task Force On Human Trafficking Program In The Police Department  
[09-1202](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.23-CC Subject: Corrections Standards Authority, Title II Formula Grants Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Supplemental Grant Funds In An Amount Not To Exceed Ninety Thousand Dollars (\$90,000) From The State Of California, Corrections Standards Authority, Title II Formula Grants Program For Three-Month Continuation Funding Associated With Implementation Of The Paragon Project In The Police Department  
[09-1203](#)

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

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

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7.24-CC Subject: Citizen's Options for Public Safety (StateCOPS)  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing (1) The Acceptance And Appropriation Of A State Of California "Citizen's Options For Public Safety" (State Cops) Grant In An Amount Not To Exceed Six Hundred Fifty-Eight Thousand Five Hundred Dollars (\$658,500); (2) Implementing California Government Code Sections 30061-30065, And (3) Approving The Oakland Police Department's Fiscal Years 2009-2011 State Cops Grant Spending Plan  
[09-1204](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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7.25-CC Subject: Goat Grazing Services  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Pay Ecosystem Concepts Inc. For Goat Grazing And Related Services Performed On City Of Oakland Open Space Lands During Fiscal Year 2008-2009 Up To An Amount Not-To-Exceed Two Hundred Fifty Thousand Dollars (\$250,000), And Waiving Advertising And Bidding For The Work  
[09-1242](#)

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

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

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7.26-CC Subject: As-Needed Structural Engineering Services  
From: Community And Economic Development Agency  
Recommendation: A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into A Professional Services Agreement In An Amount Not-To-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) With Chow Engineering, Inc. For As-Needed Structural Engineering Services Over A Period Of Three (3) Years; And  
[09-1212-2](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.27-CC Subject: Seismic Safety Improvement - AB 1755  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Supporting Assembly Bill 1755 (Swanson): Adding Seismic Retrofitting Improvements To The List Of Eligible Uses For Contractual Assessments  
[09-1274](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.28-CC Subject: Macarthur Bart Bicycle Access Improvement Project - Phase II  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Two Hundred Forty-Two Thousand Five Hundred Dollars (\$242,500.00) In Regional Measure 2 Safe Routes To Transit Funds For The Macarthur Bart Bicycle Access Project - Phase II And Authorizing The Submittal Of The Allocation Request To The Metropolitan Transportation Commission For The Funds Awarded Under This Grant; And  
[09-1316](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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) Resolution Authorizing The Installation Of Class H Bicycle Lanes On West Macarthur Boulevard By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes Between Telegraph Avenue And Broadway  
[09-1316-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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*  
[82677 CMS.pdf](#)

S-7.29-CC Subject: Cityworks Work Management System  
From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And The Request For Proposal/Qualification Requirements, And Authorizing The City Administrator To Enter Into A Maintenance Agreement With Azteca Systems, Inc. In Connection With The Cityworks Work Management System, For Up To Three Years, On An Annual Basis, In The Amount Of Fifty-Five Thousand Dollars (\$55,000), Plus Three Percent (3%) Annually, For A Total Contract Cap Of One Hundred Seventy Thousand Dollars (\$170,000)  
[09-1261](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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[82678 CMS.pdf](#)

S-7.30-CC Subject: Land Located at 8000 Joe Morgan Way,  
From: Community And Economic Development Agency  
Recommendation: Adopt An City Ordinance Authorizing The Sale Of The City's Interest In Land Located At 8000 Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum Complex In The Coliseum Redevelopment Project Area, To The Redevelopment Agency Of The City Of Oakland For \$3,500,000  
[09-1278](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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2) An Agency Resolution Authorizing The Purchase Of The City Interest In Land Located At 8000 Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum Complex In The Coliseum Redevelopment Project Area, From The City Of Oakland For \$3,500,000 And Authorizing Up To \$25,000 For Real Estate Closing Costs  
[09-1278-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
[2010-0047 CMS.pdf](#)

