



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, June 07, 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 6:03 pm

2 Roll Call / ORA & Council

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

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

There were 12 speakers during open forum.

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Vincent Perez, Tony Valerio, Kang Dong Song, Matthew Kipling Fong, Bruce Furst, George Curry, Dityan Franklin, and Norma Gulliam

Agency/Councilmember Brooks requested association with the Tributes for George Curry and Dityan Franklin.

- 4.1 Subject: Rabbi Steven Alan - Retirement
From: Councilmembers Nadel and Brunner
Recommendation: Adopt A Resolution Honoring Rabbi Steven Alan Chester On His Retirement After 40 Years Of Service In The Rabbinate In The City Of Oakland
[10-0637](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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- 5 APPROVAL OF THE DRAFT MINUTES FROM THE REGULAR CONCURRENT MEETING OF May 17, 2011

There was no action necessary for this item.

- 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):

There was no action necessary for this item.

7. CONSENT CALENDAR (CC) ITEMS:

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic
[10-0650](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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7.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In
The City Of Oakland
[10-0651](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
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7.3-CC Subject: Tax And Revenue Anticipation Notes
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal
Year 2011 - 2012 In An Amount Not To Exceed \$125,000,000 And The Issuance And Sale Of
2011 - 2012 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related
Matters
[10-0611](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
There was one speaker on this item
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7.4-CC Subject: Sale Of Various City-Owned Properties
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Ordinance Nos.13061 And 13062 C.M.S.
Authorizing The Sale Of Various City-Owned Properties To The Redevelopment Agency. To
Remove 250 Fallon Street And 600-620 Washington Street, And To Add The 12th Street
Remainder Parcel
[10-0596-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
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7.5-CC Subject: Supporting SB 48 - FAIR Education Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Senate Bill 48 (Leno) "Fair, Accurate, Inclusive And Respectful (FAIR) Education Act " That Would 1) Amend The Education Code To Include Social Sciences Instruction On The Contributions Of Lesbian, Gay, Bisexual And Transgender (LGBT) People And 2) Prohibit Discriminatory Instruction And Discriminatory Materials From Being Adopted By The State Board Of Education
[10-0624](#)

This Matter was Adopted on the Consent Agenda.

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

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7.6-CC Subject: Supporting AB 1081 - TRUST Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 1081 (Ammiano) "TRUST Act" Which Would Give Local Governments The Right To Opt-Out Of Immigration And Customs Enforcement's Secure Communities Program
[10-0625](#)

This Matter was Adopted on the Consent Agenda.

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

There were 3 speakers on this item.

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7.7-CC Subject: Supporting SB 104 - Fair Treatment of Farm Workers Act
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Senate Bill 104 (Steinberg) "Fair Treatment Of Farm Workers Act" Which Authorizes Agricultural Employees To Select Collective Bargaining Representation Through A Specified "Majority Signup Election" Process, In Addition To The Existing Representation Election Process Provided For Under Current Law
[10-0626](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There were 3 speakers on this item.

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7.8-CC Subject: Supporting AB 130 And 131 - California Dream Act Of 2011
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bills 130 And 131 (Cedillo), "California Dream Act Of 2011" AB 130 Which Would Open Access To Institutional Aid To All Eligible AB 540 Undocumented Students And Ab 131 Would Allow Eligible AB 540 Undocumented Students Access To Any Financial Aid Program Run By The State Of California
[10-0628](#)

This Matter was Adopted on the Consent Agenda.

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

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7.9-CC Subject: Supporting AB 889 - Domestic Work Bill Of Rights
From: President Pro Tempore De La Fuente
Recommendation: Adopt A Resolution Supporting Assembly Bill 889 (Ammiano And Perez)
"Domestic Work Bill Of Rights" Which Would Specially Regulate The Wages, Hours, And
Working Conditions Of Domestic Work Employees Which Is Currently An Industry That Is
Unregulated
[10-0629](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
There were 2 speakers on this item.

