



# 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, November 17, 2009

6:00 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 at 6:13pm*

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments  
(Time Available: 15 minutes)

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*The following individuals spoke under open forum:*

- Glenda Hammonds
- David Mix
- Sanjiv Handa

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this item:*

5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

*There was no action necessary for this item.*

6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this item.*

7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on November 3, 2009

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

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

### **8. PRESENTATION OF CEREMONIAL MATTERS**

8.1 Subject: Oakland Builders Alliance  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Recognizing The Oakland Builders Alliance For Their Efforts In Rehabilitating The East Oakland Boxing Association's Site  
[09-0973](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Absent: 1 - Councilmember Nadel  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and Councilmember Reid

*The following individual spoke on this item:*

- Frank Rose  
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### **9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

*Agency/Councilmembers Reid and Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of James Jefferson.*

*Agency/Councilmember Reid and Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Ollie Glasf.*

*Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Tom Graff and Beatrice Slider*

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

### **10. CONSENT CALENDAR (CC) ITEMS:**

10.1-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  
[09-0975](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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10.2-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  
[09-0976](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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10.3-CC Subject: Purchase Of 3508 Butters Drive - Victor Van  
From: Community And Economic Agency  
Recommendation: Adopt An Ordinance Authorizing The Purchase Of 3508 Butters Drive, A  
14,567 Square Feet Lot Located In The Butters Canyon, From Victor Van, Et Al., For One  
Hundred Fifty Thousand Dollars (\$150,000) Plus Closing Costs Not To Exceed Ten Thousand  
Dollars (\$10,000) From Measure DD Funds  
[09-0836](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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10.4-CC Subject: Special Events Permit Fees  
From: Oakland Police Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12948 C.M.S. (Master Fee Schedule) To Establish New Special Event Permit Fees  
[09-0793](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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10.5-CC Subject: Parking Meter Funds  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code Chapter 10.36 To Delete Section 10.36.080, Which Restricts The Deposit Of Parking Meter Revenues To A "Parking Meter Fund" And A "Traffic Control Fund," Thereby Permitting Deposits Of Parking Meter Revenues Into The General Purpose Fund (TITLE CHANGE)  
[09-0830](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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10.6-CC Subject: Unreturned Paylock Boot Fee  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12948 C.M.S. (Master Fee Schedule), As Amended, To Add A Twenty-Five Dollar (\$25) Daily Fee For An Unreturned Paylock; A Five Hundred Dollar (\$500) Boot Replacement Fee; And A Two Hundred Fifty Dollar (\$250) Damaged Boot Fee  
[09-0848](#)