S-7.31-CC Subject: Piedmont Library Lease - 160 - 41st Street  
From Community And Economic Development Agency  
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator To Negotiate And Execute A Lease For The Piedmont Avenue Branch Library Property At 160 - 41st Street With Goodhue Property Investments For One Year With One (1) Year Renewal Option, Subject To Funding Approval For Fiscal Years 2011-2013, For An Initial Rent Not To Exceed \$4,250 Per Month, Plus The Cost Of Utilities, Taxes, Services And Index Adjustments, And 2) Appropriating \$34,000 From Measure Q Fund 2240 For Rent Payments For Fiscal Year 2010-2011  
[09-1280](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.32-CC Subject: 2010-2011 Assessment Process - WPAD  
From: The Budget Office  
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2010-2011 Assessment Confirmation Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To Oakland Municipal Code  
[09-1284](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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[82680 CMS.pdf](#)

S-7.33-CC Subject: 2010-2011 Assessment Process - LLAD  
From: The Budget Office  
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2010-2011 Assessment Process For The City Of Oakland Landscaping And Lighting Assessment District And Authorizing The City Administrator To Order A Preliminary Engineer's Report Pursuant To The California Streets And Highways Code  
[09-1285](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.34-CC Subject: Contract Extension With Macias Gini & O'Connell-Audit Services  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution By The City Council Of The City Of Oakland Authorizing The City Administrator To Execute A Five-Year Contract Extension With Macias Gini & O'Connell, LLP To Provide Audit Services For Fiscal Year Ending June 30, 2010 Through Fiscal Year Ending June 30, 2014 In An Amount Not To Exceed \$3,162,486 And Waiving The Competitive Request For Proposals Process; And  
[09-1320](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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 By The Redevelopment Agency Of The City Of Oakland Authorizing The Agency Administrator To Execute A Five Year Contract Extension With Macias Gini & O'Connell, LLP To Provide Audit Services For Fiscal Year Ending June 30, 2010 Through Fiscal Year Ending June 30, 2014 In An Amount Not To Exceed \$464,467, And Waiving The Competitive Request For Proposals Process  
[09-1320-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
[2010-0048 CMS.pdf](#)

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S-7.35-CC Subject: Restated Memorandum Of Agreement For The Oakland Army Base  
From: Community And Economic Development Committee Agenda  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To: 1) Execute Amendment To The 2008 Amended And Restated Memorandum Of Agreement Between City Of Oakland, Oakland Redevelopment Agency And Port Of Oakland For The Oakland Army Base Which Primarily Modifies The Manner In Which Reimbursements For Remediation Costs Are Submitted To And Paid From Remediation Accounts, 2) Create A New Fund For The Army Base Joint Environmental Remediation Account, 3) Appropriate Five Million Seven Hundred Forty-One Thousand Four Hundred Seventy-Seven Dollars (\$5,741,477) From The Opra Leasing & Utility Fund (9575) Into 'The Army Base Joint Environmental Remediation Account Fund, 4)1 Accept Five Million Seven Hundred Forty-One Thousand Four Hundred Seventy-Seven Dollars (\$5,741,477) From The Port Of Oakland For Deposit Into The Army Base Joint Remediation Account Fund, And 5) Appropriate And Expend Up To Eleven Million Four Hundred Eighty-Two Thousand Nine Hundred Fifty-Three Dollars (\$11,482,953) For The Army Base Joint Remediation Program Activities

[09-1218](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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[2010-0049 CMS.pdf](#)

2) A City Resolution Authorizing The City Administrator To Execute Amendment To The 2008 Amended And Restated Memorandum Of Agreement Between City Of Oakland, Oakland Redevelopment Agency And Port Of Oakland For The Oakland Army Base Which Primarily Modifies The Manner In Which Reimbursements For Remediation Costs Are Submitted To And Paid From Remediation Accounts

[09-1218-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
[82683 CMS.pdf](#)

