



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, May 05, 2009

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:07 PM.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individual(s) spoke under Open Forum:

- Simuel Ramey
- Donna Harvey
- Deborah Oldham
- Cephus Johnson
- Diane Marks
- Paulette Hogan
- Randy Matthews
- M. Anwar
- Cameron Sturdevant
- Takele Alem
- Gefforey Pete

S-3.1 Subject: Swine Influenza A Report
From: Oakland Fire Department
Recommendation: Receive An Informational Report On The Background Of The Current Swine
Influenza A (H1N1) Virus Infection
[09-0399](#)
[Play Video](#)

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

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

The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
Items 10.17 and 10.20 were pulled from the Consent Calendar and rescheduled to the MY 19, 2009 City Council agenda as Non-Consent items.
- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)
There was no action necessary for this item
- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.
There was no action necessary for this item

7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on April 21, 2009

A motion was made by Councilmember Quan, seconded by Councilmember De La Fuente, to *Approve the Minutes. The motion carried by the following vote:

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

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: Hepatitis B Awareness Week
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Declaring The Week Of May 18 Through 22, 2009 As Hepatitis B Awareness Week In The City Of Oakland And Encouraging Residents To Support Programs To Promote Awareness And Treatment Of The Disease In Oakland And Throughout Northern California
[09-0317](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 6 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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8.2 Subject: Marj Saunders - Recognition
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Designating Saturday, May 9, 2009 As Marj Saunders Day In Recognition Of Her 100th Birthday And Her Inspirational Example Of Community Activism Over More Than 60 Years On Behalf Of Her Beloved Oakland
[09-0319](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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8.3 Subject: William Patterson - Recognition
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Honoring William "Bill" Patterson For His Many Years
Of Service To The Oakland Community
[09-0322](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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8.4 Subject: National Police Week
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing May 10-16th, 2009 As National Police Week
[09-0331](#)
[Play Video](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- *Sanjiv Handa*
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8.5 Subject: Marge Gladman - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Honoring Marge Gladman For 12 Years Of Dedicated and Distinguished Service To The City Of Oakland And Congratulating Her On Her Retirement
[09-0364](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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8.6 Subject: Municipal Clerks Week
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Declaring May 3, 2009 Through May 9, 2009 As
Municipal Clerks Week
[09-0366](#)
[Play Video](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa
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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Rosa Perez

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Pete Taylor, Sr.

10. CONSENT CALENDAR (CC) ITEMS:

[Play Video](#)
10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic
[09-0361](#)

This Matter was Adopted on the Consent Agenda.

