



# City of Oakland Meeting Minutes

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

## Concurrent Meeting of the Oakland Redevelopment Agency

### / City Council

**Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

**City of Oakland Website: <http://www.oaklandnet.com>**

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**Tuesday, July 05, 2011**

**5:30 PM**

**Oakland City Hall, 3rd Floor**

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1 Pledge of Allegiance

*The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened a 5:36 pm.*

2 Roll Call / ORA & Council

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

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

*There were 3 speakers during Open Forum*

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

*Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Don Deamer.*

*Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Tom Williams. Council President Reid and Pro Tempore De La Fuente requested association with this Tribute*

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF  
June 21, 2011

**A motion was made by Councilmember Kernighan, seconded by Councilmember Schaaf, to \*Approve with the following amendments correcting the vote for item 9.6 for the meeting of June 21, 2011 and showing Councilmembers Kernighan and Nadel as Abstained. The motion carried by the following vote:**

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

- 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):  
*Item 14 regarding the Port of Oakland's Conflict of Interest Disclosure will be pulled from the agenda with no new date.*

**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  
[10-0744](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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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  
[10-0745](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid  
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7.3-CC Subject: City Attorney's Salary  
From: Office Of The City Auditor  
Recommendation: Adopt A Resolution Setting The Salary For The Newly Elected City  
Attorney Of The City Of Oakland Pursuant To The Oakland City Charter, Article IV, Section  
401(1) Effective 2013  
[10-0666](#)

**This Matter was Adopted as Amended to establish a salary of \$165,000 for  
the City Attorney and revise dates in the resolution to January 7, 2013 on  
the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid  
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7.4-CC Subject: Commission On Aging Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointm Of Saturu N.  
Ned As A Member Of The Commission On Aging  
[10-0765](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid  
*There was 1 speaker on the item.*  
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7.5-CC Subject: CPAB Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Vertis  
Whitaker As A Member Of The Community Policing Advisory Board  
[10-0767](#)

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

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

*There was 1 speaker on the item.*

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7.6-CC Subject: BAC Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Michael J.  
Kilian And Edward R. Gerber To The Budget Advisory Committee  
[10-0768](#)

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

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

*There was 1 speaker on the item.*

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7.7-CC Subject: Amending Conflict Of Interest Code  
From: Office Of The City Attorney  
Recommendation: Adopt An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S Adopted March 23,1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant Positions To Update The Designation Of Positions Covered By The Code  
[10-0606](#)

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

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

*There was 1 speaker on the item.*

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7.8-CC Subject: Temporary Vehicle Permits - Taxi  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance, Pursuant To Municipal Code Section 5.64.080 (I), Authorizing The City Administrator To Issue Temporary Vehicle Permits Finding There Is An Urgent Public Need To Ensure The Maintenance Of Safe And Reliable Taxi Service In Oakland  
[10-0732](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Kernighan  
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

*There were 2 speakers on the item.*

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7.9-CC Subject: Lawrence Berkeley National Laboratory - Second Campus  
From: Council President Reid And Councilmember Kernighan  
Recommendation: Adopt A Resolution In Support Of Locating Lawrence Berkeley National  
Laboratory's Second Campus In The Brooklyn Basin Site In Oakland  
[10-0737](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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7.10-CC Subject: Settlement Agreement - Lewis  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Lewis V. City Of Oakland, Alameda County Superior Court Case No. RG10535198 In The Amount Of \$23,500.00 (Public Works Agency - Trip And Fall)  
[10-0740](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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7.11-CC Subject: Settlement Agreement - Monica Ivon  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Monica Ivon Orduno V. City Of Oakland. Et Al. Alameda County Superior Court Case No. Rg08-407042 In The Amount Of \$750,000.00 As A Result Of Being Struck By A Car At The Intersection Of MacArthur Blvd And Martin Luther King Jr. Way. (OPW)  
[10-0769](#)

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

**Votes:** ORA\Councilmember Noes: 2 - President Pro Tempore De La Fuente and Councilmember Nadel  
ORA\Councilmember Ayes: 6 - Vice Mayor Brooks, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Schaaf and President of the Council Reid  
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7.12-CC Subject: Settlement Agreement - Hardy And Sherertz  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Rosemary Hardy And David Sherertz V. City Of Oakland, Alameda County Superior Court Case No, Rg10531620, Ctty Attorney's File No.27714, In The Amount Of Thirty Thousand Dollars (\$30,000.00). (PWA)  
[10-0723](#)

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

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

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7.13-CC Subject: Settlement Agreement - Shanks  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Shanks V. City Of Oakland, Alameda County Superior Court Case No. RG10525839 In The Amount Of \$80,000.00 (Public Works Agency - Trip And Fall)  
[10-0724](#)

