



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>

Tuesday, January 18, 2011

5:30 PM

Oakland City Hall, 3rd Floor

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 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; Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4 and President Larry Reid, Dist. 7

[Play Video](#)

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

There were 7 speakers during Open Forum

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council

Acknowledgements/Announcements):

Agency/Council President Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Ted Smith and Christine Taylor Greene

Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of John Roll, Gabe Zimmerman, Dorwin Stoddard, Dorothy Marris and Phyllis Schenk.

4.1 Subject: National Blood Donor Month
From: Council President Brunner
Recommendation: Adopt A Resolution Proclaiming The Month Of January As "National Blood Donor Month" For Oakland
[10-0257](#)

A motion was made by Vice Mayor Brooks, 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 Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
[View Report.pdf](#)
[83138 CMS.pdf](#)

Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember De La Funte to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item s-4.2- 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 relates to a purely ceremonial or commendatory action.

S-4.2 Subject: Dennis Diemer Retirement - EBMUD
From: Council President Reid
Recommendation: Adopt A Resolution Honoring Dennis M. Diemer, General Manager Of The East Bay Municipal Utility District, On His Retirement After 30 Years
[10-0325](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
[View Report.pdf](#)
[83139 CMS.pdf](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETINGS OF THE ORA/CITY COUNCIL FOR December 21, 2010, January 3, 2011, and January 10, 2011.

A motion was made by Councilmember Kaplan, seconded by President Pro Tempore De La Fuente, 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, Councilmember Reid, Councilmember Schaaf and President of the Council 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):

7. CONSENT CALENDAR (CC) ITEMS:

[Play Video](#)

Agency/Councilmember Schaaf made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7-28 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.

- 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
[10-0307](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner

[View Report.pdf](#)
[83140 CMS.pdf](#)

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
[10-0308](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83141 CMS.pdf](#)

7.3-CC Subject: AMCO Insurance - 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 AMCO Insurance Company v. City Of Oakland,
Alameda County Superior Court Case No. RG10507228 In The Amount Of \$17,461.92
(Oakland Police Department Motor Vehicle Accident)
[10-0310](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83142 CMS.pdf](#)

7.4-CC Subject: David C. Huynh - 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 David C. Huynh, In The Amount Of \$6,500.00, Arising
From Sewer Lateral Damage Caused By A City Of Oakland Tree (Public Works Agency)
[10-0311](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83143 CMS.pdf](#)

7.5-CC Subject: Sale Of A City-Owned Surplus Vacant Lot
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Sale Of A City-Owned Surplus
Vacant Lot APN: 048D-7282-020-00 Located Between 6031 Girvin Drive And 6041 Girvin
Drive To Jonathan And Diana Stern, The Abutting Property Owner, For The Highest Sealed
Bid Of One Hundred Eighty Thousand Dollars \$180,000
[10-0214](#)

**A motion was made to Approved As Amended On Introduction on the
Consent Agenda.**

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

[View Report.pdf](#)
[13050 CMS.pdf](#)

7.6-CC Subject: Modification To OMC Sections
From: Office Of The City Attorney
Recommendation: Adopt An Ordinance Moving Oakland Municipal Code (OMC) Sections
2.04.016 And 2.04.017 To New OMC Chapter 2.07, "Grant Award Approval," Renumbering
Said Sections To 2.07.100 And 2.07.110, Amending OMC Section 2.04.015 And Clarifying
That The Purchasing Ordinance Does Not Apply To Grant Awards
[10-0249](#)

**A motion was made to Approved As Amended On Introduction on the
Consent Agenda.**

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

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13051 CMS.pdf](#)

7.7-CC Subject: Local Modifications to California Model Fire Code
From: Oakland Fire Department
Recommendation: Adopt An Ordinance Repealing Current Oakland Municipal Code Chapter 15.12, Fire Code, Making Findings To Substantiate Modifications To California Building Codes And Standards Due To Local Climatic, Geological Or Topographical Conditions, And Adopting And Making Local Amendments To The 2010 Edition Of The California Model Fire Code, California Code Of Regulation Title 24, Part 9, Including, But Not Limited To, National Fire Protection Association And Other Referenced Standards As Adopted By The California State Fire Marshall, And Recodifying Said Code At Oakland Municipal Code Chapter 15.12 As The Oakland Fire Code
[10-0104](#)

A motion was made to Approved As Amended On Introduction on the Consent Agenda.

