



# 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, February 01, 2011

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 5:42 p.m..*

2 Roll Call / ORA & Council

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ORA\Councilmember Present: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*There were 13 speakers during open forum.*

- 4           ACTIONS ON SPECIAL ORDERS OF THE DAY  
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council  
Acknowledgements/Announcements):
- Agency/Councilmember Nancy Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Barry Bingham*
- Agency/Councilmember Libby Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Dave Miller*
- Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Charlene Jackson*
- Agency/Councilmember De La Fuente took a point of personal privilege and requested that the meeting be adjourned in memory of Peter Kvalen*
- Agency/Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Joseph McNeil, Franklin McCain, Ezell Blair, Jr., David Richmond*

- 5           APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF  
January 18, 2011
- A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, to \*Approve as Submitted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

- 6           MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS  
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):
- A motion was made by Councilmember Schaaf, seconded by Councilmember Brunner, to Approved as Amended. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
- Modifications to the agenda include a change to the order of items on Non-consent. Non-consent items will proceed in the following order: 11, 13, 10.1, 10, and 12.*

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

7.1-CC      Subject:      Declaration Of A Local Emergency Due To AIDS Epidemic  
                 From:            Office Of The City Attorney  
                 Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
                 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis  
                 With Regard To The AIDS Epidemic  
[10-0343](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.2-CC      Subject:      Medical Cannabis Health Emergency  
                 From:            Office Of The City Attorney  
                 Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local  
                 Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In  
                 The City Of Oakland  
[10-0344](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.3-CC      Subject:      Enterprise Zone Increase  
                 From:            Community And Economic Development Agency  
                 Recommendation: Adopt An Ordinance Amending Ordinance Number 13024 C.M.S. (Master  
                 Fee Schedule) To Increase The \$75 Enterprise Zone Processing Fee By \$5 To \$80, And To  
                 Increase The Expedited Enterprise Zone Processing Fees By \$15 To \$110 And By \$35 To \$150  
[10-0251](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.4-CC Subject: Amending The Salary Schedule  
From: Department Of Human Resource Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance  
Number 12187 C.M.S. (The Salary Ordinance) To: Add The Permanent Part Time (PPT) And  
Part Time (PT) Equivalent Classifications Of: Case Manager, Supervising, PPT; Case Manager,  
Supervising, PT; Case Manager II, PPT; Case Manager II, PT; Case Manager I, PT  
[09-1513](#)

**A motion was made to Approved As Amended On Introduction and  
Scheduled for Final Passage on the Consent Agenda.**

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

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7.5-CC Subject: Public Ethics Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Aspen Baker  
To The Public Ethics Commission  
[10-0346](#)

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

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

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7.6-CC Subject: Commission On Persons With Disabilities Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Eva M.  
Aguillard To The Commission On Persons With Disabilities  
[10-0347](#)

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

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

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7.7-CC Subject: The Citizen's Police Review Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Paula White  
As A Member And Howard Tevelson As Alternate To The Citizen's Police Review Board  
[10-0341](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.8-CC Subject: Housing, Residential Rent And Relocation Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Edward M.  
Lai To The Housing, Residential Rent And Relocation Board  
[10-0345](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.9-CC Subject: Reyes Briones - 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 Louis And Reyes Briones In The Amount Of One  
Hundred Forty Four Thousand One Hundred Fifty Three Dollars And No Cents (\$144,153.00)  
(Public Works Agency).  
[10-0348](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.10-CC Subject: Association Of Bay Area Governments Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Councilmembers Jane Brunner, Desley Brooks, And Rebecca Kaplan To The Board Of The Association Of Bay Area Governments (ABAG)  
[10-0350](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.11-CC Subject: City/Port Liaison Committee Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Council President Larry E. Reid, Council Member Nancy Nadel, Council Member Libby Schaaf, And Councilmember Rebecca Kaplan To The City/Port Liaison Committee  
[10-0351](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.12-CC Subject: Wildfire Prevention Assessment District Board Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing Diane A. Hill As Member Of The Wildfire Prevention And Assessment District Advisory Board  
[10-0352](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.13-CC Subject: Oakland Alameda County Coliseum Authority Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Councilmember And President Pro Tem  
Ignacio De La Fuente And Council Member And Vice Mayor Desley Brooks, To The Oakland  
Alameda County Coliseum Authority  
[10-0353](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.14-CC Subject: Alameda County Transportation Board Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Council President Larry E. Reid And  
Councilmember Rebecca Kaplan To The Alameda County Transportation Board  
[10-0354](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.15-CC Subject: National League Of Cities Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Councilmember And Vice Mayor Desley  
Brooks To The National League Of Cities And Council President Larry E. Reid As An  
Alternate Member  
[10-0355](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
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7.16-CC Subject: California League Of Cities Appointments  
From: Office Of Council President Reid  
Recommendation: Adopt A Resolution Appointing Council President Larry E. Reid To The California League Of Cities And Council Member And Vice Mayor Desley Brooks As An Alternate Member  
[10-0356](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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7.17-CC Subject: Violence Prevention And Public Safety Oversight Committee Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Melanie Shelby, As A Member Of The Violence Prevention And Public Safety Oversight Committee  
[10-0340](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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S-7.18-CC Subject: Rehabilitation Of Sanitary Sewers In The Easement By Knowland Park  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Easement By Knowland Park (Project No. C329116) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Four Hundred Thirty-Seven Thousand Five Hundred Ninety-Two Dollars (\$437,592.00)  
[10-0293](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
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S-7.19-CC Subject: Audit Services - Contracts  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Amending City Council Resolution No. 82682 C.M.S., Which Authorized A Contract With Macias Gini, & O'Connell, LLP To Provide Audit Services (Single Audit), To Increase The Contract For Single Audit Report By Nineteen Thousand Four Hundred Dollars (\$19,400), From Eighty-Seven Thousand Two Hundred Three Dollars (\$87,203) To One Hundred Six Thousand Six Hundred Three Dollars (\$106,603) To Cover Testing Of Two Additional Major Programs For Fiscal Year Ending June 30, 2010