**This Matter was Approved for Final Passage with direction that staff agendize through the Rules committee the the extension of the towing period from 24 hours to 48 hours. on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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10.7-CC Subject: Amending Salary Schedule  
From: Department of Human Resources Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add The Permanent Full Time Equivalent Classifications Of: Director Of Information Technology; Director Of Contracting And Purchasing; Director Of Human Resources Management; Associate Director, Library Services; Chief Of Police, Assistant; Police Services Manager I; Police Services Manager II; And Revenue And Tax Administrator  
[09-0850](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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10.8-CC Subject: Quorum Requirement-Measure Y Oversight Committee  
From: Office of the City Administrator  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12690 C.M.S., Section 2,  
Subsection B., To Reduce The Number Of Oversight Committee Members Required For A  
Quorum From Seven Members To Six Members  
[09-0518](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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10.9-CC Subject: Conflict Waiver - Bingham McCutchen  
From: City Attorney Office  
Recommendation: Adopt A Resolution Approving A Conflict Waiver For The Law Firm Of  
Bingham McCutchen Which Has Represented Parties On Various Land Use And Development  
Matters That Require The Parties To Secure Permits Or Other Approvals From The City Of  
Oakland, And To Allow The Firm To Represent The City Of Oakland On Certain Banking  
Regulatory Matters Arising From The City's Consideration Of A Debit Function In Oakland's  
Municipal Identification Card Program  
[09-0970](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 6 - Councilmember De La Fuente, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan and Councilmember Reid  
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10.10-CC Subject: Lorenzo Crenshaw - 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 Lorenzo Crenshaw V. City Of Oakland, Et Al., United States District Court Case No. C-08-05161 (CRB), City Attorney File No. 26424, In The Amount Of \$15,000.00. This Case Involves A Claim For Damages Resulting From The Detention Of Plaintiff By Oakland Police Officers On October 29, 2007 (OPD)  
[09-1001](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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10.11-CC Subject: Uganda Knapps - 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 Uganda Knapps V. City Of Oakland, Et Al., United States District Court No. C-05-2935-MEJ, Our File No. 24596, In The Amount Of \$300,000 (Oakland Police Department - Excessive Force/False Report)  
[09-1002](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.12-C Subject: New York Travel- Jane Brunner  
C From: Council President Jane Brunner  
Recommendation: Adopt A Resolution Authorizing Council President Jane Brunner To Travel To New York, New York, To Attend The 2009 Changing The Odds: Learning From The Harlem Children's Zone (HCZ) Model Conference November 9-10, 2009  
[09-1004](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Nadel  
ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and Councilmember Reid  
*Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Quan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding item 10.12cc 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 {s 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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S-10.13-C Subject: Amending Salary Schedule  
C From: Department of Human Resource Management  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To: Add The Permanent Part Time (PPT) And Part Time (PT) Equivalent Classifications Of: Real Estate Agent, PT; Receptionist To The City Auditor, PT; Real Estate Agent, PPT Receptionist To The City Auditor, PPT; Contract Compliance Officer, PPT; And Police Records Specialist, PPT  
[09-0850-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.14-C Subject: Annual Fleet Report  
C From: Public Works Agency  
Recommendation: Receive The Annual Fleet Status Report  
[09-0675](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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S-10.15-C Subject: San Pablo Pedestrian Streetlights  
C From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating Up To An Additional \$350,000 From The  
Broadway/MacArthur/San Pablo Tax Allocation Bond Series 2006C-TE To The City Of  
Oakland Under The Cooperation Agreement For The San Pablo Golden Gate District  
Pedestrian Streetlights Project, Increasing The Total Project Budget From \$1,500,000 To  
\$1,850,000; And  
[09-0833](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
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[2009-0094 CMS.pdf](#)

2) A Resolution Accepting An Additional \$350,000 Contribution From The Redevelopment  
Agency Under The Cooperation Agreement For The San Pablo Pedestrian Streetlights Project,  
For A Total Project Budget Of \$1,850,000, And Waiving The City's Competitive Bidding  
Requirement And Increasing The Contract With Ray's Electric In The Amount Of \$218,000,  
For A Total Contract Amount Of \$835,000 For The Project  
[09-0833-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La  
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and Councilmember Reid  
[82400 CMS.pdf](#)

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S-10.16-C Subject: Street Resurfacing Grant  
C From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The Filing Of An Application For Federal American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") Funding And Stating The Assurance To Complete The Project; And  
[09-0951](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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2) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") Funds Of Approximately Nine Hundred And Ninety-One Thousand Seven Hundred And Twenty-Five Dollars (\$991,725) For The Purpose Of Street Resurfacing  
[09-0951-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
[82402 CMS.pdf](#)

S-10.17-C Subject: City Garage Operations  
C From: Finance and Management Agency  
Recommendation: Discussion And Possible Action On Recommendations For Improvements To The City's Parking Garage Operations Including Changes To The Parking Validation Policy, Establishment Of An Employee Parking Privilege Policy, Garage Automation, Capital Improvements, And Consolidation Of Auxiliary Garage Services  
[09-0626](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.18-C Subject: Real Property Purchase - 5844 Bancroft Avenue  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At 5844 Bancroft Avenue, In The Central City East Redevelopment Project Area, From Robert Fields For \$240,000, Less The Cost Of Any Environmental Site Remediation, And Authorizing Up To \$85,000 For Demolition, Removal And Disposal Of Any Demolition Related Hazardous Materials, And Real Estate Closing Costs  
[09-0908](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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[2009-0095 CMS.pdf](#)