S-7.36-CC Subject: Rebuilding Together Oakland  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From Coliseum Redevelopment Funds To Rebuilding Together Oakland To Rehabilitate Houses And/Or Facilities For Low-Income Seniors And/Or Disabled Persons Within The Project Area  
[09-1254](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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[2010-0050 CMS.pdf](#)

S-7.37-CC Subject: Coliseum BART Station Pedestrian Area and Plaza Design Project  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing Negotiation And Execution Of An Agreement With Golden And Associates To Prepare Design And Construction Drawings For The Coliseum Bart Station Pedestrian Sidewalk And For Bart Plaza Enhancements In The Coliseum Redevelopment Project Area For A Total Amount Not To Exceed \$135,000  
[09-1300](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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[2010-0051 CMS.pdf](#)

S-7.38-CC Subject: Mayor's Commission On Aging  
From: Department Of Human Services  
Recommendation: Receive An Annual Update On The Mayor's Commission On Aging And Request For Approval Of Bylaw Revision  
[09-1141](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.39-CC Subject: Purchase Order With Speedtrack, Inc  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Waive The Competitive Request For Qualifications/Proposals (RFQ/RFP) Process, And To Enter Into An Agreement With Speedtrack, Inc. For Implementation Of Its Hardware And Software System, Including Two Years Of Software Maintenance, In An Amount Not To Exceed Two Hundred Thirty Eight Thousand Dollars (\$238,000) Within The Oakland Police Department  
[09-1262](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.40-CC Subject: Cops Hiring Recovery Program  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Amending Resolution No. 81894 C.M.S, Which Authorized The Application, Acceptance And Appropriation Of The Cops Hiring Recovery Program (CHRP) Grant, To Authorize The City Administrator To Waive The Central Services Overhead Charges In The Amount Of \$1,535,376.64 For The Cops Hiring Recovery Program (CHRP) Grant  
[09-1277](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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  
[View Report.pdf](#)  
[82685 CMS.pdf](#)

S-7.41-CC Subject: Purchase And Implementation Of A Live Burn Simulator  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept A Grant From Federal Emergency Management Agency And The Department Of Homeland Security In The Amount Of Three Hundred Thousand Dollars (\$300,000) And 2) Award A Contract To The Lowest Responsible, Responsive Bidder For Equipment, Installation And Training To Implement A Live Burn Simulator Training Unit In An Amount Up To \$375,000, Without Return To Council  
[09-1224](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-7.42-CC Subject: Senate Bill 1304  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Supporting Senate Bill 1304: The Michelle Maykin Memorial Donation Protection Act  
[09-1323](#)

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

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

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

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

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

**A motion was made by Councilmember Reid, seconded by Councilmember Kaplan, to \*Approve as Submitted from the City Attorney of final decisions made during closed session. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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*

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

- 9 9. CONSIDERATION OF NON-CONSENT CALENDAR ITEMS WITH STATUTORY  
PUBLIC HEARING REQUIREMENTS  
:



9.1 Subject: Central Estuary Specific Plan Alternatives  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution For The Community Preferred Land Use Alternative For The Central Estuary Specific Plan And To Have That Preferred Alternative Subject To California Environmental Quality Act Review. The Preferred Alternative Includes: (1) West Subarea, Mixed-Use Infill, Maintain Specialty Food Producing Industrial Area; (2) Central West Subarea, Preserve The Existing Neighborhood Including Livework Uses; (3) Central East Subarea, New Mixeduse Residential Development; And (4) East Subarea, Industrial Uses And Limited Residential Development Buffered By Research And Development.

