



# 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

## Special 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, June 30, 2009

5:00 PM

City Council Chambers - 3rd Floor

1 Pledge of Allegiance

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*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:11 PM.*

2 Roll Call / ORA & Council

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

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ORA\Councilmember Present: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*The following individuals spoke under Open Forum:*

- Patrick Camacho
- Teresa LeYung Ryan
- Akilah Zainabu
- Nyeisha DeWitt
- Mischa Pugh
- Gene Hazzard
- Denise Pale
- Scott Peterson
- Matt Hummel
- Bob MAndel
- Jim Knebelman
- Katherine Lei
- Chun Chung Lei
- Chandra Garsson
- Eric Bergman
- Sanjiv Handa

- 4           Subject:    Children's Fund Planning & Oversight Committee Appointment  
              From:        Councilmember Nancy Nadel  
              Recommendation: Adopt A Resolution Appointing Brandon Sturdivant Sr. As A Member Of  
              The Children's Fund Planning And Oversight Committee  
              [09-0519](#)  
              [Play Video](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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- 5           Subject:    Travel Authorization - Councilmember Brooks  
              From:        Councilmember Desley Brooks  
              Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel  
              To Hartford, Connecticut To Attend The National Black Caucus-Local Elected Officials  
              Conference, July 22 Through July 26, 2009  
              [09-0543](#)

**\*Withdrawn with No New Date**

*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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- 6           Subject:    Travel Authorization - Councilmember Brooks  
              From:        Councilmember Desley Brooks  
              Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Travel  
              To Washington D.C. To Attend The Congressional Black Caucus Legislative Conference  
              September 23 To 26, 2009  
              [09-0544](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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[82101 CMS.pdf](#)

7 Subject: Parolee Employment Program  
From: Council President Brunner  
Recommendation: Action On A Report On The California Department Of Corrections And  
Rehabilitation (CDCR)/Caltrans Parolee Employment Program  
[09-0551](#)

**\*Rescheduled to \*Community & Economic Development Committee on  
7/14/2009**

*The following individual spoke on this item:*

- Sanjiv Handa

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8 Subject: 2009-2011 Budget Discussion  
From: Budget Office  
Recommendation: Continuation Of Discussion And Action On The Fiscal Year 2009-2011  
Proposed Policy Budget For The City Of Oakland (Including The 2009-2011 Capital  
Improvement Program) And Fiscal Year 2009-2011 Proposed Budget For The Oakland  
Redevelopment Agency  
[09-0449](#)  
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**A motion was made by Councilmember Quan, seconded by Vice-Mayor De La Fuente, that this matter be \*Received and Filed. The motion carried by the following vote:**

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

*The following individual spoke on this item:*

- Sanjiv Handa
- Michael Fried
- Patrick Camacho
- Helen Hutchison
- Tatiana Larkin
- Sherry Denham-Jackson
- Gen Katz
- Heleh Stoltzfus
- Michael Diehl
- Geoffrey Pete

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A Resolution Authorizing The Fiscal Year 2009-2011 Biennial Budget As the Financial Plan For Conducting The Affairs Of The City Of Oakland And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget

[09-0449-1](#)

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**A motion was made by Councilmember Quan, seconded by Vice-Mayor De La Fuente, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

*The Mayor's proposed budget was adopted with the amendments submitted in the Council's Budget Motion, with the addition of 2 painters for approximately \$300,000 and for items 15 and 35 change the word downgrade to eliminate. Staff was also directed to schedule a report on the Cigarette Tax as to why it has not been imposed, including a cost benefit analysis on cigarette sales.*

[82102 CMS.pdf](#)

A Resolution Establishing An Appropriations Limit For Fiscal Year 2009-2010 Pursuant To Article XIII B Of The California Constitution

[09-0449-2](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

[82103 CMS.pdf](#)

An Agency Resolution Authorizing The Fiscal Years 2009-2011 Biennial Budget As The Financial Plan For Conducting The Affairs Of The Redevelopment Agency Of The City Of Oakland And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget

[09-0449-3](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

[2009-0072 CMS.pdf](#)

9           Subject:    Responses To Budget Questions  
              From:       The Budget Office  
              Recommendation: Receive An Informational Report On Responses To Questions From  
              Councilmembers Regarding The Fiscal Year 2009-2011 Proposed Budget  
              [09-0546](#)

**A motion was made by Vice-Mayor De La Fuente, seconded by Councilmember Kernighan, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*

- Sanjiv Handa  
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10           Subject:    Changes To Financial Policies  
              From:       The Budget Office  
              Recommendation: Adopt An Ordinance Amending Ordinance No. 12502 C.M.S. To Clarify  
              General Purpose Fund (GPF) Reserve Requirements; Require A Mayoral Declaration Of Fiscal  
              Emergency And Approval By Council Or A Council Declaration Of Fiscal Emergency Before  
              The GPF Reserve Can Be Drawn Down; Require That Excess Real Property Transfer Tax  
              Revenues Be Used To Build Up The GPF Reserve, Pay Back Negative Internal Service Fund  
              Balances, Establish Set-Asides For Other Post-Employment Benefits (OPEB) And Police And  
              Fire Retirement System (PFRS) Liabilities, And Fund Capital Improvements Projects; Require  
              That One-Time Revenues Be Used To Repay Negative Fund Balances In Internal Service And  
              Other Funds; And Provide Criteria For Project Carryforwards And Encumbrances In The GPF  
              (TITLE CHANGE)  
              [09-0499](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*