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7.10-CC Subject: Professional Services Agreement With Police Performance Solutions
From: Oakland Police Department
Recommendation: Adopt A Resolution 1) Authorizing The City Administrator , On Behalf Of
The City Of Oakland, To 1) Waive The Request For Proposals Process (RFP) And Enter Into A
Professional Services Agreement With Police Performance Solutions, LLC In An Amount Not
To Exceed One Million Five Hundred Eighty Thousand Dollars (\$1,580,000.00), To Continue
To Perform The Services Of An Independent Monitor 2) To Enter Into A Professional Services
Agreement With Police Performance Solutions, LLC In An Amount Not To Exceed One
Hundred Four Thousand Dollars (\$104,000.00), To Continue To Provide Additional Technical
Assistance, For The Period Beginning January 21, 2012 Through January 20, 2014, As
Required By The Memorandum Of Understanding (MOU) Re: Post Negotiated Settlement
Agreement (NSA) Terms And Conditions Allowing For The Resolution Of Plaintiff's Claims
For Injunctive Relief And For Dismissal Of The Action, And 3) Appropriate Said Funds To Pay
For The Work
[10-0664](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
There were 3 speakers on this item.

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7.11-CC Subject: Jack London Mixed - Use Parking Program
From: Councilmember Nancy Nadel
Recommendation: Adopt An Ordinance Adding Section 10.45.150 To The Oakland Municipal Code Adopting The Temporary Extension Of The Interim Mixed Use Permit Parking Program For The Jack London District Set To Expire At The End Of June 2011
[10-0533](#)

A motion was made to Approved As Amended On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting to amend the ordinance to:

- 1) add the language "and implemented" to Section 10.45.150 titled "Extension of the Three-Year Time Limit", and**
- 2) revising the last sentence of the section to read, "The extension shall not be less than one year." with the final passage of this ordinance to return on the Consent Agenda.**

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

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7.12-CC Subject: Amending Section 10.52.060
From: Public Works Agency
Recommendation: Adopt An Ordinance Amending Section 10.52.060 Of The Oakland Municipal Code To Add Sunnymere Avenue And Hillmont Drive To The List Of City Streets Where Commercial Vehicles Exceeding Four And One-Half Tons Are Prohibited
[10-0547](#)

This Matter was Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting on the Consent Agenda.

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

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7.13-CC Subject: Shepherd Canyon Storm Drain Rehabilitation
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Bidding, And Amending And Increasing The Existing Construction Contract With J & M, Inc. {For Rehabilitation Of The Storm Drain Line Along Shepherd Canyon Road Between Gunn Drive And Paso Robles Drive, Project C336020) To Add: 1) Replacement Of Guardrails Along Shepherd Canyon Road North Side Between Shelterwood Drive And Tiffany Lane, Project C313810, And 2) Restoration Of Drainage System Crossing The Shepherd Canyon Trail, Project C336020, In The Amount Of Two Hundred Thousand Dollars (\$200,000.00), For A Total Contract Amount Of Seven Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$724,853.00)
[10-0590](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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7.14-CC Subject: Revocable And Conditional Permit -1633 Harrison Street
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting The Oakland Housing Authority A Revocable And Conditional Permit For A New Building At 1633 Harrison Street To Allow A Vault And An Electrical Transformer To Encroach Under The Public Sidewalk Along 17th Street
[10-0618](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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7.15-CC Subject: Oakland Airport Intelligent Transportation System
From: Public Works Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Oakland Airport Intelligent Transportation System (ITS) Project (City Project No. C389510); 2) Waiving Further Advertising And Bidding Requirements; And 3) Authorizing The City Administrator, Or His Designee To Negotiate And Award A Contract For The Purchase Of Necessary Construction Services And Material In Accord With Plans And Specifications For The Project On The Open Market In A Total Amount Not To Exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00), Without Return To The Council
[10-0599](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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7.16-CC Subject: Citywide Street Rehabilitation And Reconstruction Phase I
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract, In Accord With Plans And Specifications For Citywide Street Rehabilitation And Reconstruction Phase I Project No. C369620 And The Contractor's Bid Therefor, To Gallagher & Burk, Inc. In The Amount Of Three Million Seven Hundred Twenty-Eight Thousand Four Hundred Three Dollars (\$3,728,403.00) And Waiving Advertising And Bidding Requirements And Authorizing The City Administrator Or His Designee To Award Additional Work Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) To The Contract, For A Total Contract Authorization Of Four Million Four Hundred Seventy-Eight Thousand Four Hundred Three Dollars (\$4,478,403.00)
[10-0617](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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7.17-CC Subject: Low And Moderate Income Housing Fund
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution Nos. 2009-0090
C.M.S. And 01-85 C.M.S. To Make Changes To The Amount Of The Reduction In The
Agency's Voluntary Five Percent Contribution To The Low And Moderate Income Housing
Fund For Fiscal Years 2009-10 And Earlier
[10-0619](#)

This Matter was Adopted on the Consent Agenda.