S-10.19-C Subject: 2008-2009 Workforce Investment Subcontracts  
C From: Office of the Mayor  
Recommendation: Adopt A Resolution Amending Resolution No. 82058 C.M.S. To Accept And Appropriate An Additional \$633,666 In Fiscal Year 2008-2009 American Recovery And Reinvestment Act (ARRA) Workforce Investment Act Title 1 Adult And Dislocated Workers Employment Funds, And Allocating Said Funds To The Oakland Private Industry Council, Inc., As The Oakland Workforce Investment System Administrator To Designated Adult Service Providers  
[09-0916](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.20-C Subject: Homeless Mobile Outreach Program  
C From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements With (1) Operation Dignity In The Amount Of \$420,000 For The Homeless Mobile Outreach/Community Cleanup Corps Program (HMOP/CCC) For The Period Of October 1, 2009 Through June 30, 2011, And (2) Abode Services, Inc. In The Amount Of \$352,000 For The Homeless Mobile Outreach/Intensive Case Management Program (HMOP/ICM) For The Period Of October 1, 2009 Through June 30, 2011, (3) A Grant Agreement With Catholic Charities Of The East Bay, Inc. In The Amount Of \$120,000 For The California Work Opportunity And Responsibility To Kids/Temporary Assistance For Needy Families (CALWORKS/TANF) Homeless Assistance Program For The Period Of October 1, 2009 Through September 30, 2010, (4) Allocation \$30,000 For The Implementation And Operation Of The Homeless Prevention And Rapid Rehousing Program (HPRP), And (5) Authorizing The City Administrator To Accept, Appropriate And Add To The Operation Dignity Agreement Any Additional Funds That May Be Contributed By Outside Sources To The HMOP/CCC Program Up To An Amount Of \$50,000  
[09-0832](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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[82404 CMS.pdf](#)

S-10.21-C Subject: Anti-Poverty Recovery Act  
C From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept And Appropriate Community Services Block Grant (CSBG) American Recovery And Reinvestment Act Of 2009 (ARRA) Funding In The Amount Of \$1,212,697 From The State Of California Department Of Community Services And Development (CSD), Contract Number 09F-5103 To Support The City Of Oakland Community Action Partnership's (OCAP) State Approved CSBG Anti-Poverty Recovery Act Local Plan And 2) Amend And Execute Professional Services Contracts And Grant Agreements With Currently Funded Agencies To Expand OCAP's Training, Education, And Employment Opportunities For Oakland's Low-Income Residents  
[09-0997](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.22-C Subject: 2009 COPS Technology Grant - Automatic Vehicle Licensing  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred And Fifty Thousand Dollars (\$250,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), Fiscal Year 2009 COPS Technology Grant Program, For Implementation Of The Automatic Vehicle Licensing (AVL) And Global Positioning System (GPS) Programs, And Appropriate Said Funds To The Police Department  
[09-0621](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.23-C Subject: 2009-2010 CALICO Agreement  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With The Child Abuse Listening, Interviewing, And Coordination Center (CALICO) In The Amount Of Twenty-Two Thousand Five Hundred Dollars (\$22,500) For The Period Of July 1, 2009 Through June 30, 2010, To Provide Forensic Interviews, Multi-Disciplinary Child Abuse Investigations, Family Support Services, Community Outreach, And Training To The Oakland Police Department  
[09-0791](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.24-C Subject: The Anti-Human Trafficking Task Force Program Grant  
C From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For Grant Funding In An Amount Not To Exceed Two Hundred And Fifty-Five Thousand Dollars (\$255,000) From The California Emergency Management Agency, Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For The Anti-Human Trafficking Task Force  
[09-0999](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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S-10.25-C Subject: Travel To Beijing China - Council President Brunner  
C From: Council President Brunner  
Recommendation: Adopt A Resolution Authorizing Council President Jane Brunner To Travel To Beijing, China, To Attend The US-China Mayors Leadership Development For Low Carbon City Program November 17-19, 2009 And The World Expo 2010 Forum For Urban Development And Green Economy In Shanghai, November 21-23, 2009  
[09-1005](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Nadel  
ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and Councilmember Reid  
*Agency/Councilmember De La Fuente made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding item s-10.25 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 {s 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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S-10.26-C Subject: Travel To Anaheim- Councilmember Quan  
C From: Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing Council Member Jean Quan To Travel To Anaheim, CA On November 19-20, 2009 To Attend The League Of California Cities Board Of Directors Meeting  
[09-1006](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Nadel  
ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and Councilmember Reid  
*Agency/Councilmember De La Fuente made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding the item S-10.26 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 {s 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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S-10.27-C Subject: Elmhurst Weed And Seed Initiative - Operations Funding  
C From: Office of the City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Hundred Forty-Two Thousand Dollars (\$142,000.00) From The U.S. Department Of Justice, Office Of Justice Programs, Community Capacity Development Office, In Support Of Fourth Year Program Operations Associated With The Elmhurst Weed And Seed Initiative, A Comprehensive, Community-Based Strategy For Local Law Enforcement, Crime Prevention, And Community Revitalization  
[09-0915](#)

