



# City of Oakland Meeting Minutes

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

## **\*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

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

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**Tuesday, July 28, 2009**

**5:00 PM**

**Oakland City Hall, 3rd Floor**

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1 Pledge of Allegiance

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*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:47 PM*

*It was noted for the record that Councilmember Nadel was attending the meeting via teleconference*

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*The following individuals spoke under Open Forum:*

- Lisa Hlre*
- Geoff Collins*
- Patrick Camacho*
- Karen Smulevitz*
- Chandra Garsson*
- Larry Westland*

3.1 Subject: Army Base Master Developer  
From: Vice Mayor De La Fuente  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Enter Into An Exclusive Negotiating Agreement For A Term Of 360 Days From Agency Approval, Between The Oakland Redevelopment Agency And AMB Property Corporation/California Capital Group And/Or Federal Oakland Associates Regarding A Proposed Development Of A Mixed-Use Project Consisting Of Logistics, Industrial, Office, Project-Serving Retail And Other Uses Mandated By The Agency On Up To 135 Acres Of The Former Oakland Army Base

[09-0553](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Council amended the resolution to: 1) Authorize the exclusive negotiating agreement with AMB Property Corporation / California Capital Group; 2) Remove reference to the "North" gateway area from the resolution; and 3) Make the last Further Resolved read as follows: that the Agency Administrator should return to Closed Session in September to work with Council to develop the complete term sheet for the Exclusive Negotiating Agreement*

*Staff was also directed to return to the Community and Economic Development Committee to continue discussion of the development of a state of the art recycling center and potential reconsideration of the CalTRANS swap*

*The following individuals spoke on this item:*

- Joe Haraburda
- Sean House
- Janiele Maffei
- Joyce Roy
- Darrel Carey
- Dexter Vizinou
- Sugiarto Loni
- Aisha Hoody
- Christine Cancilla
- Fadee Tillman
- Rosa DeAnda
- Hugo Aralos
- Phillip Tagami
- Tony Martinez
- Sara Custer

- *Jennifer Cunningham*
- *Emilio Olmeda*
- *Sam Johnson*
- *Elva Nuno*
- *Jerry Moro*
- *John Hughes*
- *Alex McCombs*
- *Dave Ketchpel*
- *Sean Farley*
- *Xavier Gardner*
- *Fred Pecker*
- *Harold Brinkley*
- *Gene Hazzard*
- *Carlos Plazola*
- *Hugh Morrison*
- *Alana Ross*
- *Merlin Edwards*
- *T.C. Wilson*
- *Max Allstadt*
- *Nikki Bas*
- *A.L. Brown*
- *Todd Clayter*
- *David Klein*
- *Paul Rotenberg*
- *Treva Reid*
- *Ronnie Turner*
- *Sanjiv Handa*
- *James Heilbronner*

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[2009-0081 CMS.pdf](#)

4 Subject: Additional Balancing Measures  
From: The Budget Office  
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2009-2011 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 82102 C.M.S., To Approve Measures (1) Addressing Potentially Lower Than Originally Anticipated Community Oriented Policing Services (COPS) Grant Award, (2) Planning For Possible Return To The Measure Y Fund, Established By The Violence Prevention And Public Safety Act Of 2004, Of Certain Training And Recruitment Costs, And (3) Implementing Budget Reduction Targets Established For The Oakland Police Department (TITLE CHANGE)  
[09-0663](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Council adopted the additional balancing measures including amendments submitted in the Council's Budget Motion. Staff was also directed to provide quarterly updates beginning in the fall to ensure that the proposed savings are being realized*

*The following individuals spoke on this item:*

- Patrick Camacho*
- Naomi Schiff*
- Joe De Credico*
- Don Link*
- Pat Frick*
- Josephine Lee*
- Max Allstadt*
- Lea Rubio*
- Ralph Cooke*
- Jack McElroy*
- Jonathan Bair*
- Christino Delgado*
- Chandra Garsson*
- Tim Little*
- Sandra Beal*
- Nancy Sidebotham*
- Ana Martinez*
- Charles Hil*
- Linda Smith*
- Alex McElree*
- Sanjiv Handa*