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

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

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7.14-CC Subject: Safe Routes To School Contract Award  
From: Public Works Agency  
Recommendation: Adopt A Resolution Awarding A Construction Contract To AJW Construction For The Construction Of The Safe Routes To Schools (SRTS), Cycle 1 Project (City Project No. G340910) In Accordance With The Project Plans And Specifications In The Amount Of Four Hundred Twenty-Four Thousand, Six Hundred Seventy-Nine Dollars And Fifty Cents (\$424,679.50)  
[10-0680](#)

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

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

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7.15-CC      Subject:      Highway Safety Improvement Program Grant  
From:          Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To  
Accept And Appropriate One Million Eight Hundred Thousand Nine Hundred Dollars  
(\$1,800,900.00) In Highway Safety Improvement Program (HSIP) Grant Funds To Upgrade  
Existing Traffic Signals, Install A New Traffic Signal, Modify Intersection Geometry, Install  
ADA compliant Curb Ramps, And Install Speed Message Signs At Various Intersections In  
The City Of Oakland  
[10-0652](#)

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

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

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7.16-CC Subject: Permanent Access To Housing Matching Funds  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland's 2011/12 Application Process For The Permanent Access To Housing (PATH) Strategy To Provide Housing And Wrap Around Services To The Homeless (Not Less Than \$1,400,196); To Allocate General Purpose Funds (Not Less Than \$179,310) To The City's Homeless Mobile Outreach Program Under PATH; To Allocate General Purpose Fund Match (Up To \$133,146) To East Oakland Community Project For The City's Families In Transition Program, Funded (\$245,420) By The U.S. Department Of Housing & Urban Development (HUD); To Allocate General Purpose Match Funding (Up To \$52,750) To East Oakland Community Project For The City's Matilda Cleveland Transitional Housing Program, Funded By HUD (\$259,824); To Allocated Funding Awarded To The City By Alameda County (Up To \$250,000) To Anka Behavioral Health, Inc. As Match Funding To The City's Homeless Families Support Network Support Housing Program Funded By HUD (\$1,829,618); To Allocate Funds To Cover Lease Costs At The Matilda Cleveland Transitional Housing Facility For The 2011/12 Fiscal Year (Up To \$27,000); To Allocate Funds To Fulfill The City's Annual Obligation To The Alameda County Everyone Home Strategy And Alameda County Homeless Management Information System (Up To \$51,000); To Allocate Match Funds (\$34,206) To Abode Services, Inc For A New Supportive Housing Program Grant (\$827,904) To Increase Rapid Rehousing Opportunities In Oakland Through The Oakland Path Rehousing Initiative; To Allocate And Authorize An Agreement With Alameda County Community Food Bank (Up To \$100,000) For The City's Food Distribution Program; And To Allocate Funds To The City's Hunger Program (Up To \$36,000) For Food Distribution Costs Not Covered Under The Alameda County Community Food Bank Agreement  
[10-0676](#)

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

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

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7.17-CC Subject: Early Head Start - Grant Funds  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Early Head Start Expansion Basic, Training, And Technical Assistance Grant Funds (Formerly ARRA - American Recovery And Reinvestment Act Funding) For Program Year 2011-2012 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF) In The Estimated Amount Of \$2,767,500 And Authorizing Grant Agreements With The Salvation Army (\$148,200), Brighter Beginnings (\$478,800), And Children's Hospital (\$45,000) For The Program Year 2011-2012 For An Aggregated Amount Not To Exceed \$672,000 To Fund Child Development Services For Children, Birth - Three-Years-Old, And Their Families, With Said Grants  
[10-0645](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.20-CC Subject: Pay By Phone Pilot Program  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Contract Between The City Of Oakland And Parkmobile USA, Inc. To Provide A Pay By Phone Pilot Program For Parking Meter Fees For A 12-Month Period  
[10-0675](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.21-CC Subject: City-Port MOA  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Authorizing The City Administrator To Execute An Amendment To The Oakland Army Base Amended And Restated Memorandum Of Agreement Among The City Of Oakland, The Redevelopment Agency, And The Port Of Oakland To: A) Extend The August 7, 2010 Deadline By Up To Four Years To Fund The West Oakland Community Trust Fund B) Revise The City-Port MOA To Indicate That The Port's Contribution To The West Oakland Community Trust Fund Can Be Provided By The Port's Developer Rather Than Directly By The Port; And  
[10-0672](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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2) An Agency Resolution Authorizing The Agency Administrator To Execute An Amendment To The Oakland Army Base Amended And Restated Memorandum Of Agreement Among The City Of Oakland, The Redevelopment Agency, And The Port Of Oakland (The "City-Port MOA") To: A) Extend The August 7, 2010 Deadline By Up To Four Years To Fund The West Oakland Community Trust Fund B) Revise The City-Port MOA To Indicate That The Port's Contribution To The West Oakland Community Trust Fund Can Be Provided By The Port's Developer Rather Than Directly By The Port  
[10-0672-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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S-7.22-CC Subject: BE Fitzpatrick Development Inc. Incentive Agreement  
From: Community And Economic Development Agency  
Recommendation: Adopt A City Resolution Authorizing The City Administrator To Execute A Certificate Of Completion And Other Release Of Obligations By B. E. Fitzpatrick Development Inc., Owner Of The Coliseum Lexus Dealership Project ("Project"), And Its Dealer, Oakland Motor Cars, Inc., Under A Business Incentive Agreement Regarding The Project  
[10-0591](#)

