



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, July 20, 2010

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

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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

The following individuals spoke during Open Forum:

- Michelle Tolotti
- Abdulla Nagi
- Norman Cheng
- Ron Bishop
- David Rodrigues
- Max Allstadt
- Holly Alonso
- Mei Yan Saechao
- Angel Saelee
- Ying Fu Saeturn
- Ener Chiu
- Barbara Newcombe
- Benjamin Glickstein
- Ariana Casanova

- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council
Acknowledgements/Announcements):

Agency/Councilmember Reid and Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Harold Longwood

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Ronnie Stevens

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Jessie Leona Perkins-Cato and Anthony Fossett

Agency/Councilmember Brooks and Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Bishop Walter Hawkins

- 4.1 Subject: 20th Anniversary Of The Americans With Disabilities Act
From: Council President Brunner
Recommendation: Adopt A Resolution Celebrating The Twentieth Anniversary Of The Americans With Disabilities Act And Honoring Local Disability Services Agencies And Disability Advocates For Distinguished Service To The City Of Oakland And The Disability Community
[09-1570](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual (s) spoke on this item:

- Sanjiv Handa
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S-4.2 Subject: Oakland Pride Festival
From: Councilmembers Kaplan and Kernighan
Recommendation: Adopt A Resolution Celebrating The First Annual Oakland Pride Festival
And Honoring The Oakland Pride Organization For Their Commitment To Oakland And The
Lesbian, Gay, Bisexual, Transgender, Queer And Allied Communities
[09-1648](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember Kaplan made a motion seconded by Agency/Councilmember Quan 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.

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5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETING OF
JULY 6, 2010

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, to *Approve as Submitted to the approval of the July 6, 2010 Council minutes The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid 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):

There was no action necessary for this item.

7. CONSENT CALENDAR (CC) ITEMS:

Upon call of the hearing of the Consent Calendar, the City Clerk announces the presence of urgency items on the Consent Calendar that require an urgency findings prior to any discussion or action on the Consent Calendar.

Agency/Councilmember --- made a motion seconded by Agency/Councilmember ----to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Items ---- 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
[09-1621](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council 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
[09-1626](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- Lance Williams
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7.3-CC Subject: Amendments To Planning Code
From: Community And Economic Development Agency
Recommendation: Adopt An Ordinance, Recommended By The Planning Commission, To (A)
Amend Section 17.136.075 Of The Oakland Planning Code And Make Other Related
Amendments To The Planning Code And Building And Construction Code (Chapter 15.36 Of
The Oakland Municipal Code) Relating To Required Findings For The Demolition Of Historic
Structures; And (B) Adopt Administrative Submittal Requirement For Applications To
Demolish Historic Structures
[09-1419](#)

**A motion was made to Approved As Amended On Introduction to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on July 27, 2010 on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner

The following individual spoke on this item:

- *Greg McConnell*

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7.4-CC Subject: Alameda County Transportation Commission
From: Council President Brunner
Recommendation: Adopt A Resolution Appointing Councilmembers Larry Reid And Rebecca
Kaplan To The Alameda County Transportation Commission ("ACTC"), Which Allocates
Funding for Transportation Projects And Has All Of The Authority, Powers And Rights Of The
Alameda County Congestion Management Agency ("ACCMA") And The Alameda County
Transportation Improvement Authority ("ACTIA")
[09-1636](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner

The following individual spoke on this item:

- *Sanjiv Handa*

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7.5-CC Subject: Amicus Brief - Challenging SB 1071
From: Council President Brunner
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland, To Join In An Amicus (Friend Of The Court) Brief In The United States District Court Case Of Friendly House, et al., V. Michael B. Whiting, et al. (Case No. CV 10-1061-PHX-JWS), Asking The Court To Grant The Plaintiffs' Motion For A Preliminary Injunction To Prevent The Implementation Of Arizona Senate Bill 1070, Which Among Other Things Authorizes The Police "When Practicable" To Detain People They "Reasonably Suspect" Are In The United States Illegally
[09-1635](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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7.6-CC Subject: Port Liaison Committee Appointment
From: Council President Brunner
Recommendation: Adopt A Resolution Appointing Councilmember Desley Brooks To The City - Port Liaison Committee To Serve In The Seat From Which Council Member Kernighan Resigned
[09-1637](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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7.7-CC Subject: League Of California Cities Delegate
From: Council President Brunner
Recommendation: Adopt A Resolution Appointing Councilmember Jean Quan As Voting Delegate And Councilmember Larry Reid As Alternate Delegate For The League Of California Cities 2010 Annual Conference
[09-1624](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa
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7.8-CC Subject: Kaplan's Pay-Go Funds for Youth Healing Retreat
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Authorizing A Grant Of \$500.00 From Councilmember Kaplan's Pay-Go Funds To Skyline High School Titans Football Team For Travel Expenses To Oakland Feather River Camp For A Youth Healing Retreat
[09-1633](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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

The following individual spoke on this item:

- Sanjiv Handa
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7.9-CC ~~Subject: Violence Prevention And Public Safety Services~~
 ~~From: Budget Office~~
 ~~Recommendation: Adopt An Ordinance Authorizing A Fiscal Year 2010-2011 Increase To A~~
 ~~Special Tax Imposed For Violence Prevention And Public Safety Services In Accordance With~~
 ~~The Violence Prevention And Public Safety Act Of 2004 (Measure Y); And Setting June 15,~~
 ~~2010 As The Date For A Public Hearing~~
 [09-1293](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.10-CC Subject: User Fee Ordinance
 From: Oakland Fire Department
 Recommendation: Adopt An Ordinance Adding Title 8, Health And Safety, Chapter 8.56, Emergency Response Services Fees Program, To The Oakland Municipal Code To Establish And Implement A Program To Charge User Fees For The Emergency Response Services Rendered By The City Of Oakland In Connection With Motor Vehicle Accidents Caused By Any And All Non-Resident Drivers Deemed To Be At-Fault And Any And All Criminally Negligent Drivers, Regardless Of Residence, And Amending The Master Fee Schedule To Include The New User Fees
 [09-1614](#)