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- 5      Subject:      Budget Amendment - Take Away Of Gas Tax Revenues  
From:          Budget Office/Public Works Agency  
Recommendation: Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2009-2011 Biennial Budget, Adopted Pursuant To Resolution No. 82102 C.M.S., To Impose Reductions In Staff And Operations Funding In The Street And Traffic Programs And Re-Allocate Approximately \$2.0 Million In Existing Capital Improvement Program Funding (Propositions 42) To Mitigate Potential Impacts In The Event The State Of California Takes Away Approximately \$6.53 Million Of Gas Tax Revenues From The City Of Oakland Retroactive To July 1, 2009  
[09-0613](#)

**\*Withdrawn with No New Date**

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- 6      Subject:      Filling Golden Handshake Vacancies  
From:          Department of Human Resources Management  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Implement A Restricted Policy On Filling Positions Vacated As A Result Of Retirements Under The California Employees' Retirement System (CalPERS) Two Years Additional Service Credit Program ("Golden Handshake") In Order To Achieve The Level Of Savings Anticipated In The City Of Oakland Adopted Budget For Fiscal Years 2009-2011  
[09-0664](#)  
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**A motion was made by Vice Mayor De La Fuente, seconded by Pro-Tem Reid, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Staff was directed to come back in the fall with a status report on the "golden handshake" program*

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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7            Subject:    Budget Implementation Report  
              From:        The Budget Office  
              Recommendation: Status Report On Fiscal Year 2009-2011 Budget Implementation  
              [09-0665](#)  
              [Play Video](#)

**A motion was made by Pro-Tem Reid, seconded by Councilmember Quan, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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8            Subject:    General Purpose Fund Encumbrances & Carryforwards  
              From:        The Budget Office  
              Recommendation: Receive The Annual Report On General Purpose Fund Encumbrances And Carryforwards From Fiscal Year 2008 - 2009 To Fiscal Year 2009 - 2010  
              [09-0666](#)  
              [Play Video](#)

**A motion was made by Pro-Tem Reid, seconded by Councilmember Quan, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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9 Subject: Schedule Of Parking Fines Amendment  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule Of Parking Fines" To Decrease The City Of Oakland Fine For California State Vehicle Code Section 22522 "Sidewalk Access Ramp Within Three (3) Feet" From \$320 (Three Hundred Twenty Dollars) To \$275 (Two Hundred Seventy-Five Dollars)

[09-0645](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa

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10 Subject: Monthly Swim Pass  
From: Councilmember Rebecca Kaplan  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish A New Fee Of \$80.00 For Adult Monthly Swim Pass