[10-0282](#)

**This Matter was Adopted amended to the resolution to waive both 1) advertisement and 2) the Request for Proposal processes. on the Consent Agenda.**

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

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2) An Agency Resolution Amending City Council Resolution No. 2010-0048 C.M.S., Which Authorized A Contract With Macias Gini, & O'Connell, LLP To Provide Audit Services, To Increase The Contract For Oakland Army Base Report By Sixty Thousand Dollars (\$60,000), From Three Thousand Sixty Dollars (\$3,060) To An Amount Not-To-Exceed Sixty Three Thousand Sixty Dollars (\$63,060) To Provide Comprehensive Financial Statements For The Years Ended June 30,2007, 2008, 2009 And 2010 And The Close-Out Period Ended August 7, 2010

[10-0282-1](#)

**This Matter was Adopted amended to the resolution to waive both 1) advertisement and 2) the Request for Proposal processes. on the Consent Agenda.**

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

[2011-0003 CMS.pdf](#)

S-7.20-CC Subject: Violence Prevention And Public Safety Direct Bill  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A  
Sole- Source Service Agreement To Direct Bill The Property Owners For The Special Tax  
Imposed For The Purpose Of Violence Prevention And Public Safety Services In Accordance  
With The Violence Prevention Act Of 2004 (Measure Y) With A Cost Not To Exceed  
\$580,000; Or, To Place The Special Tax Levy On The Tax Roll On August 10, 2011  
[10-0303](#)

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

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

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S-7.21-CC Subject: Expansion of the Membership of the Project Area Committe  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Certifying The Expansion Of The Membership Of The  
Project Area Committee For The Broadway/Macarthur/San Pablo Redevelopment Project Area  
To Include Representatives Of The Lowell Street/Golden Gate/Gaskill Amendment Area, And  
Designating Lowell Street Connected As An Additional Community Organization  
Representative On The PAC  
[10-0271](#)

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

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

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S-7.22-CC Subject: Fireblast - Contract Award  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To 1) Dispense With Advertising And Bidding And Authorize A Limited Request For Proposal Process, And 2) Award A Contract To Fireblast 451, Inc. For The Purchase And Installation Of A Live Fire Simulator, And Training, Equipment, Supplies And Maintenance Associated With Implementation Of The Live Fire Training Program In An Amount Not To Exceed Three Hundred Sixty Eight Thousand, Five Hundred Four Dollars (\$368,504)  
[10-0302](#)

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

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

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**Passed The Consent Agenda**

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

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

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

**\*Approve as Submitted**

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

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

- 9.1 ~~Subject: Combining Zone Regulations  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance To  
1) Extend The Broadway Retail Frontage Interim Combining Zone Regulations In Oakland  
Planning Code Chapter 17.101e Through February 15, 2013 Or Until City Council Adoption Of  
The Broadway/Valdez District Specific Plan, Whichever Comes First; And 2) Make Changes  
To The D-BR Zone Text, Including The D-BR Zone May Be Combined With Any Other Zone,  
Not Just A Commercial Zone, As Recommended By The City Planning Commission. The  
D-BR Zone Is Currently Located From 23rd St. In The South; Highway 580 In The North;  
Webster St. And Lots On Or Near Broadway In The West; And Brook St., Portions Of Valdez  
St., 27th, And Harrison St, In The East  
[10-0246](#)  
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[13059 CMS.pdf](#)~~