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

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13052 CMS.pdf](#)

7.8-CC Subject: Commission On Aging - Board Appointment
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Julie Jones As A Member Of The Commission On Aging
[10-0317](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
There was 1 speaker on this item.

[View Report.pdf](#)
[83144 CMS.pdf](#)

7.9-CC Subject: Commission on Aging - Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Wade
Sherwood As A Member Of The Commission On Aging
[10-0318](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83145 CMS.pdf](#)

7.10-CC Subject: Commission On Aging - Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Karen
Anderson As A Member Of The Commission On Aging
[10-0319](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[83146 CMS.pdf](#)

7.11-CC Subject: Wildfire Prevention and Assessment District - Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Reappointing Christopher M. Candell As Member Of
The Wildfire Prevention And Assessment District Advisory Board
[10-0322](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
There was 1 speaker on this item.
[View Report.pdf](#)
[83147 CMS.pdf](#)

7.12-CC Subject: Oakland Municipal Employees' Retirement Board
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Carl
Gilmore To The Oakland Municipal Employees' Retirement System Board
[10-0321](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83148 CMS.pdf](#)

7.13-CC Subject: Commission on Aging - Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Ernest
Hardmon III As A Member Of The Commission On Aging
[10-0323](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83149 CMS.pdf](#)

7.14-CC Subject: Dimond Improvement Association Reimbursement - Pay-Go
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Authorizing Councilmember Libby Schaaf's Request
For A Grant Of \$1,000 From The Council District 4 Pay-Go Account, In Honor Of "Local
Hero" Kathleen Russell, To The Dimond Improvement Association For The Purchase Of A
Projector And Projector Screen
[10-0313](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
There was 1 speaker on this item.
[View Report.pdf](#)
[83150 CMS.pdf](#)

7.15-CC Subject: ACE Arts Contract - Pay-Go Funds
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Waiving The Request For Proposal Process And
Approving A Contract With ACE Arts For The Creation And Installation Of Murals At
Courtland Creek Park
[10-0316](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83151 CMS.pdf](#)

7.16-CC Subject: Dimond Improvement Association Grant - Pay-Go
From: Councilmember Libby Schaaf
Recommendation: Adopt A Resolution Authorizing Councilmember Libby Schaaf's Request
For A Grant Of \$2,500 From The Council District 4 Pay-Go Account To The Dimond
Improvement Association To Pay For Sound Amplification Services At The 2010 Oaktobberfest,
A Privately-Sponsored Community Festival, In The Dimond District
[10-0314](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83152 CMS.pdf](#)

7.17-CC Subject: Settlement Agreement - First Baptist Church
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of First Baptist Church Of Oakland v. County Of Alameda,
Alameda County Superior Court Case No. RG 09468773, In The
Amount Of \$13,000.00
[10-0324](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83153 CMS.pdf](#)

S-7.18-CC Subject: Kaiser Foundation Hospitals - Encroachment Permit
From: Community And Economic Development Agency
Recommendation: Adopt Resolution Granting Kaiser Foundation Hospitals A Revocable And Conditional Permit To Allow Telecommunications Conduits, Electrical Transformers And Vaults, And A Portion Of A Building Foundation And Sewage Storage Vault For Phase II Buildings At 275 West MacArthur Boulevard To Encroach Under The Public Right Of-Way Along Broadway, West MacArthur Boulevard, And Piedmont Avenue
[10-0211](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
There was 1 speaker on this item.