[09-0638](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Quan

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

*The following individual spoke on this item:*

- Sanjiv Handa

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11            Subject:    Local 55 Employee Hours  
              From:        Oakland Fire Department  
              Recommendation: Adopt An Ordinance Amending The Salary Schedule Ordinance No. 12187  
              C.M.S. (The Salary Ordinance) To Adjust The Salaries Of Employees In The Job Classification  
              Represented By The International Association Of Firefighters Local 55  
              [09-0647](#)  
              [Play Video](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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12            Subject:    Local 21 - Memorandum Of Understanding  
              From:        Department of Human Resources Management  
              Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between  
              The City Of Oakland And The International Federation Of Professional And Technical Engineers,  
              Local 21, Representing Employees In Representation Units TA1, TF1, TM2, TW1, UH1, UM1  
              And UM2, Covering The Period From July 1, 2008 Through June 30, 2011  
              [09-0683](#)  
              [Play Video](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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13           Subject:    Police Officer's Association Unit UN2 - MOU  
              From:        Department Of Human Resources Management  
              Recommendation: Adopt A Resolution Amending The Memorandum Of Understanding Between  
              The City Of Oakland And The Oakland Police Officers' Association Unit UN2 Sworn  
              Management Police Officers  
              [09-0684](#)  
              [Play Video](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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14           Subject:    Deputy City Attorney V/Special Counsel Association Unit U41-MOU  
              From:        Department of Human Resources Management  
              Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between  
              The City Of Oakland And The Deputy City Attorney V & Special Counsel Association  
              Representing Employees In Representation Unit U41, Covering The Period From July 1, 2008  
              Through June 30, 2011  
              [09-0685](#)  
              [Play Video](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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15 Subject: Local 21 Unit TM1 - Memorandum Of Understanding  
From: Department of Human Resources Management  
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between  
The City Of Oakland And The International Federation Of Professional And Technical Engineers,  
Local 21, Deputy City Attorney I-IV Representing Employees In Representation Units TM1,  
Covering The Period From July 1, 2008 Through June 30, 2011  
[09-0686](#)  
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**A motion was made by Pro-Tem Reid, seconded by Councilmember Nadel,  
that this matter be Adopted. The motion carried by the following vote:**

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

- Sanjiv Handa  
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15.1 Subject: Local 55 - Memorandum Of Understanding  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding Between  
The City Of Oakland And The International Association Of Firefighters, Local 55, Representing  
Employees In Representation Unit FQ1, Covering The Period Of July 1, 2008 Through June 30,  
2012  
[09-0592](#)  
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**A motion was made by Pro-Tem Reid, seconded by Councilmember Nadel,  
that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember  
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Staff read an amendment regarding the provisions of Sections 3.1.3 and 3.1.5  
of the Memorandum of Understanding into the record*

*The following individual spoke on this item:*  
- Sanjiv Handa  
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[82241 CMS.pdf](#)

16 Subject: American Recovery And Reinvestment Act Contracts  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Adopting Governor Schwarzenegger's Program Which Urges City And County Governments With Small Businesses To Accept The California Department Of General Services' (DGS) 25% Small Business Participation And 3% Disabled Veterans Enterprise (DVBE) Participation In Their Procurement And Contracts Associated With The American Recovery And Reinvestment Act  
[09-0688](#)  
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**A motion was made by Councilmember Brooks, seconded by Pro-Tem Reid, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Council amended the resolution to take a position of supporting increasing the small local business participation requirement for contracts associated with the "stimulus program" only to 25% instead of the current 20% requirement*

*The following individual spoke on this item:*

- Sanjiv Handa  
- Darrel Carey  
- Kenneth Houston  
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[82242 CMS.pdf](#)

17 Subject: 2009 National Night Out  
From: Office of the City Administrator  
Recommendation: Adopt A Resolution Declaring Tuesday, August 4, 2009, As National Night Out In Oakland, And Recognizing The Neighborhood Services Division For Its Outstanding Work In Organizing This Successful Citywide Event  
[09-0673](#)  
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**A motion was made by Pro-Tem Reid, seconded by Councilmember Quan, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*The following individuals spoke on this item:*  
- Louise Enderlin  
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18      Subject:    Children's Fund Planning And Oversight Committee - Appointment  
From:        Councilmember Rebecca Kaplan  
Recommendation: Adopt A Resolution Re-Appointing Maya Dillard Smith As A Member Of The  
Children's Fund Planning And Oversight Committee  
[09-0668](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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

19           Subject:     Hourly Parking Rates Increase - Various Garages  
              From:       Finance And Management Agency  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
                                  Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Increase  
                                  Hourly Parking At The Grand Avenue, Piedmont Avenue, Parkway, Harrison Street And  
                                  Montclair Parking Lots Rates To \$2.00 Per Hour, And To Increase The Hourly Parking At The  
                                  Clay Street And Dalziel Building Garages To \$4.50 Per Hour  
[09-0633](#)

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*Upon the reading of Item 19 by the City Clerk, the Public Hearing was opened  
at 11:25 PM*