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

*AS ANNOUNCED PREVIOUSLY UNDER ITEM 6 THE NON-CONSENT  
PORTION OF THE AGENDA WILL BE TAKEN IN THE FOLLOWING  
ORDER ITEM 11, ITEM 13, ITEM 10.1, ITEM 10, AND ITEM 12.*

- 11 Subject: Measure K, Measure Y And Measure Q Performance Audits  
From: Office Of The City Auditor  
Recommendation: Receive A Follow Up Report On The Performance Audits For The  
Following : (1) Measure K, Kids First! The Oakland Fund For Children And Youth Act Of  
1996, Baseline Funding For Children And Youth Services; (2) Measure Y, The Violence  
Prevention And Public Safety Act Of 2004, Administration Of Violence Prevention Grants; (3)  
And Measure Q, Library Services Retention And Enhancement Act Of 2004” [TITLE  
CHANGE]  
[10-0330](#)  
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**A motion was made by Councilmember Nadel, seconded by President Pro  
Tempore De La Fuente, that this matter be \*Received and Filed. The  
motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf  
and Councilmember Brunner  
*There was 1 speaker on this item.*

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13           Subject:    Museum Renovations Project  
              From:       Public Works Agency  
              Recommendation: Adopt A Resolution Authorizing An Increase In The Construction Manager  
                  At-Risk Contract With Cahill Contractors, Inc. In The Amount Not To Exceed Six Million  
                  Nine Hundred Twenty Thousand Dollars (\$6,920,000) To Complete Phase 2 And Future Phases  
                  Of The Museum Renovations Project (Natural Science Gallery, Education Center, Support  
                  Spaces And Other Areas) As Private Or Public Funding Becomes Available For A Total  
                  Contract Amount Of Twenty Four Million Dollars (\$24,000,000), And Waiving Further  
                  Advertising And Request For Proposals Or Bids For This Contract

[10-0339](#)

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

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

*There was 1 speaker on this item.*

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S-10           Subject:    State Budget Status  
              From:       Budget Office  
              Recommendation: Receive A Supplemental Report Regarding The Status Of The State's  
                  Budget Development And Its Potential Impacts On The City Of Oakland's Proposed Budget For  
                  Fiscal Year 2009 -2011 [TITLE CHANGE]

[09-0439-1](#)

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*There were 3 speakers on this item.*

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12            Subject:    2011 Federal Legislative Agenda  
              From:        Office Of The Council President  
              Recommendation: Action On A Report Requesting Approval Of The Proposed 2011 Federal  
              Legislative Agenda For The City Of Oakland  
              [10-0309](#)  
              [Play Video](#)

**A motion was made by Councilmember Brunner, seconded by President Pro Tempore De La Fuente, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
*There was 1 speaker on this item.*

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S-10.1 Subject: Medical Cannabis Cultivation Facility  
From: Council President Reid & Vice Mayor Desley Brooks  
Recommendation: Adopt An Ordinance Amending Business Licenses And Regulations, To Add Chapter 5.81, Pertaining To Medical Cannabis Cultivation Facility, Herinafter Medical Cannabis Cultivation And Dispensing Facility  
[09-1619-3](#)  
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**A motion was made by Councilmember Nadel, seconded by President Pro Tempore De La Fuente, that this matter be Continued to the \*Public Safety Committee, due back on February 8, 2011. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner  
*There were 36 speakers on this item.*

*The Council referred this item back to the February 8, 2011 Public Safety Committee committee and requested that staff respond to the many questions posed by the public.*

*The Council also requested that the dispensary permit process return to the February 8, 2011 Public Safety Committee meeting with other options for further discussion.*

*Full Council agreed to use Vice Mayor Brooks draft proposal as a base to look at the dispensaries and whether or not they stayed in their current iteration; and consider other options that are available: i.e., cultivation facility as a stand alone, or a hybrid model; and leaving current dispensary operations in place.*

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### **Continuation of Open Forum**

### **ADJOURNMENT OF COUNCIL SESSION**

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

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*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting at 8:30 p.m.*

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-3226

Fax: (510) 238-6699

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[TTD](#)

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*City Clerk and Clerk of the Council*