[View Report.pdf](#)
[83154 CMS.pdf](#)

S-7.19-CC Subject: East 11th Limited Partnership - Encroachment Permit
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting East 11th L.P. A Revocable And Conditional Permit For A New Building At 720 East 11th Street To Allow A Concrete Vault And Electrical Transformer To Encroach Under The Public Sidewalk Along East 11th Street And Oriel Windows And Architectural Screens To Encroach Over The Public Sidewalk On East 11th Street And 8th Avenue
[10-0213](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner

[View Report.pdf](#)
[83155 CMS.pdf](#)

S-7.20-CC Subject: Revocable And Conditional Permit - 3700 International Boulevard
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Nueva Vista Partners LLC A Conditional
And Revocable Permit For A Building At 3700 International Boulevard To Allow A Portion Of
The Existing Facade Along International Boulevard And An Existing Concrete Block Wall
Along 38th Avenue To Encroach Into The Public Rights-Of-Way
[10-0244](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner

[View Report.pdf](#)
[83156 CMS.pdf](#)

S-7.21-CC Subject: Oakland Business Development Corporation Funding Increase
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1)A Resolution Authorizing The City Administrator To Supplement The Funding For Oakland
Business Development Corporations An Amount Not To Exceed \$95,800 Of Economic
Development Initiative Funds For Fiscal Year 2010-2011, And To Accept A Contribution From
The Oakland Redevelopment Agency Under The Cooperation Agreement In An Amount Not
To Exceed \$140,912 For Fiscal Year 2010-2011, For A New Total Contract Amount Not To
Exceed \$468,552 For Commercial Loan Underwriting Services
[10-0223](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner

[View Report.pdf](#)
[View Report.pdf](#)
[83157 CMS.pdf](#)

2) An Agency Resolution Authorizing A Contribution Of \$140,912 To The City Of Oakland
Under The Cooperation Agreement, \$100,000 From Coliseum Redevelopment Funds And
\$40,912 From Central City East Redevelopment Funds, To Fund Commercial Loan
Underwriting Services By The Oakland Business Development Corporation For The Coliseum
And Central City East Commercial Revolving Loan Programs For Fiscal Year 2010-2011
[10-0223-1](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner

[2011-0001 CMS.pdf](#)

S-7.22-CC Subject: Installation Of Solar Panels
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Grant Of Up To \$100,000 In
Broadway/MacArthur/San Pablo Redevelopment Funds To Oakland Affordable Housing
Preservation Initiatives, Inc. (OAHPI) For The Installation Of Solar Panels On A Multi-Family
Low-Income Housing Property Located At 3901 Webster Street
[10-0245](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner

[View Report.pdf](#)
[2011-0002 CMS.pdf](#)

S-7.23-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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
There was 1 speaker on this item.

[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[13053 CMS.pdf](#)

S-7.24-CC Subject: Head Start Advisory Board
From: Department Of Human Services
Recommendation: Adopt A Resolution Extending The Duration Of The Head Start Advisory
Board
[10-0274](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner

[View Report.pdf](#)
[83158 CMS.pdf](#)

S-7.25-CC Subject: Installation Of Mural - 52nd Street
From: Council President Brunner
Recommendation: Adopt A Resolution From The Oakland City Council Supporting The
Installation Of A Mural Along 52nd Street At The Highway 24 Underpass And Assuming
Responsibility For Its Maintenance And Upkeep
[10-0258](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[83159 CMS.pdf](#)

S-7.26-CC Subject: Hazardous Fuels Risk Reduction
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An
Intergovernmental Memorandum Of Understanding The Department Of Homeland Security
Federal Emergency Management Agency, California Emergency Management Agency, U.S.
Fish And Wildlife Service, National Park Service, U.S. Forest Service, University Of California
- Berkeley, East Bay Regional Park District For Review Of An Environmental Impact
Statement For Hazardous Fuels Risk Reduction In The East Bay Hills
[10-0275](#)

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, Councilmember Reid, Councilmember Schaaf and
President of the Council Brunner
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[83160 CMS.pdf](#)

S-7.27-CC Subject: Sewer Service Fund
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Amendments To The City Of Oakland's Biennial Budget For Fiscal Year 2010-11 Per Resolution No. 82102 C.M.S. In The Sewer Service Fund To Appropriate \$4.32 Million In Additional Revenues And Expenditures Related To The Sewer Service Charge, Which Was Increased Effective January 1, 2011 To Fund Additional Operation, Maintenance And Capital Improvements To The Sanitary Sewer System
[10-0219](#)

A motion was made to Approved As Amended On Introduction on the Consent Agenda.