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

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

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, 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 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid

- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session

**A motion was made by Councilmember Kaplan, seconded by Councilmember Nadel, to \*Approve as Submitted the report of the Agency Council of 2 final decisions made during closed session as referenced in Attachment A of these minutes. The motion carried by the following vote:**

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

- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, to \*Approve as Submitted the report of the Office of the City Attorney of no non-confidential closed session discussion. The motion carried by the following vote:**

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

**COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL  
THEREAFTER:**

- 13 Reconsideration of Ordinances pursuant to Charter Section 216  
*There was no action necessary for this item.*

**14. Consideration of items with statutory Public Hearing Requirements:**



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14.1      Subject:    Montclair Business Improvement District Assessment  
             From:        Community and Economic Development Agency  
             Recommendation: Adopt A Resolution Confirming The Annual Report Of The Montclair  
             Business Improvement District Advisory Board And Levying The Annual Assessment For The  
             Montclair Business Improvement District For Fiscal Year 2010/2011  
             [09-0838-1](#)

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

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

*Upon the reading of Item 14. 1 by the City Clerk, the Public Hearing was opened at 7:43 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Hand*

*Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Kaplan to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan - 7 Excused: President of the Council Brunner - 1*

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14.2 Subject: Oakland General Plan - Interim Controls  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Extending The Interim Controls For The  
Implementation Of The Oakland General Plan (Oakland Planning Code Chapter 17.01 And The  
General Plan Conformity Guidelines) To June 30, 2011  
[09-0935](#)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Approved on Introduction for Final Passage to the Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on December 8, 2009. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
*Upon the reading of Item 14. 2 by the City Clerk, the Public Hearing was opened at 7:47 p.m.*

*The following individuals spoke on this item:*  
*- Sanjiv Handa*

*Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Kaplan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan - 7 Excused: President of the Council Brunner - 1*  
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**ACTION ON NON-CONSENT ITEMS:**

15 Subject: Clear Channel Outdoor - Billboard Agreement  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Billboard Relocation Agreement With Clear Channel Outdoor, Inc. ("Clear Channel") Allowing Clear Channel To: (A) Construct A New Billboard On East Bay Municipal Utility District (EBMUD) Land East Of The Bay Bridge Toll Plaza; And (B) Reconstruct An Existing Billboard On EBMUD Land East Of The Bay Bridge Toll Plaza, In Exchange For Clear Channel's Agreement To Remove And Waive Its Rights To Compensation, Including All Real Property And Personal Property Interests, For Sixteen Billboards At Various Locations, And Make A One-Time Payment Of Four Hundred Thousand Dollars (\$400,000) To The City Plus Annual Payments Of No Less Than Ten Percent Of The Gross Revenue Generated By Both The New And Converted Billboards For The Term Of CCO's Lease Agreement With EBMUD (TITLE CHANGE)  
[07-1501](#)