[09-1045](#)

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**A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel, that this matter be Adopted as Amended 1) Preservation of the existing uses; including Owens Brockway, in the Central East Sub-area, and 2) Change the use only on the Tip of the Tidewater Area from Residential to CIX The motion carried by the following vote:**

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

*The following individual (s) spoke on this item:*

- Clara Garzon
- Sharon Cornu
- Fred Pecker
- Burl Smith
- Oscar Barriby
- Vaiolini Moa
- Donal Mahon
- Toby Anderson
- Scott Peterson
- Mike Erwin
- Isaac Alcaca
- Sanjiv Handa
- Gene Hazzard

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9.2 Subject: Amendment To The City's Non-Disposal Facility Element  
From: Public Works Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt Resolution Adopting The Second Amendment To The City's Non-Disposal Facility Element, (A Recycling Planning Document Required By The State Of California), Which Describes And Identifies Solid Waste, Recycling, And Processing Facilities That City Residents, Businesses And Members Of The Public Use To Reduce Materials Sent To Landfills, And Adding A New Facility And Deleting A Facility That No Longer Exist, And Approving Its Submittal To The State Of California Department Of Resources Recycling And Recovery For Approval [TITLE CHANGE]  
[09-1210](#)  
[Play Video](#)

**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 Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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

- Joshua Fookes

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[82689 CMS.pdf](#)

9.3 Subject: Buddhist Church of Oakland - Landmark Designation  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Designating The Buddhist Church Of Oakland 825 Jackson Street As A Landmark Pursuant To Section 17.136.070 Of The Oakland Planning Code  
[09-1279](#)  
[Play Video](#)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kernighan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 4, 2010. The motion carried by the following vote:**

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

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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

10 Subject: Voting Outreach And Education Campaign Fund  
From: Councilmembers De La Fuente and Kaplan  
Recommendation: (1) Hear A Presentation From The County Of Alameda Registrar Of Voters (I) Describing The County's Implementation Plan For Ranked-Choice Voting, Including Outreach And Education, And (II) Demonstrating How To Vote Using A Ranked-Choice Voting Ballot; And (2) Adopt An Ordinance (I) Suspending For The 2010 Municipal Election The City Of Oakland's Limited Public Financing Program (Chapter 3.13 Of The Oakland Municipal Code) And (II) Authorizing The Transfer Of \$225,000 From The Election Campaign Fund To The Instant Run-Off Voting (IRV) Outreach And Education Campaign Fund For The November 2010 Municipal Election, And (3) Authorizing The City Administrator To Issue An Expedited RFP Within 30 Days, To Community Non Profit Organizations With Demonstrated Ability, Expertise And Successful History Of Reaching And Working Effectively In And With Low Voter Propensity Communities, In A Culturally Competent Manner, For The Purposes Of Targeted Ranked Choice Voting (RCV)/ Instant Run Off Voting (IRV) Outreach And Education (TITLE CHANGE)

[09-1186](#)

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**A motion was made by Councilmember Quan, 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 May 4, 2010 upon the Mayor casting a Vote of Aye The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 4 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan and Councilmember Reid

ORA\Councilmember Ayes: 4 - Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

*The following individual spoke on this item:*

- *Sanjiv Handa*

- *Judy Belcher*

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S-10.1 Subject: AC Transit's Proposed East Bay Bus Rapid Transit Project  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Adopting Oakland's "Locally Preferred Alternative" To Be Included And Analyzed In The Final Environmental Impact Statement/Report For The AC Transit East Bay Bus Rapid Transit Project  
[09-1305](#)  
[Play Video](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Adopted as Amended add the following language, "Further Resolved: Staff shall return to City Council at the conclusion of the Final EiS/R with a project proposal for city Council consideration that includes mitigations for traffic and parking impacts, prior to entering into any agreements with AC Transit. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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
- Margaret Powell
- Stuart Flashman
- Shirley Burton
- Daniel Buford
- Joel Ramos
- Chris Schildt
- Joel Scheuerman
- Camille Guiriba
- Ronnie Spitzer
- Joe Kramer
- Tao Mauhad
- Cortney Miller
- K. Cheng
- Brian Toy
- Scott Peterson
- Sarah Peters
- Bobby Stahl
- Kent Lewandawski
- Karen Kunze
- Rebecca Salzman
- Max Allstadt
- Joyce Roy
- Randy Reed
- Jonathan Bair