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

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

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S-7.23-CC Subject: Foreclosure And Acquisition Of Properties - West Oakland Project Area  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Commencement Of Foreclosure Proceedings And The Acquisition Of Properties Located At 7th Street And Campbell Street In The West Oakland Redevelopment Project Area, And Allocating Agency Funds In An Amount Not To Exceed \$500,000 For Costs Related To The Acquisition  
[10-0671](#)

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

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

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S-7.24-CC Subject: International Blvd and 95th Avenue - Real Property Purchase  
From: Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 9409, 9415, 9423, 9431, And 9437 International Boulevard, 1361 95th Avenue And An Unknown Address On 95th Avenue (Assessor's Parcel Number: 044-4967-009) In The Coliseum Redevelopment Project Area For Blight Removal And Land Assembly, From Elmhurst Plaza Developer, LLC, Charles Hill And Cherry Hill, And Charles Hill, Surviving Joint Tenant, In An Amount Not To Exceed \$1,221,000, And Authorizing Up To \$650,000 For Abatement, Demolition Relocation And Real Estate Closing Costs  
[10-0541](#)

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

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

**A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, 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 Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

*Agency/Councilmember De La Fuente made a motion seconded by Agency/Councilmember Brooks to approve the urgency finding on items S-7.18 and S-7.19 for the following reasons: 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.*

S-7.18      Subject:      City Administrator Employment Agreement - Deanna Santana  
From:            Office Of The Mayor  
Recommendation: Adopt A Resolution Authorizing The Mayor To Execute An Employment  
Agreement On Behalf Of The City With Deanna Santana, City Administrator, Effective August  
1, 2011  
[10-0781](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by  
Vice Mayor Brooks, 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 Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid

*There was 1 speaker on the item.*

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S-7.19      Subject:      Stop I-9 Audits At Various Companies  
From:            President Pro Tempore De La Fuente  
Recommendation: Adopt A Resolution Urging The US Department Of Homeland Security To  
Stop The Audit Of I-9 Forms At The Pacific Steel Foundry Berkeley And Other Companies  
Until We Have Comprehensive Immigration Reform  
[10-0783](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by  
Vice Mayor Brooks, 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 Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid

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

**A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to \*Approve as Submitted the report of the City Attorney of no final decisions made during closed session and no non-confidential discussion. The motion carried by the following vote:**

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

*There was 1 speaker on the item.*

*The time was noted to be 6:00pm. At that time, Council went into recess.*

*The time was noted to be 6:30pm. At that time, Council reconvened.*

**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:**

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 6:31p.m.*

*There were 4 speakers on the item.*

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

*-8*

- 9.1 Subject: Central City East Five-Year Plan  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Authorizing A One-Year Extension Of The Project Area Committee For The Central City East  
Redevelopment Project To July 29, 2012  
[10-0673-1](#)

**A motion was made by Councilmember Kaplan, seconded by Councilmember Brunner, 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 Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

- 10 This number was intentionally left blank
- 11 Subject: Community Emergency Response Team Grant  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Apply for, Accept and Appropriate Federal Fiscal Year 2010 Community Emergency Response Team (CERT) Grant Funds From the State of California Homeland Security Grant Program in the Amount of Fifty Thousand Dollars (\$50,000) For the City of Oakland, Office of Emergency Services, Communities of Oakland Respond to Emergencies (CORE) Program  
[10-0674](#)

**A motion was made by Councilmember Kaplan, seconded by Councilmember Schaaf, 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 Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
*There was 1 speaker on the item.*