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

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7.18-CC Subject: Cash Management Report
From: Finance And Management Agency
Recommendation: Receive The Cash Management Report For The Quarter Ended March 31,
2011
[10-0620](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, President of the Council Reid, Councilmember Schaaf
and Councilmember Brunner
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7.19-CC Subject: West Oakland Neighborhood Project Initiative Program
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Total Of \$442,085 In Funding Under The West Oakland Neighborhood Project Initiative Program. Including (A) Funding In An Amount Not To Exceed \$210,338 For (1) Creation Of Murals Under The 580 Freeway Overpass, (2) Upgrades To The Entryway Of The Crucible At 1260 7th Street, (3) Tenant Improvements To 1485 8th Street, And (4) Installation Of Lighting Improvements At 716 Peralta Street; And (B) A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$231,747 For (1) Installation Of Motion Detectors/Cameras To Deter Or Apprehend Illegal Dumpers, (2) Renovations To St. Andrew's Park At 32nd Street And San Pablo. (3) Tree Planting On San Pablo Avenue, (4) Installation Of "Keep Oakland Beautiful" Signage. And (5) Installation Of Bike Racks And Sidewalk Repairs In Front Of 716 Peralta Street; And

[10-0602](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$231,747 For City Public Improvements Within The West Oakland Redevelopment Project Area Under The Neighborhood Project Initiative Program, And Authorizing The City Administrator To Enter Into Agreements And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The City Council

[10-0602-1](#)

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

There was 1 speaker on this item.

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7.20-CC Subject: Measure Y Reports And Grant Renewal
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The
Option To Renew Grant Agreements Between The City Of Oakland And Various Public And
Non-Profit Agencies To Provide Violence Prevention Programs For An Estimated Amount Of
\$5,348,111 For Fiscal Year 2011-2012
[10-0607](#)

This Matter was Adopted on the Consent Agenda.

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

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7.21-CC Subject: Settlement Agreement Daniel Pena-Marquez
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Daniel Pena-Marquez V. City Of Oakland, Alameda
County Superior Court Case No. RG07-340294 In The Amount Of \$630,000.00 As A Result Of
A Collision Between Mr. Pena-Marquez's Vehicle And An OPD Vehicle. (Oakland Police
Department)
[10-0689](#)

This Matter was Adopted on the Consent Agenda.

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

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7.22-CC Subject: Settlement Agreement - Martin Perlmutter
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Martin Perlmutter, Et Al. V. City Of Oakland, Et Al. And Related Cases, Alameda County Superior Court Case Nos. RG-07-316213, RG-320622, RG07-334695, RG07-350286, RG07-320671, RG07-355216, RG07-323092 And RG07-326677 In The Aggregate Amount Of \$510,000.00 As A Result Of An Incident In May, 2006, Wherein The Roadway At The Intersection Of E. 29th Street And Mckillop Road Failed Along With The Hillside Adjoining Properties Abutting The Public Street (Public Works Agency)
[10-0690](#)

This Matter was Adopted on the Consent Agenda.

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

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7.23-CC Subject: Settlement Agreement - G.A.L. Laurian Studesville
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of L.S. By And Through His G.A.L. Laurian Studesville V. City Of Oakland, United States District Court Case No. C09-03004-CW, City Attorney's File No. 26266, In The Amount Of Five Hundred Fifty Thousand Dollars And No Cents (\$550,000.00). Mr. Studesville's Injuries Resulted From A Gunshot Fired By A City Of Oakland Employee (Oakland Police Department)
[10-0691](#)

This Matter was Adopted on the Consent Agenda.