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- Dr. Terrence Candell  
- Jake Wegmann  
- Karen Smulevitz  
- Rick Raffanti  
- Barry Luboviski  
- Bob Allen  
- Donald Lowrey  
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[82690 CMS.pdf](#)

S-10.2 Subject: Changes To The Limit On Contributions - Amendments  
From: Councilmember De La Fuente  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 3.12.050, 3.12.060, And 3.12.200 )To: (1) Change The Limit For Individual Contributions From \$700 For Each Of The Elections - The Primary And The General - To \$1,000.00 For The Consolidated Ranked-Choice Election; (2) Change The Limit For Broad Based Political Committees Contributions From \$1,300 For Each Of The Elections - The Primary And The General - To \$1,600 For The Consolidated Ranked-Choice Election; And (3) Change The Voluntary Expenditure Ceilings For Candidates For City Offices From The Current Limits For Each Of The Elections - The Primary And The General - To 40% More Than Those Limits For The Consolidated Ranked Choice Election  
[09-1325](#)  
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**A motion was made by Councilmember De La Fuente, seconded by President of the Council Brunner, that this matter be Not Adopted. The motion failed by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 4 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan  
ORA\Councilmember Ayes: 3 - Councilmember De La Fuente, Councilmember Reid and President of the Council Brunner

*The following individual spoke on this item:*

- Sanjiv Handa  
- Judy Cox  
- Michael Tigges  
- Stuart Flashman  
- Barbara Newcombe  
- Clara Garzon  
- Max Allstadt  
- Ralph Kanz  
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11 Subject: City Golf Courses - Expenses And Revenues  
From: Councilmember De La Fuente  
Recommendation: Receive An Informational Report From The Office Of Parks And  
Recreation On The Expenses And Revenues (Both City And Concessionaire's) Associated With  
All City Golf Courses  
[09-1136](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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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12 Subject: Oakland Golf LLC - Rent Relief  
From: Office Of Parks And Recreation  
Recommendation: Adopt A Resolution To Approve Fifty Percent (50%) Of The Minimum Rent  
Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links During Fiscal  
Year July 1, 2009 Through June 30, 2010 As Authorized In The First Sublease And Operating  
Agreement Approved By Resolution No. 81241 (C.M.S.) On May 6, 2008  
[09-1011](#)  
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**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 - President of the Council Brunner  
ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 6 - 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-12.1      Subject:    Municipal Code Amendment - Cabarets  
              From:        Councilmember Nadel  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To 1) Update The Definition Of A Cabaret 2) Streamline The Cabaret Permit Process, And 3) Allow The Issuance Of Extended Hours Permits To Cabarets Within The Central District To Remain Open Past 2 A.M. Through A Two-Year Pilot Program(TITLE CHANGE); And

[09-0623](#)

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**Approved As Amended On Introduction to Concurrent Meeting of the  
Oakland Redevelopment Agency / City Council on 5/4/2010**

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2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Set And Change Fees For Annual Cabaret Permits And Extended Hours Cabarets Permits(TITLE CHANGE)

[09-0623-1](#)

**A motion was made by Councilmember Nadel, seconded by  
Councilmember Kaplan, to Approved As Amended On Introduction to the  
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,  
due back on May 4, 2010 as amended to include a permit fee for  
organizations with occupancy under 50 The motion carried by the  
following vote:**

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

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13            Subject:    Installation of Additional Parking Meters  
              From:        Finance And Management Agency  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Installation of Additional Parking Meters In The City Of Oakland  
And Adding Locations For Additional Meters To Approved Meter Zones; And

[09-1099](#)