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

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

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

- Sanjiv Handa

- Max Allstadt

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16 Subject: 2009 Federal Legislative Agenda  
From: City Council  
Recommendation: Discussion And Possible Action On A Report On 2009 Federal Legislative Agendas And Fiscal Year 2010 Appropriations Request  
[09-0993](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-16.1 Subject: Obesity And Tobacco Prevention Programs Grant  
From: Office of the City Administrator  
Recommendation: Discussion and Possible Action On The City's Participation In The Alameda County Public Health Department's Application To The Communities Putting Prevention To Work Initiative From The U.S. Department Of Health And Human Services, Centers For Disease Control And Prevention Under The American Recovery And Reinvestment Act Of 2009 (ARRA, The Federal Government's "Stimulus Package") For Obesity And Tobacco Prevention Programs  
[09-0950](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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17 Subject: Stimulus Grant Update  
From: Councilmember Brooks & Council President Brunner  
Recommendation: Receive A Report Evaluating The Preliminary Results Of The Stimulus Grant Applications Submitted To The State And Federal Governments By The City Of Oakland; Including A List Of All Applications (Awarded And Not Awarded), Date Of Award, Amount Of Award And Analysis Of Applications Not Awarded Funding  
[09-0931](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be \*Received and Filed that substantive grant application be presented and a list of stimulus grant opportunities be listed with the respective due dates, including what the City applied for and what the City did not apply for be presented bi-weekly to the City Council The motion carried by the following vote:**

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

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

- Sanjiv Handa

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18 Subject: Ratification Of The Mayor's Actions During 2009 Recess  
From: Office of the City Clerk  
Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The  
Oakland City Council 2009 Annual Recess In Conformance With Resolution No. 79006  
C.M.S., Dated January 4, 2005  
[09-0971](#)

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

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

*The following individual spoke on the following item:*

- Sanjiv Handa  
[View Report.pdf](#)  
[82414 CMS.pdf](#)

19 Subject: Civil Service Board - Appointment  
From: City Council  
Recommendation: Adopt A Resolution Appointing Michael Siegel As A Member Of The Civil Service Board  
[09-0972](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Absent: 1 - Councilmember Kernighan  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Nadel, Councilmember Quan and Councilmember Reid

*The following individual spoke under the item:*

- Sanjiv Handa  
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[82415 CMS.pdf](#)

*Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding the 4th resolution on 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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S-20 Subject: 66th Avenue Street Improvement Project  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Awarding A Construction Contract To Bay Cities Paving And Grading, Inc. For Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard (Project No. P318410) In Accord With The Project Plans And Specifications And The Contractor's Bid In The Amount Not-To-Exceed One Million Six Hundred One Thousand Twenty-Three Dollars And Fifty-Five Cents (\$1,601,023.55);

[09-0871](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
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[82416 CMS.pdf](#)

2) An Agency Resolution Amending Resolution 2004-03 C.M.S. To Decrease The Amount Of The \$4 Million Grant To The Oakland Housing Authority For Infrastructure Improvements Related To The Coliseum Gardens Hope VI Housing Project By \$100,000.00, And Reallocating Such Funds As A Contribution To The City Of Oakland Under The Cooperation Agreement For Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard; And

[09-0871-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
[2009-0096 CMS.pdf](#)

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3) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$100,000.00 For The Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard  
[09-0871-2](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
[82417 CMS.pdf](#)

4) A Resolution Directing Staff To Identify And Allocate Funding For The Construction Of A Traffic Signal At The Intersection Of 64th Avenue And Foothill Boulevard  
[09-0871-3](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
[82418 CMS.pdf](#)

S-21

Subject: State Energy Program Grant  
From: Public Works Agency  
Recommendation: Action On A Report And Recommendation On The California Energy Commission, State Energy Program Stimulus Funding Under The American Recovery And Reinvestment Act (Federal Governments "Stimulus Package")  
[09-0952](#)

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

**Votes:** ORA\Councilmember Excused: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid  
*The following individual spoke on the following item:*  
- Sanjiv Handa  
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S-22 Subject: Oakland Fund For Children And Youth 2010-2013 Strategic Plan  
From: Department of Human Services  
Recommendation: Adopt A Resolution To Adopt The Oakland Fund For Children And Youth  
Strategic Plan (2010-2013)  
[09-0933](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Adopted with the direction to staff to schedule a mandatory bidders conference. The motion carried by the following vote:**

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

*The following individuals spoke on this item:*

- Sanjiv Handa
- Hugh Morrison

*A motion was moved, seconded and carried to extend the meeting past 10:30 pm*

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### Continuation of Open Forum

### ADJOURNMENT OF COUNCIL SESSION

**(Meeting shall conclude no later than 10:30 p.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 Tom Graff, Beatrice Slider, James Jefferson, Ollie Glasf, and Barbara Miller at 10:34 p.m.*

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*City Clerk and Clerk of the Council*