A motion was made to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 27, 2010 on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa
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7.11-CC Subject: Chiquita Cole - 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 Chiquita Cole V. City Of Oakland, Alameda County Superior Court Case No. RG08-385951, In The Amount Of \$95,000.00 As A Result Of A Collision Between A Vehicle In Which Ms. Cole Was A Passenger And An OPD Vehicle (Oakland Police Department)
[09-1638](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.12-CC Subject: Ahmad Bilal - 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 Ahmad Bilal V. City Of Oakland, Alameda County Superior Court Case No. RG09-438773, City Attorney's File No. 26839, In The Amount Of \$12,000.00, As A Result Of An Automobile Accident Involving A Police Vehicle (Police Department)
[09-1639](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.13-CC Subject: Adam Hayes - 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 Adam Hayes, In The Amount Of \$9,256.47, As A Result Of Property Damage Sustained Due To An Obstructed City Sewer Main On November 22, 2009 (Public Works Agency)
[09-1640](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.14-CC Subject: Cleunice Pereira - 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 Cleunice Pereira V. City Of Oakland, Alameda County Superior Court Case No. RG09-441742, In The Amount Of \$40,000.00 As A Result Of A Collision Between Ms. Pereira And An Automobile In The Intersection Of MacArthur Blvd And Randolph Avenue (Public Works Agency)
[09-1641](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.15-CC Subject: Juanita Johnson - 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 Juanita Johnson V. City Of Oakland, Alameda County Superior Court Case No. RG08-412871, In The Amount Of \$55,000.00 As A Result Of A Trip And Fall Accident Over An Exposed Streetlight Base. (Office Of Public Works)
[09-1642](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.16-CC Subject: Cingular License Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving And Authorizing The Execution Of A License Agreement Between New Cingular Wireless PCS And The Oakland Alameda County Coliseum Authority And Certain Related Matters (Office Of The City Administrator)
[09-1644](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7.17 Subject: Buenrostro - 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 Jose Buenrostro, Sr. Et Al. V. City Of Oakland, Et Al., United States District Court Case No. 009-00786-JSW, City Attorney's File No. 26782, In The Amount Of Five Hundred Thousand Dollars And No Cents (\$500,000.00) As A Result Of A Civil Right Action Alleging Wrongful Death Action (Oakland Police Department)
[09-1645](#)

***Withdrawn with No New Date**

The following individual spoke on this item:

- *Sanjiv Handa*

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S-7.18-CC Subject: Opposition To Senate Bill 974
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution In Opposition To Senate Bill 974 (D. Stienberg) Amending The Enterprise Zone Program
[09-1594](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.19-CC Subject: The Limited Public Financing Act - Amendments
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 3.13 Of The Oakland Municipal Code (Aka "The Limited Public Financing Act Of The City Of Oakland") To 1) Limit Eligibility To Candidates For District City Council; 2) Provide That Public Financing Be Limited To The Reimbursement Of Specified Campaign Expenditures; 3) Limit Candidates From Making Contributions Or Loans From Personal Funds To Ten Percent Of The Voluntary Expenditure Ceiling; 4) Require Candidates To Raise In Local Contributions An Amount Equal To Three Percent Of The Voluntary Expenditure Ceiling; 5) Permit Candidates To Appeal To The Public Ethics Commission Any Request For Reimbursement; And 6) Require Candidates To Repay The Election Campaign Fund From Any Surplus Campaign Funds In An Amount Not To Exceed The Percentage That Public Financing Represents Of Total Contributions Received
[09-1500](#)

**This Matter was Approved on Introduction for Final Passage to the
*Special Concurrent Meeting of the Oakland Redevelopment Agency/City
Council, due back on July 27, 2010 on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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S-7.20-CC Subject: Support Of Assembly Bill 1532
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Amended Assembly Bill 1532 Authored By Assembly Member Lieu, Which Adds A Separate Section To The Existing California Penal Code's Definition Of A Code Enforcement Officer, By Establishing A Free-Standing Definition For Code Enforcement Officers That Can Be Used By Any Local Jurisdiction In Their Application For Code Enforcement Funding
[09-1576](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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S-7.21-CC Subject: Conditional And Revocable Permit - 370 Hawthorne Avenue
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Alta Bates - Summit Medical Center A
Conditional And Revocable Permit To Allow A Soil Shoring System To Encroach Under The
Public Right-Of-Way For An Addition To The Existing Public Hospital Located At 370
Hawthorne Avenue
[09-1535](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.22-CC Subject: Used Oil Filter Recycling
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Used Oil Payment Program Applications And To Act As Lead Jurisdiction For Other Alameda County Jurisdictions, To The California Department Of Resources Recycling And Recovery And Appropriation Of Those Payments For Used Motor Oil And Used Oil Filter Recycling Beginning With Fiscal Year 2010/2011 And Effective Until Rescinded By The City Council
[09-1552](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.23-CC Subject: Hardy Park Restroom Project
From: Council President Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To The Lowest, Responsive, And Responsible Bidder For The Hardy Park Restroom Project (City Project No. C338710) In An Amount Not-To-Exceed One Hundred Forty Thousand Dollars (\$140,000.00) Without Further Council Review Or Action
[09-1561](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.24-CC Subject: Storm Drain Line Rehabilitation Contract
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To J & M, Inc. For Rehabilitation Of Storm Drain Line Along Shepherd Canyon Road Between Gunn Drive And Paso Robles Drive (Project Number C336020) In The Amount Of Five Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$524,853.00)
[09-1578](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.25-CC Subject: Restoration Access Road - North Oakland Sports Field
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For The Restoration Of Slope And Fire Access Road Above North Oakland Sports Field (Project Number C400810) In Accord With Project Plans And Specifications And Contractors Bid Therefore, In The Amount Of Two Hundred Forty-Six Thousand Six Hundred Fifty-Five Dollars (\$246,655.00)
[09-1579](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.26-CC Subject: Energy Efficiency Improvements Agreement - Civic Center Buildings
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Solicitation For Fixed, Sealed Bids And Price-Based Award Requirements And Authorizing The City Administrator Or Designee To: 1. Award A Design-Build Agreement To United Comfort Solutions, Inc. For Energy Efficiency Improvements To The Heating, Ventilating And Air Conditioning (HVAC) System Controls For The Civic Center Complex Buildings For An Amount Not To Exceed Six Hundred Ninety-Five Thousand Dollars (\$695,000.00), To Be Paid In Part With Federal Government Stimulus Package Funds; And 2. Accept And Appropriate Energy-Related Rebates In Project Numbers C388910 (Civic Center Data Center Server Virtualization), And C389010 (Civic Center Electronic HVAC Control Upgrades Building Automation System) For Energy Efficiency Improvements To The HVAC System Controls For The Civic Center Complex Buildings; And 3. Appropriate Fifty-Five Thousand Four Hundred Five Dollars (\$55,405.00) Of Energy Rebate Funds In Project H33620 (CED Loan - HVAC Conservation) For Energy Efficiency Improvements To The HVAC System Controls For The Civic Center Complex Buildings
[09-1581](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.27-CC Subject: Stop Sign Installation - Various Locations
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Installation Of Stop Signs On:
1. Cunningham Street At Davenport Avenue;
2. Whitney Street At 65th Street;
3. East 24TM Street At 12th Avenue;
4. Carisbrook Drive At Skyline Boulevard;
5. Ney Avenue At 75th Avenue;
6. Holway Street At 57th Avenue; And
7. Wood Street At 14th Street.
[09-1582](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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S-7.28-CC Subject: Sanitary Sewer Root Foaming
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Duke's Root Control, Inc. For The Sanitary Sewer Root Foaming 2009 - 2011 Project (Project No. P188440) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00)
[09-1586](#)