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

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7.24-CC Subject: Settlement Agreement - Regina Karp
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Regina Karp, In The Amount Of \$18,000, As A Result
Of Personal Injuries Sustained When Plaintiff Tripped And Fell On Sidewalk On Oakland Ave.
(Public Works Agency)
[10-0692](#)

This Matter was Adopted on the Consent Agenda.

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

**A motion was made by President Pro Tempore De La Fuente, seconded by
Councilmember Schaaf, including all the preceding items marked as
having been adopted on the Consent Agenda. The motion carried by the
following vote:**

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

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

**A motion was made by Councilmember Kaplan, seconded by
Councilmember Kernighan, to *Approve as Submitted the oral report
from the City Attorney of 1 final decision made during closed session
regarding the case for Laughlin v. the City of Oakland authorizing
settlement of \$175,000 and no non-confidential discussion. The motion
carried by the following vote:**

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

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:05 p.m.

1 individual spoke on this item.

Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember Schaaf, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8

- 9.1 Subject: Increase To A Special Tax Imposed For Emergency Medical Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Emergency Medical Services, In Accordance With The Consumer Price Index, And Pursuant To The Emergency Medical Services Retention Act Of 1997 (Measure M)
[10-0657](#)

A motion was made by Councilmember Kaplan, seconded by Councilmember Schaaf, that this matter be Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:06 p.m.

1 individual spoke on this item.

Agency/Councilmember Schaaf made a motion, seconded by Agency/Councilmember De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8

9.2 Subject: Special Tax Imposed For Paramedic Emergency Services
 From: Office Of Budget
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Paramedic
 Emergency Services, In Accordance With The Consumer Price Index, And Pursuant To The
 Paramedic Services Act Of 1997 (Measure N)
 [10-0658](#)

A motion was made by Councilmember Schaaf, seconded by President Pro Tempore De La Fuente, that this matter be Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:11 p.m.

4 individuals spoke on this item.

Agency/Councilmember Brunner made a motion, seconded by Agency/Councilmember Brooks, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid
-8

9.3 Subject: Special Tax Imposed For Library Services
 From: Office Of Budget
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Library
 Services, In Accordance With The Consumer Price Index, And Pursuant To The Library
 Services Retention And Enhancement Act Of 2004 (Measure Q)
 [10-0659](#)

A motion was made by Vice Mayor Brooks, seconded by Councilmember Kernighan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened at 7:12 p.m.

1 individual spoke on this item.

Agency/Councilmember Brunner 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, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid
-8

- 9.4 Subject: Special Tax Imposed For Violence Prevention And Public Safety Services
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Authorizing A Fiscal Year 2011-2012 Increase To A Special Tax Imposed For Violence Prevention And Public Safety Services, In Accordance With The Consumer Price Index, And Pursuant To The Violence Prevention And Public Safety Act Of 2004 (Measure Y)
[10-0660](#)

A motion was made by Vice Mayor Brooks, seconded by Councilmember Kaplan, that this matter be Approved On Introduction and Scheduled for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the June 21, 2011 meeting. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:13 p.m.

0 individuals spoke on this item.

Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember De La Fuente, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, De La Fuente, Kaplan, Kernighan, Nadel, Schaaf, and President Reid -8

- 9.5 Subject: LLAD Engineer's Report FY 2011-2012
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments
[10-0661](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened at 7:14 p.m.

0 individuals spoke on this item.

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

-8

- 9.6 Subject: Wildfire Prevention - Annual Report
From: Office Of Budget
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention Assessment District For Fiscal Year 2011-2012 And The Levying Of Assessments [10-0662](#)

A motion was made by Councilmember Nadel, 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, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner

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- 9.7 ~~Subject: Amending Ordinance No. 13024 C.M.S (Master Fee Schedule)~~
~~From: Office Of Budget~~
~~Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending Ordinance Number 13024 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Clerk, Finance And Management Agency, Oakland Police Department, Oakland Fire Department, Oakland Public Library, Office Of Parks And Recreation, Department Of Human Services Public Works Agency, And The Community And Economic Development Agency.~~
~~[10-0663](#)~~

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

-
- 10 Subject: ORA Biennial Budget
From: Office Of The Budget
Recommendation: Discussion And Action On The 2011-2013 Biennial Budget As The
Financial Plan For Conducting The Affairs Of The Redevelopment Agency Of The City Of
Oakland
[10-0694](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council**