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

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10.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The
City Of Oakland
[09-0362](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.3-CC Subject: Katie W. Lew - 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 CSAA Insurance Company As Subrogee Of Katie W.
Lew, In The Amount Of Five Thousand Two Hundred Ninety Five Dollars And Sixty Two Cents
(\$5,295.62), As A Result Of Property Damage Sustained In An Automobile Accident With A
City Vehicle On January 13, 2009 (Library)
[09-0359](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.4-CC Subject: Aram Sohigian - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Attorneys' Fees Demand In The Case Of Aram Sohigian, Et Al. V.
City Of Oakland, Et Al., Alameda County Superior Court Case No. 2002-065397, Our File No.
22751, In The Amount Of \$35,000.00. This Case Involves A Challenge To A City Ordinance,
Chapter 9.56 Of The Oakland Municipal Code (City Council)
[09-0360](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.5-CC Subject: Contractor Debarment Ordinance
From: Contracting and Purchasing
Recommendation: Adopt An Ordinance Amending Title 2 Of The Oakland Municipal Code To
Add Chapter 2.12, Debarment Program (TITLE CHANGE)
[07-1210-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.6-CC Subject: Salary Ordinance Amendment - Construction Coordinator
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187
C.M.S. (The Salary Ordinance) To Add The Permanent Full Time Equivalent Classification
Construction Coordinator
[09-0217](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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10.7-CC Subject: Parking Pass-Through Surcharge
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Adding Section 10.48.025 To The Oakland Municipal Code (O.M.C.) To Add A \$10.00 "Pass-Through" Surcharge To All O.M.C. Parking Violation Fines Including All California Vehicle Code (C.V.C.) Violation Citations To Offset And Remit To State/Alameda County Surcharges Imposed By California Government Code (GC) Sections 76000(b) And GC 70372(b) (TITLE CHANGE)
[09-0223](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa
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10.8-CC Subject: Budget Changes
From: The Budget Office
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of Parks And Recreation
[09-0226-1](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa
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10.9-CC Subject: Priority Project Funds - District 6
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$60,000.00 From
Councilmember Desley Brooks' Priority Project Funds To Oakland Fund For Co-Sponsorship Of
The Annual Concert At Arroyo Park Series, Sponsorship Of A 3 On 3 Basketball Tournament,
And Operating Expenses
[09-0314](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.10-CC Subject: Priority Project Funds - District 6
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$7,623.00 From Councilmember
Desley Brooks' Priority Project Funds To Urban Services YMCA For Expenses Associated With
The Dare To Dream Program
[09-0315](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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S-10.11-C Subject: Willie Wilkins Park Improvement Project
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To The Lowest
Responsive, Responsible Bidder, Rosas Brothers Construction, For The Willie Wilkins Park
Improvement Project (City Project No. C352920) In An Amount Not-To-Exceed One Hundred
Seventy-Eight Thousand Five Hundred Dollars (\$178,500.00)
[09-0210](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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S-10.12-C Subject: San Pablo Pedestrian Streetlight Project
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Construct The Substructure For The San Pablo Pedestrian Streetlights Project On San Pablo Avenue, Between The Emeryville (53rd Street) And Berkeley (67th Street) Borders In Accord With Specifications For Project No. C315010 And Contractor's Bid Therefore, To The Lowest Responsible, Responsive Bidder, Ray's Electric, Inc., In An Amount Not To Exceed Six Hundred Seventeen Thousand Five Hundred Two Dollars (\$617,502.00)
[09-0238](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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S-10.13-C Subject: Curb Ramp Transition Plan
C From: Office of the City Administrator
Recommendation: Adopt A Resolution Adopting The City Of Oakland Americans With Disabilities Act (ADA) Curb Ramp Transition Plan Dated April 1, 2009
[09-0251](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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S-10.14-C Subject: Kaiser Foundation Hospitals - Conditional And Revocable Permit
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Kaiser Foundation Hospitals A Revocable And Conditional Permit To Allow A Basement Excavation Shoring System For The Phase II Hospital And Medical Support Buildings At 235 West Macarthur Boulevard To Encroach Under The Sidewalk And Roadway Along Broadway, West Macarthur Boulevard, And Piedmont Avenue
[09-0257](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- *Sanjiv Handa*
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S-10.15-C Subject: Peralta Street And Mandela Parkway Equivalent Exchange
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Summarily Vacating A Portion Of The Peralta Street Right-Of-Way Between The Intersections Of West Grand Avenue And 20th Street To Brian Collins And Hemmat And Dokhanchy Associates; And
[09-0272](#)

This Matter was Adopted on the Consent Agenda.

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

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2) An Ordinance Authorizing The City Administrator Without Returning To Council To Acquire The Underlying Fee Simple Interest Of A Portion Of The Mandela Parkway Right-Of-Way By An Equivalent Exchange Without Compensation Of A Portion Of The Peralta Street Right-Of-Way Near The Intersections Of West Grand Avenue And 20th Street Between The City And Brian Collins And Hemmat And Dokhanchy Associates
[09-0272-1](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.16-C Subject: Peralta Hacienda Historical Park - Phase 3B
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To The Lowest Responsive, Responsible Bidder For The Peralta Hacienda Historical Park - Phase 3B Project (City Project No. C284510) Without Further Council Review Or Action, Or, If No Valid Bids Are Received, Authorizing The City Administrator To Reject All Bids And Award A Negotiated Contract For The Project On The Open Market In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) Without Further Council Review Or Action, And

[09-0273](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Authorizing The City Administrator To Increase The Agreement With Gonzales Architects For The Peralta Hacienda Historical Park - Phase 3B Project From Fifty Thousand (\$50,000.00) Dollars To A Total Amount Not-To-Exceed Sixty-Eight Thousand Dollars (\$68,000.00) For Additional Work

[09-0273-1](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.17-C Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment
C From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At Parking Stations Operated Exclusively For Large Diesel Trucks

[09-0206](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 5/19/2009**

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S-10.18-C Subject: General Obligation Bonds
C From: Finance and Management Agency
Recommendation: Adopt An Ordinance Authorizing The Director Of Finance To Determine
Whether To Issue General Obligation Bonds By An Open Competitive Sale Or A Negotiated
Sale
[09-0311](#)