- Sanjiv Handa  
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11 Subject: Organizational Structure Revision  
From: The Budget Office  
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code, Entitled, "City Agencies, Departments And Offices", To Revise The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of City Charter Section 600, By Transferring The Office Of Personnel Resource Management From The Finance And Management Agency To Become The Department Of Human Resources Management; And Moving The Marketing Division To The Community And Economic Development Agency To Closely Coordinate Its Activities With Other Marketing And Special Events Functions

[09-0500](#)

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**A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 7, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*Council amended the Ordinance to include the transfer of the Oaklanders' Assistance Center to the City Administrator's office*

*The following individual spoke on this item:*

- *Sanjiv Handa*

- *Patrick Camacho*

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12 Subject: Master Fee Schedule Amendment  
From: The Budget Office

Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Attorney, Department Of Contracting And Purchasing, Fire Services Agency, Oakland Police Department, Oakland Public Library, Office Of Parks And Recreation, Public Works Agency, Department Of Human Services, Community And Economic Development Agency, And The Parking Operations Division Of The Finance And Management Agency

[09-0501](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brooks and Vice-Mayor De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

*Staff was directed to come back in 6 months with a report on the parking fees and to bring back to committee an analysis on implementing a fee for the tool lending library*

*The following individual spoke on this item:*

- Sanjiv Handa

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

**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 7, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 2 - Vice-Mayor De La Fuente and Councilmember Quan  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Pro-Tem Reid and Council President Brunner

*The following individual spoke on this item:*

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

**A motion was made by Councilmember Kernighan, seconded by Councilmember Kaplan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 7, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*Council amended the Ordinance to reflect that the fines for Section 10.36.050, 10.36.060 and 10.36.100 should remain at \$55.00*

*The following individual spoke on this item:*

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

**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 7, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 2 - Councilmember Kernighan and Council President Brunner  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Nadel, Councilmember Quan and Pro-Tem Reid

*The following individual spoke on this item:*

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

16           ~~Subject:    Chapter 4.16 The Parking Tax – Municipal Code Amendment~~  
              ~~From:        Finance and Management Agency~~  
              ~~Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At Parking Stations Operated Exclusively For Large Diesel Trucks~~  
              09-0206

*The following individual spoke on this item:*

- Sanjiv Handa  
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17           Subject:    Retirement Incentive Program - Employee Classifications  
              From:        Department of Human Resources  
              Recommendation: Adopt A Resolution To Grant Another Designated Period For Two Years  
              Additional Service Credit  
              [09-0545](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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18           Subject:    City's Fleet Status  
              From:        Public Works Agency  
              Recommendation: Discussion And Possible Action On A Report Discussing The City's Fleet  
              Status  
              [09-0506](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

*The following individual spoke on this item:*

- Sanjiv Handa  
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19 Subject: Opposition To Assembly Bill 377  
From: Vice Mayor De La Fuente  
Recommendation: Adopt A Resolution To Oppose Unless Amended Assembly Bill 377  
(Mendoza) Regarding Payday Lending  
[09-0596](#)  
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**A motion was made by Vice-Mayor De La Fuente, seconded by Pro-Tem Reid, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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20 Subject: Support Of Senate Bill 486  
From: Public Works Agency  
Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 486 (Simitian) -  
"Medical Waste: Sharps Waste" That Would Require Pharmaceutical Manufacturers Whose  
Products Are Injected At Home Through The Use Of Hypodermic Needles Or Similar Devices  
To Provide A Plan To The California Integrated Waste Management Board Describing The  
Safe Disposal Options For Home-Generated Used Needles  
[09-0524](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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21 Subject: Support Of Assembly Bill 1422  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution In Support Of Assembly Bill No. 1422 (Bass),  
Allowing Redevelopment Agencies To Use Tax Increment Funds For Housing In Foreclosure  
[09-0530](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*

- Sanjiv Handa  
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22 Subject: Support Of Assembly Bill 479  
From: Public Works Agency  
Recommendation: Adopt A Resolution In Support Of Assembly Bill (Assembly Bill) 479 (Chesbro) - "Solid Waste: Diversion" That Would Establish A Statewide Goal Of 75% Waste Diversion By The Year 2020 And Require Cities And Counties To Establish Mandatory Recycling For Businesses And Multi-Family Dwellings  
[09-0547](#)  
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**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Vice-Mayor De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Council President Brunner  
*The following individual spoke on this item:*

- Sanjiv Handa  
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### Continuation of Open Forum

### ADJOURNMENT OF COUNCIL SESSION

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*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Michael Jackson, Iona Youngblood, Esther Wadsworth, Rosa Flores, Ruth Stewart and Lowell Shin Hiu at 8:41 PM*

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