*The following individuals spoke on this item:*

- Sanjiv Handa*
- Lisa Hire*
- Max Allstadt*

*Agency/Councilmember Kaplan made a motion, seconded by  
Agency/Councilmember Reid, 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, and President of the Council  
Brunner -8*

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~~20           -Subject:     Oakland Tourism Business Improvement District  
              From:       Office of the City Administrator  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution To  
                                  Establish The Oakland Tourism Business Improvement District (OTBID) Proposed By The  
                                  Oakland Convention & Visitors Bureau, Declare The Results Of The Majority Protest  
                                  Proceedings, And Authorizing The City Administrator To Negotiate And Enter Into A  
                                  Professional Services Agreement With The Oakland Convention & Visitors Bureau To Operate  
                                  The OTBID  
[07-1393-1](#)~~

~~**\*Withdrawn with No New Date**~~

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21 Subject: City Planning Commission - Appointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Vince Gibbs And Vien V. Troung, And Re-Appointing Madeleine Zayas-Mart And Michael Colbruno, As Members Of The City Planning Commission

[09-0691](#)

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**A motion was made by Pro-Tem Reid, seconded by Vice Mayor De La Fuente, that this matter be Adopted as Bifurcated. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Council bifurcated this item and a motion was made by Councilmember Reid and seconded by Vice Mayor De La Fuente and the vote was taken on the appointments of Vince Gibbs, Vien Troung and Madeleine Zayas Mart, the motion passed with 8 Ayes; by the same motion the vote was taken on the appointment of Michael Colbruno; that motion passed with 7 Ayes, 1 No - Councilmember Nadel*

*The following individual spoke on this item:*

- Sanjiv Handa

- Nikki Bar

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[82260 CMS.pdf](#)

22 Subject: Smartboot System

From: Finance and Management Committee

Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Add Boot Removal Fee

[09-0588-1](#)

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

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

- Sanjiv Handa

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23

Subject: Seismic Screening Evaluation

From: Councilmembers Jean Quan And Nancy Nadel

Recommendation: Adopt An Ordinance Amending The Oakland Municipal Code And Adding A New Chapter 15.26 Entitled Mandatory Seismic Screening Of Certain Multiple Story Residential Buildings Permitted For Construction Prior To The Adoption By The State Of California On January 1,1991, Of The 1988 Edition Of The Uniform Building Code

[09-0403](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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24            Subject:    Permitted Bingo Operations - Annual Hall Fees  
              From:        Office of the City Administrator  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.10, "Bingo" To: 1) Require A Bingo Hall Permit When The Bingo Hall Operator Is A Separate Entity From The Bingo Game Operator, 2) Specify Application Requirements For Bingo Halls, 3) Prohibit Bingo Hall Operators From Transactions With Bingo Game Operators When Specified Familial And/Or Business Relationships Exist Between The Two Entities, 4) Subject Bingo Hall Operators To Voluntary Disclosure Or Audit Of Their Oakland Bingo Activities, 5) Specify That The Annual Bingo Hall Permit Fee, And, If Applicable, Audit Review Fee, Are Established By The Master Fee Schedule, 6) Establish That The Bingo Game Operators' Fee For Law Enforcement And Public Safety Costs Is Established By The Master Fee Schedule, 7) Require That Most Profits Or Proceeds Be Donated To Oakland Charitable Causes Annually, 8) Prohibit Use Of Illegal Bingo Machines, 9) Provide For Administrative Penalty For Violations, 10) Add Criteria For Denial, Suspension, Revocation, Or Conditional Approval Of Permits, And 11) Increase The Maximum Game Pay-Out From \$250 To \$500.(TITLE CHANGE); And

[07-1233](#)