**This Matter was Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on May 19, 2009 on the Consent Agenda.**

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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S-10.19-C Subject: Alice Street Learning Center - Lease
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City To Lease The Alice Street Learning
Center Property At 250 - 17th Street From The East Bay Municipal Utility District For One Year
With Two One Year Renewal Options For An Initial Rent Not To Exceed \$7,649 Per Month Plus
The Cost Of Utilities, Services, Assessments And Index Adjustments, And Accepting
Approximately \$98,000 From The Oakland Unified School District For Such Costs.
[09-0276](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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[81959 CMS.pdf](#)

S-10.20-C Subject: Lake Merritt BART Station Area Specific Plan
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Fifty
Thousand Dollars (\$50,000) From The Central City District Redevelopment Project And Two
Hundred Fifteen Thousand Dollars (\$215,000) From The Central District Redevelopment Project
To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The
Lake Merritt BART Station Area Plan And Environmental Document; And
[09-0247](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 5/19/2009**
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2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred Sixty-Five Thousand Dollars (\$265,000) For The Development Of The Lake Merritt Bart Station Area Plan And Environmental Document, And Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dyett & Bhatia For Development Of The Lake Merritt Bart Station Area Plan In An Amount Not To Exceed One Million Eighty-Five Thousand Dollars (\$1,085,000)

[09-0247-1](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 5/19/2009**

The following individual spoke on this item:

- Sanjiv Handa

S-10.21-C Subject: Tax Defaulted Properties Purchase - 7525 & 7533 MacArthur Blvd
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of The Following Tax Defaulted Properties In The Central City East And Coliseum Redevelopment Project Areas From The County Of Alameda: (1) 7525 MacArthur Boulevard, Purchase Price \$214,828 Plus Interest Of Approximately \$35,000; (2) 7533 MacArthur Boulevard, Purchase Price \$122,720 Plus Interest Of Approximately \$35,000, And (3) 9959 International Boulevard, Purchase Price Of \$46,263 Plus Interest Of Approximately \$10,000, And Allocation Of \$25,000 From Central City East And Coliseum Redevelopment Project Area Funds For Related Real Estate Cost

[09-0254](#)

This Matter was Adopted on the Consent Agenda.

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

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[2009-0053 CMS.pdf](#)

S-10.22-C Subject: 2008-2009 Homebuyers Downpayment Assistance
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing Central City East Redevelopment Funds In The Amount Of \$2,623,434, And West Oakland Redevelopment Funds In The Amount Of \$2,165,266, To The City Under The Cooperation Agreement For Fiscal Year 2008-2009 To Provide Mortgage Assistance To Homebuyers Earning Up To 100% Of Area Median Income;
[09-0255](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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2) A City Resolution Accepting, Appropriating And Allocating Central City East Redevelopment Funds In The Amount Of \$2,623,434, And West Oakland Redevelopment Funds In The Amount Of \$2,165,266, From The Redevelopment Agency Under The Cooperation Agreement For Fiscal Year 2008-2009 To Provide Mortgage Assistance To Homebuyers Earning Up To 100% Of Area Median Income; And
[09-0255-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
[81960 CMS.pdf](#)

3) A City Resolution Amending Resolution No. 70274 C.M.S. To Allow Mortgage Assistance To Homebuyers Earning Up To 100% Of Area Median Income
[09-0255-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- *Sanjiv Handa*
[81961 CMS.pdf](#)

S-10.23-C Subject: Oakland Museum Of California Renovation Project
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Donated Funds In The Amount Of Approximately \$10,300,000.00 Or More From The Oakland Museum Of California Foundation For The Design, Construction, City Project Management, And Related Compliance And Permitting Costs For The Oakland Museum Of California Renovation Project
[09-0277](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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S-10.24-C Subject: Emergency Communications Enhancements
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To Apply For, Accept, Appropriate And Administer Grant Funding In An Amount Up To \$1,300,000 From The U.S. Department Of Homeland Security Public Safety Interoperable Communications Grant (PSIC) For Emergency Communications Enhancements That Will Move The City Of Oakland Towards P-25 Full Compliance And Interoperability, And To Purchase Materials, Equipment And Services In Any Amount, Including Purchases In Excess Of The City Administrator's Purchasing Authority, Without Further Council Review Or Action Provided The Contracts Are Awarded Through Competitive Solicitation And Are In Accord With Oakland's Purchasing Programs/Policies
[09-0120](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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[81963 CMS.pdf](#)