This Matter was Adopted as Amended on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The July 13, 2010 Special Public Works Committee approved AN ALTERNATIVE RECOMMENDATION to reject all bids and direct staff to return to the bidders to negotiate with consideration of the use of the approved treatment, effort to obtain expense reductions and ensure the health and safety of the public is not compromised; 4 Ayes

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S-7.29-CC Subject: Parking Zone Establishment - 37th Avenue
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Establishment Of:
1) One-Hour Parking From 8:00 A.M. To 6:00 P.M., From Monday To Friday, On Both Sides Of 37th Avenue Between East 8th Street And Boehmer Street; And 2) "No Parking Anytime" From Monday To Sunday On Both Sides Of 37th Avenue Between Boehmer Street And The Southern End
[09-1593](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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S-7.30-CC Subject: Oakland Ice Center - Parking
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Ground Lease With San Jose Arena Management, Limited Liability Corporation, For Up To 39 Months To Improve The Agency's Real Property At 1800 San Pablo Avenue, And Operate A Parking Lot To Support The Operation Of The Oakland Ice Center; Amd
[09-1598](#)

This Matter was Adopted as Amended on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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2) Adopt An Agency Resolution Approving A Five-Year Agreement With San Jose Arena Management, Limited Liability Corporation To Manage And Operate The Oakland Ice Center For A Percentage Of Net Revenue Pursuant To Specific Criteria
[09-1554](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- *Sanjiv Handa*
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[2010-0084 CMS.pdf](#)

S-7.31-CC Subject: Refuse Packer Repair
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate Insurance Claim Recovery Monies In The Amount Of One Hundred Thirty Three Thousand, Seven Hundred Ninety Four Dollars And Eighty Nine Cents (\$133,794.89) Received For Damage To Public Works Agency Refuse Packer Equipment No. 4297 To Be Used For Replacement Of The Equipment And Payment In Full Of The Balance Remaining On The Lease
[09-1574](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.32-CC Subject: Citywide Records Management Program
From: Council President Brunner
Recommendation: Adopt A Resolution Regarding Development Of A Citywide Records Management Program
[09-1575](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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[82908 CMS.pdf](#)

S-7.33-CC Subject: 2010 Mayor Recess Agenda Authorized Actions
From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City/Agency Administrator To Make Grant Awards, Accept Grant Funds And Take Action On Procurement Of Certain Supplies, Construction Labor And Materials Exceeding \$500,000.00 And Professional Services Contracts Exceeding \$300,000.00 During The City Council Annual Recess Of 2010
[09-1616](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82909 CMS.pdf](#)

S-7.34-CC Subject: As-Needed Economic Consulting Services
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution

1) Allocating Up To \$970,000 From Fiscal Year 2010-2011 Broadway/MacArthur/San Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West Oakland Redevelopment Funds For As Needed Economic Consulting Services; And 2) Authorizing The Agency Administrator To Select Four Or More economic Consulting Firms And To Negotiate, Award, And Execute Professional Services Agreements With The Selected Economic Consultants To Provide As-Needed Economic Consulting Services For The Broadway/MacArthur/San Pablo, Central City East, Central District, Coliseum, Oakland Army Base, And West Oakland Redevelopment Project Areas In An Amount Not To Exceed \$250,000 Per Contract Without Returning To The Agency
[09-1440](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[2010-0085 CMS.pdf](#)

S-7.35-CC Subject: First Amendment To The Joint Exercise Of Powers Agreement
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A First Amendment To Joint
Exercise Of Powers Agreement Between The Redevelopment Agency And The State Of
California To Facilitate The Possible Sale Of The Elihu M. Harris Oakland State Building
[09-1522](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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S-7.36-CC Subject: Lion Creek Crossings Phase IV Rental Project
From: Community And Economic Development Committee Agenda
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution Number 2010-0040 C.M.S. To Increase The Affordability Level, In The Event Of Foreclosure, From 50% To 60% Of Area Median Income For The Lion Creek Crossings Phase IV Rental Project Located At 69th Avenue And Snell Street, To Be Developed By The East Bay Local Development Corporation And The Related Companies Of California Jointly; And
[09-1537](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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2) A City Resolution Amending Resolution No. 82652 C.M.S. To Increase The Affordability Level, In The Event Of Foreclosure, From 50% To 60% Of Area Median Income For The Lion Creek Crossings Phase Iv Rental Project Located At 69th Avenue And Snell Street, To Be Developed By The East Bay Local Development Corporation And The Related Companies Of California Jointly