There were 16 speakers on this item

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- 11 Subject: Vacancy In The Office Of The City Attorney
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Declaring Vacancy In The Office Of The City Attorney
Effective June 13, 2011
[10-0693](#)

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

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- 12 Subject: Mayor's Salary Review
From: Council President Reid
Recommendation: Adopt A Resolution Confirming The Salary And Salary Range For The
Mayor Of The City Of Oakland Pursuant To The Oakland City Charter, Article III, Section 300
[10-0520](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by
Councilmember Schaaf, that this matter be Adopted setting the salary at
\$161,630.00 per year. The motion carried by the following vote:**

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

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13 Subject: Federal Legislative Lobbyist Agreement
From: Office Of The Mayor
Recommendation: Adopt A Resolution Recommending That Townsend Public Affairs Serves As The City's Federal Legislative Lobbyist For The Period Of June 1,2011 Through May 31,2012, At A Cost Of Seventy Two Thousand Dollars (\$72,000), And Authorize An Option To Renew For One Year Until May 31, 2013 For An Additional Seventy Two Thousand Dollars (\$72,000), For A Total Amount Not-To-Exceed (\$144,000) For The Entire Term Of The Agreement
[10-0608](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Schaaf, that this matter be Adopted as Amended to strike the the x "Whereas" and add an additional "Whereas" that states.... The motion carried by the following vote:

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

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14 Subject: Pacific Trenchless Contract Award
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Pacific Trenchless, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Macarthur Boulevard, 64th Avenue, Simson Street And 72nd Avenue (Sub-Basin 84-104 - Project No. C312210) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Three Million Sixty-Four Thousand Eight Hundred Fifty-Four Dollars (\$3,064,854.00)
[10-0621](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
There were 14 speakers on this item.

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15 Subject: Head Start Grants
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2011-2012 From The U.S. Department Of Health And Human Services, Administration For Children And Families PHHS/ACF) In The Estimated Amount Of \$15,454,593 And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$4,937,781 To Fund Child Development Services In Accord With Said Grants; And To Review And Approve Oakland Head Start/Early Head Start Governing Procedures Developed In Accordance With Head Start Legislation And Updated Annually
[10-0562](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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16 Subject: OFCY Grant Renewal
From: Department Of Human Services
Recommendation: Adopt A Resolution Appropriating And Allocating \$7,506 In Interest Income Earned To The Oakland Fund For Children And Youth; And Authorizing The City Administrator To Negotiate And Execute Grant Agreements Between The City Of Oakland And Various Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For Fiscal Year 2011-2012 In An Amount Not To Exceed \$9,769,234, Which Grant Agreements Are Renewable For An Additional One-Year Period With City Council Approval
[10-0585](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, President of the Council Reid, Councilmember Schaaf and Councilmember Brunner
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17 Subject: OFCY Interim Report
From: Department Of Human Services
Recommendation: Receive An Informational Report From The Oakland Fund For Children
And Youth And Submission Of The OFCY Evaluation Interim Reports For 2010-2011
[10-0586](#)

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

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

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

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/21/2011

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19 Subject: Oakland Museum Professional Services And Lease Agreements
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Ten-Year Professional Services Agreement And A Thirty-Year Lease For Two Museum Buildings At The Rent Of \$1.00 Per Year, Between The City Of Oakland And The Oakland Museum Of California Foundation To Perform Services Related To The Care, Conservation, Stewardship, And Presentation Of The City's Collection Of Art Works, Historical Artifacts And Natural Sciences Specimens Related To California's Cultural And Environmental History, With An Initial City Annual Professional Services Agreement Payment Of \$5 Million On July 1, 2011 That Declines Annually To \$3 Million Over The Ten-Year Period
[10-0669](#)

A motion was made by Vice Mayor Brooks, seconded by Councilmember Schaaf, that this matter be Adopted as Amended. The proposed amendments shall include placement of city employees in museum positions. The motion carried by the following vote:

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

There were 6 speakers on this item.

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Vincent Perez, Tony Valerio, Kang Dong Song, Matthew Kiplng Fong, Bruce Furst, George Curry, Dityan Franklin, and Norma Gulliam at 11:17 p.m.

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City Clerk and Clerk of the Council