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12 Subject: Urban Area Security Initiative Grant Funds  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement With The City and County Of San Francisco For Receipt Of Fiscal Year 2010 Urban Area Security Initiative (UASI) Grant Funds In An Amount Up To One Million, Two Hundred and Twenty-Five Thousand Dollars (\$1,225,000), And 2) Accept, Appropriate And Administer Said UASI Grant Funds, And 3) Approve The 2010 UASI Preliminary Spending Plan And Waive City Of Oakland Central Services Overhead (CSO) Fees Of Twenty- Seven Thousand Dollars (\$27,000), And 4) Expend Funds In Accordance With Said Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority Of Equipment And Services Required By The Grant, Provided Federal And City Bidding Requirements And Request For Proposal/Qualification Requirements And Purchasing Programs And Policies Are Followed  
[10-0677](#)

**A motion was made by Councilmember Kaplan, 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 Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
*There was 1 speaker on the item.*

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13 ~~Subject: Contracting Process And Timeline - Various Departments~~  
~~From: Vice Mayor Brooks~~  
~~Recommendation: Discussion And Possible Action On The City's Contracting Process And Timeline For Various Agencies [TITLE CHANGE]~~  
~~[10-0334-1](#)~~

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14 Subject: Amending Conflict Of Interest Code - Port Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Approving A Conflict Of Interest Code For Designated Employees And Consultants Of The Port Of Oakland  
[10-0606-1](#)

**\*Withdrawn with No New Date**  
*There was 1 speaker on the item.*  
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15 Subject: OPD Reorganization  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From the Office of Chief of Police  
Detailing the Department's Plan to Reorganize the Oakland Police Department, Effective July  
2011, to Address Police Staffing Shortfalls and Deliver Police Services Under a Strengthened  
Model of Field Supervision  
[10-0746](#)

**A motion was made by Councilmember Kaplan, 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 Brunner, Councilmember Kaplan, Councilmember  
Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the  
Council Reid  
*There was 1 speaker on the item.*

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16 Subject: East Bay Regional Private Sewer Lateral Program  
From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Revision Amending Oakland Municipal Code Title 13, Chapter 13.08 To Add  
New Regulations Requiring Oakland Property Owners To Inspect And Certify Lower Sewer  
Laterals In The Public Right-Of-Way At The Time Of Property Transfer, Major Remodeling  
And Change In Water Service [TITLE CHANGE]

[10-0648](#)

**A motion was made by Councilmember Schaaf, seconded by  
Councilmember Kernighan, that this matter be Approved On Introduction  
and Scheduled for Final Passage to the Concurrent Meeting of the Oakland  
Redevelopment Agency / City Council, to be heard at the July 19, 2011  
meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De  
La Fuente, Councilmember Kaplan, Councilmember Kernighan,  
Councilmember Nadel, Councilmember Schaaf and President of the Council  
Reid  
*There was 1 speaker on the item.*

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2) A Resolution Authorizing The City Administrator Or His Designee To Sign A Statement Of Roles And Responsibilities With The East Bay Municipal Utility District For Implementation Of The East Bay Regional Private Sewer Lateral Program

[10-0648-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid  
[83469 CMS.pdf](#)

17

Subject: Call For 2011 Special Election  
From: Office Of The City Administrator  
Recommendation: Adopt An Ordinance Adding Section 3.08.015 To Chapter 3.08 Of The Oakland Municipal Code, Entitled "Elections," To Authorize The City Council To Call A Special Municipal Election On November 15, 2011

[10-0555-1](#)

**A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel, to Approved As Amended On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the July 19, 2011 meeting to set the date for a Special Election for November 15, 2011. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Schaaf  
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Reid  
*There were 6 speaker on the item.*

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S-18            Subject:    Port Of Oakland - Cost Sharing Agreement  
                  From:        Community And Economic Development Agency  
                  Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Execute A Cost Sharing Agreement Among The Redevelopment Agency, The City And The Port Of Oakland For The Development Of Infrastructure Including Public Utilities And Public Streets On The Former Oakland Army Base; And

[10-0703](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Kaplan, 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 Brunner, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Schaaf and President of the Council Reid

*There was 1 speaker on the item.*

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[2011-0057 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Execute A Cost Sharing Agreement Among The City, The Redevelopment Agency And The Port Of Oakland For The Development Of Infrastructure Including Public Utilities And Public Streets On The Former Oakland Army Base

[10-0703-1](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Kaplan, that this matter be Adopted accepting the revisions to Attachment B, Page 6, Part D Section 202 that presents a new formula with adjustments on a prorated basis. The motion carried by the following vote:**

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

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**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Don Deamer and Tom Williams at 8:12 p.m.*

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