[09-1537-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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S-7.37-CC Subject: Central City East Redevelopment Project - Extension
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project
Area Committee For The Central City East Redevelopment Project To July 29, 2011
[09-1539](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.38-CC Subject: Infrastructure Development Fund - Oakland Army Base
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Establishment Of A Joint Infrastructure Development Fund In The Initial Amount of Sixteen Million And Three Hundred Thousand (\$16,300,000) For The Development Of Infrastructure, Public Utilities And Public Streets On The Former Oakland Army Base
[09-1540](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- *Sanjiv Handa*
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2) An Agency Resolution Authorizing The Agency Administrator, Without Returning To The Agency Board, To Negotiate And Execute A Cost Sharing Agreement Between The Redevelopment Agency And The Port Of Oakland For The Development Of Infrastructure, Public Utilities, And Public Streets On The Former Oakland Army Base Committing A Total Of No More Than Thirty-Two Million Dollars (\$32,000,000) Of Agency Funds To The Development: And

[09-1540-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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3) An Agency Resolution Authorizing A) An Amendment To The Exclusive Negotiating Agreement With AMB Property Corporation/California Capital Group (AMB/CCG) To Reflect That The Agency, Through Its Joint Infrastructure Development Fund Established For The Development Of The Former Oakland Army Base; Shall Contribute Up To A Maximum Amount Of \$240,000 For Required California Environmental Quality Act (CEQA) And National Environmental Policy Act (NEPA) Reviews And Reports For The Construction Of Infrastructure, Public Utilities, And Public Streets On The Former Army Base; And B) A Waiver Of The Advertising And Request For Proposal/Qualification Process And An Award Of A Contract To LSA Associates, Inc. (LSA) For The Provision Of Required CEQA And NEPA Reviews And Reports In An Amount Not-To-Exceed \$360,000

[09-1540-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

[2010-0090 CMS.pdf](#)

S-7.39-CC Subject: Construction Of Public Improvements - Oakland Army Base
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Apply For, Accept, And Appropriate Federal, State And Local Grant Funding For Planning, Design, And Construction Of Infrastructure Improvements On The Former Oakland Army Base Including, But Not Limited To, Environmental Remediation, Materials Import And Surcharging, Rail Expansion, Public Utilities, Streets, And Landscaping, Without Returning To The Agency Board
[09-1541](#)

This Matter was Adopted as Amended on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[2010-0091 CMS.pdf](#)

S-7.40-CC Subject: Redevelopment Survey Area
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Designating The Lowell Street/Golden Gate/Gaskill Neighborhoods, Adjacent To The Broadway/Macarthur/ San Pablo Redevelopment Project Area, As A Redevelopment Survey Area
[09-1555](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82912 CMS.pdf](#)

S-7.41-CC Subject: Mixed-Use Development
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC Or A Related Entity To Develop Portions Of The Block Bounded By San Pablo Avenue, Telegraph Avenue, 18th Street, And 19th Street
[09-1556](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[2010-0092 CMS.pdf](#)

S-7.42-CC Subject: Neighborhood-Serving Retail Center
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC, For Disposition Of Eleven Agency-Owned Parcels Bounded By Foothill Boulevard, Seminary Avenue And Bancroft Avenue, And Development Of A Neighborhood-Serving Retail Center; And
[09-1557](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[2010-0093 CMS.pdf](#)

2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With Sunfield Development, LLC, For Disposition Of Agency-Owned Parcel Bounded By Foothill Boulevard And 73rd Avenue, And Development Of A Mixed Use City Library And Peralta Community College Educational Learning Center And Community Retail Component
[09-1557-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2010-0094 CMS.pdf](#)

S-7.43-CC Subject: Jefferson Oaks Apartments Project
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Relocation Plans For The Oaks Hotel And Jefferson Hotel For The Jefferson Oaks Apartments Affordable Housing Project
[09-1558](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82913 CMS.pdf](#)

2) A Resolution Amending Resolution No. 82649 C.M.S. To Reduce The Number Of Units From 110 To 102 For The Jefferson Oaks Apartments Project Located At 1424 Jefferson Street
[09-1558-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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3) An Agency Resolution Approving The Relocation Plans And Replacement Housing Plan For The Jefferson Oaks Apartments Project, And Amending Agency Resolution No. 2003-54 C.M.S. To Exempt The Jefferson Oaks Apartments Project From The Agency's Replacement Housing Policy For Single Room Occupancy Units: And
[09-1558-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2010-0095 CMS.pdf](#)

4) An Agency Resolution Amending Resolution No. 2010-0045 C.M.S. To Reduce The Number Of Units From 110 To 102 For The Jefferson Oaks Apartments Project Located At 1424 Jefferson Street
[09-1558-3](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- Chava Bat-Esha
[2010-0096 CMS.pdf](#)

S-7.44-CC Subject: Proposed Foods Co Supermarket And Fuel Station
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To
Negotiate And Execute An Exclusive Negotiating Agreement With Ralphs/Food 4 Less
Grocery Company For Development Of A Proposed Foods Co Supermarket And Fuel Station
At The Northeast Corner Of 66th Avenue And San Leandro Street
[09-1568](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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[2010-0097 CMS.pdf](#)

S-7.45-CC Subject: Revenue Projections Revision
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Amending Resolution Numbers 2009-0072, 2009-0090 And 2010-0055 C.M.S. To Amend The Agency Budget For Fiscal Years 2010-2011 To Revise Appropriations Related To An Overpayment Of Tax Increment Revenue To The Oak Center And Stanford/Adeline Redevelopment Areas; And An Underrealization Of Tax Increment Revenue In Fiscal Year 2009-2010; And

[09-1569](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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[2010-0098 CMS.pdf](#)

2) A Resolution Forgiving The Remaining Interest And Principal Owed On The \$3,285,131 Debt From The Redevelopment Agency Under The 1966 Oak Center Repayment Contract

[09-1569-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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S-7.46-CC Subject: George P. Scotlan Memorial Convention Center - Repairs
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing Allocation Of Agency Funds In An Amount Of Up To \$4,000,000 For Necessary Capital Improvements, Repairs And Rehabilitation To The George P. Scotlan Memorial Convention Center, And Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The Management Agreement With Integrated Services Corporation To Include Construction Management For The \$4,000,000 In Capital Improvements, Including Up To \$153,000 For Management Fees
[09-1603](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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[2010-0099 CMS.pdf](#)