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

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

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2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Move The Annual Bingo Hall Fee From Chapter 5.10 To The Master Fee Schedule, To Establish A Monthly Fee For Bingo Game Operators To Offset The City's Costs Of Law Enforcement And Public Safety, And To Establish A Fee To Cover The Costs Of The City's Review Of A Bingo Hall Audit, Should The Bingo Hall Not Voluntarily Disclose Its Bingo-Related Financial Information (TITLE CHANGE)  
[07-1233-1](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
[12968 CMS.pdf](#)

25

Subject: False Alarm Reduction Program  
From: Oakland Police Department  
Recommendation: Adopt The Following Pieces of Legislation:

1) An Ordinance Repealing And Reenacting Oakland Municipal Code (OMC) Chapter 8.02, Burglar Alarm Systems;  
[09-0394](#)  
[Play Video](#)

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

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

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2) An Ordinance Amending Ordinance No. 12809 (Master Fee Schedule) To Establish Service Fees For False Alarms And For False Alarm Reduction Activities; And  
[09-0394-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Kaplan, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
[12970 CMS.pdf](#)

26 Subject: Parks And Recreation Advisory Commission - Appointment  
From: Council President Brunner & Councilmember Nadel  
Recommendation: Adopt A Resolution Appointing Judy Belcher To The Parks And Recreation Advisory Commission For The Term Beginning November 15, 2008 And Ending November 14, 2011, Pursuant To City Council's Authority Under Charter Section 601 To Fill Vacancies On City Boards And Commissions If The Mayor Does Not Submit A Candidate To Fill The Vacancy Within 90 Days Of The Date The Vacancy Occurs  
[09-0642](#)  
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**A motion was made by Pro-Tem Reid, seconded by Councilmember Kaplan, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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27 Subject: Parks And Recreation Advisory Commission - Appointment  
From: Council President Brunner  
Recommendation: Adopt A Resolution Appointing Barry Miller To The Parks And Recreation Advisory Commission For The Term Beginning November 17, 2008 And Ending November 16, 2011 Pursuant To City Council's Authority Under Charter Section 601 To Fill Vacancies On City Boards And Commissions If The Mayor Does Not Submit A Candidate To Fill The Vacancy Within 90 Days Of The Date The Vacancy Occurs

[09-0643](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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28 Subject: Center For Elders Independence Day  
From: Council President Jane Brunner  
Recommendation: Adopt A Resolution To Declare August 12, 2009, Center For Elders Independence (CEI) Day In Honor Of The Grand Opening Of The New Josie Barrow Program Of All-Inclusive Care For The Elderly (PACE) And In Recognition Of CEI's Service To Seniors And Commitment To Enhancing The Quality Of Life Of East Bay Residents

[09-0694](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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29            Subject:    Enterprise Zone - Expand Boundaries  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Approving The Expansion Of The Boundaries Of The  
              Oakland Enterprise Zone Into Portions Of Emeryville And West Berkeley  
[09-0710](#)  
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**A motion was made by Pro-Tem Reid, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:**

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

- Vice Mayor Linda Maio
- Russell Baugh
- Donal Mahon
- Fred Pecker

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30            Subject:    Predevelopment Loan Modifications  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Authorizing A Waiver To Resolution No. 64573 C.M.S.  
              To Authorize A Predevelopment Loan To The Urban Strategies Council Or The Oakland  
              Community Land Trust In An Amount To Not To Exceed \$130,000 And To Waive The  
              Requirement For Matching Funds  
[09-0717](#)  
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**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 Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente  
*Staff was directed to return in the fall with confirmation that the funds used for the payback are NSP funds collected when properties close*

*The following individual spoke on this item:*

- Sanjiv Handa
- Anne Griffith
- Junious Williams

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31 Subject: Board Of Port Commissioners Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Gilda Gonzales  
As Member Of The Board Of Port Commissioners  
[09-0719](#)  
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**A motion was made by Pro-Tem Reid, seconded by Vice Mayor De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
- Larry A. Walsh  
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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)**

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*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Howard Ransom at 12:10 AM*

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*City Clerk and Clerk of the Council*