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**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, that this matter be Adopted as Amended to remove E. 12th Street from the list of additional meters and further amend the Resolution to keep parking meter locations for districts 1, 3, 4, and 5 The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 2 - Councilmember De La Fuente and President of the Council Brunner  
ORA\Councilmember Ayes: 5 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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2) 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  
[09-1099-1](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 4, 2010 to remove E. 12th Street from the list of additional meters The motion carried by the following vote:**

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



14 Subject: City Walk Project At 1307 Jefferson Street  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A Construction Loan To Alta City Walk, LLC, In An Amount Not To Exceed \$5,000,000 And For A Term Not To Exceed Five Years, For The City Walk Project At 1307 Jefferson Street

[09-1253](#)

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

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[2010-0052 CMS.pdf](#)

15 Subject: Propostion 16  
From: Councilmember Nadel  
Recommendation: Adopt A Resolution Opposing Proposition 16, Which Would Amend The California Constitution To Require A Two-Thirds Voter Majority For A Local Government Or Public Utility To Use Public Funds To Start Up Or Expand Electricity Service, Or To Create A Community Choice Aggregator

[09-1265](#)

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

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

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16           Subject:    Citywide Performance Measures Tracking  
              From:       The Budget Office  
              Recommendation: Receive A Follow-Up Report And Recommendations Regarding  
              Improvements To Oakland's Citywide Performance Management And Reporting System  
              [09-0705](#)  
              [Play Video](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-17       Subject:    Update On The Implementation Of CompStat  
              From:       Councilmember Reid  
              Recommendation: Action On A Report From The Oakland Police Department With An Update  
              On The Implementation Of CompStat Including Current Progress, Phases, Next Steps,  
              Challenges, And Information Regarding The Award, Allocation And Expenditures Related To  
              Stimulus, Non-Stimulus Grants And The Recent \$1,325,000 Appropriation From The Federal  
              Government Used To Fund The Initiative  
              [09-1105](#)

**\*Withdrawn with No New Date**  
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S-18      Subject:    Establishing A Fiscal Policy  
From:        Councilmember De La Fuente  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12496 C.M.S. Which Sets Forth The City Council's General Purpose Fund (GPF) Financial Policies To Add A Fiscal Policy Requiring That Before The City Council Takes Any Action That Has A Fiscal Impact Or Cost, The Council Must (1) Identify And Approve The Funding Source To Fully Fund The Cost Of The Proposed Council Action, Such As The Approval Of Or Changes To A Policy, Program, Services, Or Positions; And (2) Make Any Adjustments To The Budget That Are Necessary To Maintain A Balanced Budget; And Setting Forth The Council's GPF Financial Policies In Their Entirety, As Amended (TITLE CHANGE)  
[09-1171](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Quan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 4, 2010 to add sections to require the City Administrator submit an annual report to identify all positions funded by a grant in the preceding fiscal year that addresses whether the grant has expired and addressing whether the department proposes to fund the position or provide the same service with the general fund in the coming year The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-19      Subject California Democracy Act  
From:        Council President Brunner  
Recommendation: Adopt A Resolution In Support Of The California Democracy Act, An Initiative For The November 2010 Ballot, That Would Require All State Legislative Action On Revenue And Budget Be Passed By A Majority Vote  
[09-1310](#)

**A motion was made that this matter be \*Withdrawn with No New Date. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - 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-20      Subject:    Doing Business As Douglas Parking, LLC  
From:        Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A  
Contract Amendment Between The City Of Oakland And The Bay Area Parking Company, Inc.  
(Doing Business As Douglas Parking, LLC) To Manage Eight City-Owned Parking Facilities  
On A Month-To-Month Basis Until A New Parking Facility Operator Is Selected Through A  
Competitive Process

[09-1375](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
*Agency/Councilmember Kaplan made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-20 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 is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.*

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**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting shall conclude no later than 12:00 a.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 memories of Eve Bach, Tan Chen Yu, Dorothy Haight, Otis Sangtram, and Elba Fong at 12:22 a.m.*

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*City Clerk and Clerk of the Council*