S-7.47-CC Subject: Recovery Zone Bond Issuance
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Revised Resolution Approving The Application Of The City's Recovery Zone Economic Development Bond Issuance Authority Initial Allocations To The Macarthur Transit Village Within The Redevelopment Agency Of The City Of Oakland Broadway/Macarthur/San Pablo Redevelopment Project Area And The Obligations To Be Issued With Respect Thereto; And
[09-1615](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember Reid made a motion seconded by

Agency/Councilmember Quan to approve an urgency finding pursuant to

Section 2.20.080 E(2) regarding Item S-7.47 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

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2) A Revised Resolution Determining To Apply The City's Recovery Zone Facility Bond Issuance Authority Initial Allocation Of \$7,581,000, And Any Additional Allocations To The Financing Of Various Facilities To Be Aquired, Constructed And Installed By Ports America Oakland And Declaring Intent To Issue Revenue Bonds
[09-1615-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
Agency/Councilmember Reid made a motion seconded by Agency/Councilmember Quan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S.7.47 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.
[82916 CMS.pdf](#)

3) Resolution Approving The Application Of The City's Qualified Energy Conservation Bond Issuance Authority Initial Allocation Of \$4,165,214.52 And Any Additional Allocations To The City Of Oakland Downtown Energy Efficiency Streetlight Project
[09-1615-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
Agency/Councilmember --- made a motion seconded by Agency/Councilmember ----to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item ---- 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.
[82917 CMS.pdf](#)

S-7.48-CC Subject: Head Start Family Child Care Services
From: Department Of Human Services
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Regina Benoit For Head Start Family Child Care Services In An Amount Not To Exceed \$43,860; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$43,860, For A Two-Year Total Not To Exceed \$87,720;

[09-1434](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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2) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Mada Hudson Head Start Family Child Care Services In An Amount Not To Exceed \$64,500; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$64,500, For A Two-Year Total Not To Exceed \$129,000;

[09-1434-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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3) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Martha Rebollo Head Start Family Child Care Services In An Amount Not To Exceed \$87,720; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$87,720, For A Two-Year Total Not To Exceed \$175,440;

[09-1434-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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4) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Vanessa Bulnes Head Start Family Child Care Services In An Amount Not To Exceed \$51,170; And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$51,170, For A Two-Year Total Not To Exceed \$102,340;
[09-1434-3](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[82921 CMS.pdf](#)

5) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Valerie Hamilton Head Start Family Child Care Services In An Amount Not To Exceed \$87,720, And Contingent Upon Receipt Of Head Start Funding, To Execute A One-Year Extension For An Additional Amount Not To Exceed \$87,720, For A Two-Year Total Not To Exceed \$175,440; And
[09-1434-4](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[82922 CMS.pdf](#)

6) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute A Professional Services Agreement With Sally Chu Head Start Family Child Care Services In An Amount Not To Exceed \$70,950; And Contingent Upon Receipt Of Head Start Funding, To Execute A One - Year Extension For An Additional Amount Not To Exceed \$70,950, For A Two-Year Total Not To Exceed \$141,900
[09-1434-5](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
[82923 CMS.pdf](#)

S-7.49-CC Subject: Gates To The Gardens At Lake Merritt
From: Cultural Affairs and Marketing
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Shawn Lovell For Public Art Design, Fabrication And Installation Services For The Gates For The Gardens At Lake Merritt Public Art Project In An Amount Not To Exceed Eighty-Six Thousand Dollars (\$86,000) In Measure DD Public Art Funds
[09-1534](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-7.50-CC Subject: Professional Services Agreement - Salvation Army
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, To Execute A Professional Services Agreement With Salvation Army To Provide Center-Based Early Care And Education Services For 28 Low-Income Families With Children Ages 0-3, In An Amount Not To Exceed \$73,450 For July-September 2010; And Contingent Upon Receipt Of Early Head Start Funding, Authorizing The City Administrator To Execute A One-Year Extension For October 1, 2010 Through September 30, 2011 For An Additional Amount Not To Exceed \$109,200, For A Total Not To Exceed \$182,650
[09-1571](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[82925 CMS.pdf](#)

S-7.51-CC Subject: Renaming Of The Fox Square Park
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Renaming The "Fox Square Park" Located At 1900
Rashida Muhammad Street For A Ten Year Period With The Option To Revisit The Naming
Rights For An Additional Ten Years, To The "Henry J. Kaiser Memorial Park"
[09-1583](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
[View Report.pdf](#)
[82926 CMS.pdf](#)

S-7.52-CC Subject: Lincoln Square Outdoor Corridor Improvement
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Approve,
Accept And Appropriate A Grant Contract Awarding Two Hundred Thousand Dollars
(\$200,000) In Grant Funds From The Stewardship Council Infrastructure Grant For The
Lincoln Square Outdoor Recreation Corridor Project
[09-1589](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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[82927 CMS.pdf](#)

S-7.53-CC Subject: Regional Catastrophic Planning Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee
To: 1) Enter Into A Regional Catastrophic Planning Grant Program Grant Administration
Agreement With City And County Of San Francisco For Fiscal Year 2010 RCPGP Grant Funds
In An Amount Up To Three Hundred Thousand Dollars (\$300,000.00), 2) Accept, Appropriate
And Administer Fiscal Year 2010 RCPGP Grant Allocations, 3) Approve The Preliminary
Spending Plan And Waive City Of Oakland Central Services Overhead Fees Of Seven
Thousand Two Hundred Ninety Seven Dollars (\$7,297.00) For The Fiscal Year 2010 RCPGP
Grant, And 4) Expend Funds In Accord With The Preliminary Spending Plan Without Further
Council Authorization, Which Includes The Continuation Of One Senior Emergency Planning
Coordinator And Award Of Professional Services Contracts Without Further Council
Authorization, Provided City Hiring And Contract Services Requirements And
Programs/Policies Are Followed
[09-1492](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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[82928 CMS.pdf](#)

S-7.54-CC Subject: Urban Area Security Initiative (UASI) Grants
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee
To Enter Into Sub-Recipient Grant Agreements With Regional Partner Agencies For In Order
To Convey Specified Equipment To Them In Connection With Regional Emergency Response
Preparedness Activities Funded By Fiscal Year 2004 And Fiscal Year 2005 Urban Area
Security Initiative (UASI) Grants
[09-1494](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
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[82929 CMS.pdf](#)