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

[View Report.pdf](#)
[83161 CMS.pdf](#)

S-7.28-CC Subject: Alameda County Waste Management Authority Appointment
From: Council President Reid
Recommendation: Adopt A Resolution Appointing Councilmember Rebecca Kaplan To The Board Of The Alameda County Waste Management Authority For A Term Beginning January 26, 2011 And Council President Larry E. Reid As The Alternate Member
[10-0338](#)

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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
There was 1 speaker on this item.

[View Report.pdf](#)
[83162 CMS.pdf](#)

Passed The Consent Agenda

A motion was made by President Pro Tempore 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 Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner

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

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, to *Approve as Submitted the report of the City Attorney of 1 final decision made during Closed Session, reflected Attachment A to these minutes. 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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
There was 1 speaker on this item.

**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:**

There was no action necessary for this item.

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

Agency/Councilmember Schaaf 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 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 relates to federal or state legislation.

- S-10 Subject: Governor's Budget Balancing Proposal
From: Office of the City Attorney
Recommendation: Adopt A Resolution Declaring The City Of Oakland's Opposition To Governor Jerry Brown's Proposal To Eliminate Local Redevelopment Agencies By July 1, 2011 As Part Of The Governor's Budget-Balancing Proposal, Urging The Governor And The State Legislature To Reject This Misguided Proposal, And Directing The City's State Lobbyist To Advocate Against The Budget Proposal
[10-0337](#)
[Play Video](#)

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

Votes: ORA\Councilmember Noes: 1 - President of the Council Brunner
ORA\Councilmember Ayes: 7 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Reid and Councilmember Schaaf
[View Report.pdf](#)
[83163 CMS.pdf](#)

H ~~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~~

[View Report.pdf](#)

[View Report.pdf](#)

S-12 Subject: Installation Of New Meters
From: Finance And Management Agency
Recommendation: Adopt A Resolution Confirming Locations For Previously Approved New
Meters As Required By Oakland Muncpal Code Section 10.36.141
10-0276

Deferred to *Finance & Management Committee

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

S-13 Subject: OFCY Evaluation Report For Fiscal Year 2009-2010
From: Department of Human Services
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth
Final Evaluation Reports For Fiscal Year 2009-2010
10-0196

[Play Video](#)

A motion was made by Vice Mayor Brooks, seconded by Councilmember Kaplan, that this matter be Adopted he committee held the Performance Improvement Plan for the 3 low performing sites in committee to return at a future date. Staff was also directed to provide in future reports annual comparative data to build longitudinal results and include information on the issue of bullying, with an additional requirements that 1) provides explanation of how city staff uses the evaluation information and to make funding recommendations, and include a draft policy on standards to be used for defunding poorly performing programs in the future. 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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner

[View Report.pdf](#)

[83164 CMS.pdf](#)

S-14 Subject: Condition Of The City's Parks
From: Councilmember Kernighan
Recommendation: Receive An Informational Report On The Condition Of The City's Parks
Prepared And Presented By The Oakland Parks Coalition
[10-0277](#)
[Play Video](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Nadel, 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, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
[View Report.pdf](#)

S-15 Subject: Rainbow Teen Center - Construction Contract
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Waiving Advertising And Bidding Requirements And Awarding A Contract For The Construction Of The Rainbow Teen Center At 5818 International Boulevard To Pulte Homes In An Amount Not To Exceed \$121,000, And Accepting A Donation Of \$204,0000 In Labor And Materials From Pulte Homes For The Rainbow Teen Center Project
[10-0290](#)
[Play Video](#)

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 Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Reid, Councilmember Schaaf and President of the Council Brunner
[View Report.pdf](#)
[83165 CMS.pdf](#)

ADJOURNMENT OF COUNCIL SESSION

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

[Play Video](#)

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Ted Smith, Christine Taylor Green, John Roll, Gabe Zimmerman, Dorwin Stoddard, Dorothy Marris, and Phyllis Schenk at 7:08 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

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TTD](#)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

City Clerk and Clerk of the Council