S-7.55-CC Subject: Agreements With The Maritime Exchange
From: Oakland Fire Department
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator Or His Designee To: 1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2008 PSGP Grant Funds In The Amount Up To Nine Hundred Forty Four Thousand Nine Hundred And Forty Two Dollars (\$944,942); And 2. Accept, Appropriate And Administer The Fiscal Year 2008 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided City Competitive Solicitation And Purchasing Programs/Policies Are Followed;
[09-1613](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[View Report.pdf](#)
[82930 CMS.pdf](#)

2) Resolution Authorizing The City Administrator Or His Designee To:
1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2009 PSGP Grant Funds In The Amount Up To Seven Hundred Forty Four Thousand Four Hundred And Fifty Three Dollars (\$744,453); And 2. Accept, Appropriate And Administer The Fiscal Year 2009 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed; And
[09-1613-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[82931 CMS.pdf](#)

3) Resolution Authorizing The City Administrator Or His Designee To:
1. Enter Into A Port Security Grant Program ("PSGP") Grant Administration Agreement With The Maritime Exchange Of The San Francisco Bay Region For Fiscal Year 2010 PSGP Grant Funds In The Amount Up To Six Hundred Eighty Two Thousand Six Hundred And Ninety Four Dollars (\$682,694); And 2. Accept, Appropriate And Administer The Fiscal Year 2010 PSGP Grant Allocation; And 3. Approve The Preliminary Spending Plan; And 4. Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases Approved In The Federally Authorized Equipment List, Provided Competitive Solicitation And Purchasing Programs/Policies Are Followed

[09-1613-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

[82932 CMS.pdf](#)

S-7.56-CC Subject: Port Security Grant Program
From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A Memorandum Of Understanding/Grant Administration Agreement With The Port Of Oakland Under Which The City Will Receive Fiscal Year 2009 American Recovery And Reinvestment Act (ARRA) Port Security Grant Program (PSGP) Funding In The Amount Of Two Million Nine Hundred Twenty One Thousand Seven Hundred Dollars (\$2,921,700) To Jointly Develop, Establish And Operate A Port/City Domain Awareness Center (DAC), And 2) Accept, Appropriate And Administer Said ARRA PSGP Grant Funds; And 3) Approve The Preliminary Spending Plan For The City Of Oakland Associated With Said Grant And Waive City Of Oakland Central Services Overhead Of \$87,000, And 4) Expend Funds In Accordance With The Preliminary Spending Plan Without Further Council Authorization, Including Purchases In Excess Of The City Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment List (AEL) And Services Required By The Grant, Provided City Competitive Solicitation And Purchasing Program/Policies Are Followed

[09-1564](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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[82933 CMS.pdf](#)

S-7.57-CC Subject: Edward Byrne - Justice Assistance Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Eight Hundred Thirty-Nine Thousand And Twenty-Eight Dollars (\$839,028) From The U.S. Department Of Justice, Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program For The Period Of July 1, 2010 Through June 30, 2012, To Supplement Frontline Policing Services, And Appropriate Said Funds To The Police Department
[09-1565](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[View Report.pdf](#)
[82934 CMS.pdf](#)

S-7.58-CC Subject: SAP Professional Services Contract
From: Department of Information Technology
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Award A Professional Services Contract To SAP Or An Authorized Distributor Of Their Products, For Installation, Configuration And Training Of The Crystal Report Server Application In An Amount Not-To-Exceed Thirty Five Thousand Dollars (\$35,000) In Oakland Police Department
[09-1577](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[View Report.pdf](#)
[82935 CMS.pdf](#)

S-7.59-CC Subject: Urban Area Security Initiative - San Francisco
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee
To: 1) Enter Into An Urban Area Security Initiative (UASI) Grant Administration Agreement
With The City And County Of San Francisco For Distribution Of Fiscal Year 2009 Urban Area
Security Initiative (UASI) Grant Funds In The Amount Up To Five Million And Seven
Hundred Thousand Dollars (\$5,700,000) To The City Of Oakland, And: 2) Accept, Appropriate
And Administer The Fiscal Year 2009 UASI
Grant Allocations, And 3) Approve The Preliminary Spending Plan And Waive City Of
Oakland Central Services Overhead (CSO) Fees Of Fifty Three Thousand And Seven Hundred
Forty Dollars (\$53,740), And; 4) Expend Funds In Accord With The Preliminary Spending Plan
Without Further Council Authorization, Including Purchases In Excess Of The City
Administrator's Purchasing Authority For Equipment On The Federally Authorized Equipment
List And Services Required By The Grant, Provided City Bidding Requirements And
Purchasing Programs/Policies Are Followed
[09-1563](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner
[View Report.pdf](#)
[82936 CMS.pdf](#)

S-7.60-CC Subject: Rockridge Community Planning - Paygo Funds
From: Councilmember De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La Fuente's Ravqo Funds To Rockridge Community Planning Council In The Amount Of \$22,021.70 For Fabrication And Installation Of Public Art, Kiosk, And Seating Areas in FROG Park And To Waive The Competitive Process
[09-1664](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember De La Fuente made a motion seconded by Agency/Councilmember Brunner to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.60 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.

The following individual spoke on this item:

- Sanjiv Handa
[View Report.pdf](#)
[82937 CMS.pdf](#)

S-7.61-CC Subject: Quan's Pay-Go Funds - Snapshot Mosaics
From: Vice Mayor Quan
Recommendation: Adopt A Resolution Authorizing A Professional Services Contract Of \$25,000.00 Funded By Council Member Jean Quan's Pay-Go Funds, To Gina Dominguez Of Snapshot Mosaics For The Fabrication And Installation Of Five "Way Finding" Ceramic Mosaic Sidewalk Panels And To Waive The Competitive Process
[09-1478](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember Quan made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.61 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.

The following individual spoke on this item:

- Sanjiv Handa
[View Report.pdf](#)
[82938 CMS.pdf](#)

S-7.62-CC Subject: Proposition 84- Safe Drinking Water
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing A Grant Application To The California Strategic Growth Council For Up To One Million Dollars (\$1,000,000) For The Sustainable Communities Planning Grant And Incentives Program Under The Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act Of 2006 (Proposition 84) To Prepare A Comprehensive Transportation Policy Plan To Meet The City's Sustainable Community And Energy And Climate Action Plan Goals
[09-1650](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember Quan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.62 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.
[View Report.pdf](#)
[82939 CMS.pdf](#)

S-7.63-CC Subject: Statewide General Election
From: Office of The City Clerk
Recommendation: Adopt An Ordinance Requesting Consolidation Of The City Of Oakland General Municipal Election With The Statewide General Election To Be Held In The City Of Oakland On Tuesday, November 2, 2010
[09-1658](#)

**This Matter was Approved on Introduction for Final Passage to the
*Special Concurrent Meeting of the Oakland Redevelopment Agency/City
Council, due back on July 27, 2010 on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
Agency/Councilmember De La Fuente made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.63 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.
[View Report.pdf](#)
[13032 CMS.pdf](#)

S-7.64-CC Subject: Reginald Oliver & Harold Oliver et. al. - Settlement Agreement
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Cases Of Reginald Oliver, et. al. v. City Of Oakland et al., And
Harold Jackson et. al. v. City Of Oakland, et al., United States District Court Case
[09-1667](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember Kernighan made a motion seconded by Agency/Councilmember De La Fuente to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.64 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.

The following individual spoke on this item:

- Sanjiv Handa
[View Report.pdf](#)
[82940 CMS.pdf](#)

S-7.65-CC Subject: Amicus Curaie - Embassy LLC
From: Councilmember Nadel
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland, To Join In Or Submit A Separate Amicus Curaie (Friend Of The Court) Letter In Support Of A Petition For Review To The California Supreme Court On Behalf Of The City Of Santa Monica California In The Case Of Embassy LLC V. City Of Santa Monica (California Court Of Appeal, 2nd District, No, B217622, June 14, 2010) Which Held That Landlord's Cannot Waive Ellis Act (Gov. Code § 7060) Rights
[09-1665](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Agency/Councilmember Nadel made a motion seconded by Agency/Councilmember De La Fuente to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-7.65 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting.

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[82941 CMS.pdf](#)

Passed The Consent Agenda

A motion was made by Councilmember Brooks, seconded by Councilmember De La Fuente, 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 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid 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 Councilmember Reid, seconded by Councilmember De La Fuente, to *Approve as Submitted approved the City Attorney's Report of x final decisions made during closed session and no non-confidential Closed Session Discussion. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

**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:**

- 9.1 Subject: Sewer Service Charge Increase
 From: Community And Economic Development Agency
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Amending Chapter 13 Of The Oakland Municipal Code (Section 13,04.020) Increasing The
 Sewer Service Charge And Providing For Annual Increases Of Sixteen Percent Through
 January 1, 2013 And Increases Based On The Consumer Price Index Thereafter
 [09-1299-1](#)

**Approved on Introduction for Final Passage to *Special Concurrent
Meeting of the Oakland Redevelopment Agency/City Council on 7/27/2010**

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened
at 7:00 p.m.*

The following individuals spoke on this item:

- Bob Feinbaum
- Erbin Celestin
- Jessie Colyin
- David Mix
- Sonia Diermayer
- Irma Henderson
- Sanjiv Handa

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

[View Report.pdf](#)
[13035 CMS.pdf](#)

9.2 Subject: Self-Serve Laundromat Appeal
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (AIO-125), Thereby Upholding The Planning Commission Decision To Approve A Major Conditional Use Permit At 1500 E. 12th Street To Establish A Self-Serve Laundromat (Consumer Service Commercial Activity) (Planning Case File No.CMLO-065) [09-1553](#)

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 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:23 p.m.

The following individuals spoke on this item:

- *Quyen Do*
- *Sanjiv Handa*

Agency/Councilmember Kernighan 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, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -8

[View Report.pdf](#)
[82942 CMS.pdf](#)

9.3 Subject: S-4 Design Review Combining Zone
From: Community And Economic Development Committee Agenda
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, To Take Effect Immediately Upon Introduction And Adoption, Which Extends Interim Controls Established Under Ordinance No. 12885 C.M.S. And No. 12852 C.M.S. For An Additional Two Years Or Until The City Council Adopts Permanent Regulations, Applying The S-4 Design Review Combining Zone Which Requires New Or Rehabilitated Building Facilities To Follow Established Design Review Procedures, To:

A) Those C-10, C-30, C-35 And C-40 Zoned Areas Which A Designated In The General Plan As Neighborhood)Center Commercial, Community Commercial, Ok Urban Residential; And

B) Upper Broadway - From Hawthorne Avenue To Interstate 580, And From 38th Street To College Avenue, And To The Community Commercial General Plan Areas Northeast Of The Intersection Of Broadway And Pleasant Valley To View Place
[09-1605](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Reid, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:28 p.m.

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

Agency/Councilmember De La Fuente 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

[View Report.pdf](#)
[13030 CMS.pdf](#)

9.4 Subject: Conditional Use Permit - 1331 Harrison Street
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt One Of The
Following Alternative Resolutions:

1) A Resolution Approving A Conditional Use Permit And Variance For A Temporary
Surface Parking Lot At 1331 Harrison Street; Or
[09-1611](#)

**A motion was made by Councilmember De La Fuente, seconded by
Councilmember Kernighan, that this matter be Adopted with an approval
for 4 years. The motion carried by the following vote:**

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Quan, Councilmember Reid and President of the Council Brunner
*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened
at 7:54 p.m.*

The following individuals spoke on this item:

- Edgard Cajina
- Calvin McGinnis
- Kathy Kuhner
- Joe O'Donoghue
- Carlos Plazola
- Max Allstadt
- Sanjiv Handa

*Agency/Councilmember De La Fuente made a motion, seconded by
Agency/Councilmember Kernighan, 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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2) A Resolution Denying A Conditional Use Permit And Variance For A Temporary Surface
Parking Lot At 1331 Harrison Street.
[09-1611-1](#)

Not Adopted

9.5 Subject: Central Estuary Specific Plan - Zoning Amendment
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution To Adopt A Preferred Land Use Alternative For The Central Estuary Specific Plan Or Other Appropriate Zoning Amendment And To Have That Preferred Alternative Reviewed Under The California Environmental Quality Act. The Preferred Alternative Includes: (1) West Subarea: Mixed-Use Infill, Strengthening Of The Existing Specialty Food Producing Industrial Area; (2) Central West Subarea: Preservation Of The Existing Neighborhood Including Live/Work Uses; (3) Central East Subarea: No Change From Existing Conditions At The Owens Brockway Site And Retail/Commercial Use Between High Street And (The New Alignment For) 42nd Street; And (4) East Subarea: Commercial-Industrial Mix, Similar To The Existing CIX-1 Zone, In The Area At The Tip Of Tidewater, Adjacent To Martin Luther King Jr. Regional Shoreline Park, With Research And Development (R&D) Uses To The North And West.

[09-1045-1](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:54 p.m.

The following individuals spoke on this item:

- Scott Peterson
- Cesar Garibay
- Sanjiv Handa
- Jacquie Castain

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Quan, 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

[View Report.pdf](#)
[82944 CMS.pdf](#)

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

S-10 Subject: Medical Cannabis Cultivation
From: Councilmembers Reid And Kaplan
Recommendation: Adopt An Ordinance Amending Title 5 Of The Oakland Municipal Code,
Entitled Business Licenses And Regulations, To Add Chapter 5.81, Pertaining To Medical
Cannabis Cultivation Facility Permitting And Amending The Master Fee Schedule (Ordinance
No. 9336, As Amended) To Establish Regulatory Fees Regarding This Activity; And
[09-1619-1](#)

**Approved on Introduction for Final Passage to *Special Concurrent
Meeting of the Oakland Redevelopment Agency/City Council on 7/27/2010**

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3) Resolution Amending Resolution Nos. 78331 and 79647, C.M.S. which Established the
City's Law Enforcement Policy Regarding Medical Cannabis and Private Adult Cannabis
Offenses to Clarify the City's Law Enforcement Policy and Guidelines Regarding Possession,
Use, Cultivation, Processing, Manufacturing of Medical Cannabis by Patients, Primary Care
Givers and Cooperatives and Collectives Consisting of Patients and their Primary Caregivers in
Residential Settings and Non-Residential Settings Such as Commercial and Industrial Facilities
[09-1619-2](#)

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

Votes: ORA\Councilmember Abstained: 1 - President of the Council Brunner
ORA\Councilmember Noes: 2 - Councilmember Nadel and Councilmember
Quan
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan and
Councilmember Reid

The following individual spoke on this item:

- *Sanjiv Handa*
 - *Jeff Wilcox*
 - *James Anthony*
 - *Celestine Star*
 - *Dan Rush*
 - *Richard Lee*
 - *Cynthia Sandberg*
 - *Liana Held*
 - *Kenneth Morrow*
 - *Darrel Carey*
 - *Don Kingery*
- [82945 CMS.pdf](#)

11 Subject: Parking Access And Revenue Control Systems (PARCS)
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And
Execute A Contract Between The City Of Oakland And Scheidt And Bachmann USA, Inc. To
Provide A Parking Access And Revenue Control Systems(PARCS) Not To Exceed \$2,500,000
[09-1525](#)

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

Votes: ORA\Councilmember Noes: 3 - Councilmember Brooks, Councilmember
Kaplan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember
Kernighan, Councilmember Nadel, Councilmember Quan and President of the
Council Brunner

The following individual spoke on this item:

- Sanjiv Handa
- Steve Haralambiew
- Andre Spearman
- Darrel Carey
- Rebecca Anderson
- Gene Hazzard

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S-12 Subject: Joint TIGER II Planning Grant
From: Community And Economic Development Agency
Recommendation: Receive An Informational Report On Potential Applications For Grants For
Planning Activities For Transit-Oriented Development Under The Joint TIGER II Planning
Grant From The U.S. Department Of Transportation And Community Challenge Planning
Grant From The U.S. Department Of Housing And Urban Development
[09-1656](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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

The following individual spoke on this item:

- Sanjiv Handa
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S-13 Subject: Streets And Roads Rehabilitation Phase II
From: Public Works Agency
Recommendation: Adopt A Resolution Awarding The Contract For Construction Of Various
Streets And Roads, Rehabilitation Phase II (Project No. C396810) To Bay Cities Paving &
Grading, Inc. In The Amount Of One Million Four Hundred Seventy-Six Thousand Sixty-Eight
Dollars And Twenty-One Cents (\$1,476,068.21) (TITLE CHANGE)
[09-1580](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa
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[82947 CMS.pdf](#)

S-14 Subject: Fruitvale Bart Parking Lot
From: Community And Economic Development
Recommendation: Adopt An Agency Resolution Authorizing The Acquisition Of 3.41 Acres
Of Real Property At The Fruitvale BART Parking Lot Located In The Coliseum
Redevelopment Project Area, From The San Francisco Bay Area Rapid Transit District, For
\$6,000,000 And Authorizing Up To \$20,000 For Real Estate Closing Costs
[09-1567](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner

The following individual spoke on this item:

- Sanjiv Handa

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[2010-0100 CMS.pdf](#)

S-15 Subject: 1226 73rd Avenue Repairs And Upkeep Grant
From: Department of Human Services
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The Assumption By East Oakland Community Project, Of A
Grant In The Amount Of \$25,000 Awarded Previously To Mercy Properties California By The
City For Repairs And Upkeep Of The City-Owned Property Located At 1226 73rd Avenue
Which Is Used For Households Enrolled In The Shelter Plus Care Program, And Superseding
Resolution Number 81132 C.M.S.; And
[09-1588](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the
Council Brunner

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2) An Ordinance Authorizing The Assumption By East Oakland Community Project, Of A Lease On A City-Owned Property Located At 1226-73rd Avenue And Previously Awarded To Mercy Properties California For Use As A Shelter Plus Care Housing Facility, And An Extension Of The Lease Period For Another Three Years Until June 2015
[09-1572](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be Approved on Introduction for Final Passage to the *Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on September 7, 2010. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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[13034 CMS.pdf](#)

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 ----- at _____ p.m.

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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