S-10.25-C Subject: Urban Search And Rescue Team Training
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate A Cooperative Agreement Program Grant From The Federal Emergency Management Agency (FEMA) For The Period May 01, 2009 To August 31, 2010 In The Amount Of One Million One Thousand Nine Hundred Ten Dollars (\$1,001,910) For Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (USAR) Team, 2) Enter Into A Cooperative Agreement With The Federal Emergency Management Agency (FEMA) For The Grant Period To Comply With The Terms Of The Grant, 3) Waive The City's Competitive Bidding Requirements And Authorize Procurement Of Equipment From The General Services Administration Agency And Or Other Government Pricing Schedules, And 4) Award Equipment Contracts Without Return To Council; And, 5) Approve Travel For City Personnel Participating In The FEMA Cooperative Agreement Program On Short Notice Without Return To Council
[09-0219](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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[81964 CMS.pdf](#)

S-10.26-C Subject: Travel Authorization - Councilmembers Brooks And Reid
C From: Councilmembers Brooks and Reid
Recommendation: Adopt A Resolution Authorizing Councilmembers Desley Brooks And Larry Reid To Attend The International Council Of Shopping Centers (ICSC) Conference From May 17 - May 21, 2009
[09-0395](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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[81965 CMS.pdf](#)

S-10.27-C Subject: Assembly Bill 283
C From: Public Works Agency
Recommendation: Adopt A Resolution In Support Of Assembly Bill 283 (Chesbro)-"Extended
Producer Responsibility Program" That Would Establish A Comprehensive Approach To
Reducing Product Waste
[09-0289](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- Sanjiv Handa
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[81966 CMS.pdf](#)

S-10.28-C Subject: Support Of Assembly Bill 280
C From: Councilmembers Nancy Nadel and Jean Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 280, If Amended,
(Blakeslee/Ma) Relating To The California Earthquake Authority Accepting And Distributing
Federal Stimulus Funds For Seismic Retrofit Of Multi-Family, Soft-Story Residences
[09-0320](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- Sanjiv Handa
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[81967 CMS.pdf](#)

S-10.29-C Subject: Support Of Assembly Bill 766
C From: Council President Brunner And Councilmember Quan
Recommendation: Adopt A Resolution In Support Of Assembly Bill 766 (Krekorian) Which
Would Provide Local Governments With A Means Of Limiting Increases In Speed Limits On
Local Streets
[09-0373](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- Sanjiv Handa

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[81968 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 Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner

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

There were no decisions made during Closed Session

The following individual spoke on this item:

- Sanjiv Handa

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

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

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

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

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

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Dawit Mabrahtu - Appeal
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Denying The Appeal Filed By Dawit Mebrahtu And Upholding The Administrative Hearing
Officer's Decision To Deny The Application For A Permit To Operate A Cabaret Under The
Name "Oasis" At 135 12th Street
[09-0225](#)

***Withdrawn with No New Date**

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14.2 Subject: 2009-2010 Consolidated Plan Annual Action Plan
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution 1)
Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of
Housing And Urban Development The Consolidated Plan Annual Action Plan For Fiscal Year
2009-2010; 2) Accepting And Appropriating Grant Funds Totaling \$14,857,042 For The Home,
Emergency Shelter Grant, Housing Opportunities For Persons With Aids, And The Community
Development Block Grant Programs; 3) Appropriating \$670,480 In Program Income And Any
Amounts In Excess Thereof For Housing Rehabilitation Loans; And 4) Authorizing The City
Administrator To Negotiate And Execute Agreements With Contractors For Fiscal Years
2009-2011 For The Community Development Block Grant Program

[09-0215](#)

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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 Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:47 PM

The following individuals spoke on this item:

- LC Loggins

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

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[81969 CMS.pdf](#)

14.3 Subject: Bing Rong Mi - Appeal
From: Office of the City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal Filed By Bing Rong Mi And Upholding The Administrative Hearing Officer's Decision To Deny A Massage Establishment Permit For Sunny Relax, Located At 1531 Webster Street, Oakland, California

[09-0324](#)

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/2/2009**

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S-14.4 Subject:: Homeless Prevention Formula Program
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") Under The Homeless Prevention And Rapid Re-Housing Program 1) Authorizing The City Administrator To Amend The Consolidated Plan Annual Action Plan For Housing And Community Development For Fiscal Year 2008-2009 Action Plan To The U.S. Department Of Housing And Urban Development; 2) Authorizing The City Administrator To Accept And Appropriate Funds Totaling \$3,458,120 To The Department Of Human Services To Develop And Administer The Homelessness Prevention And Rapid Re-Housing Program (HPRP); 3) Authorizing The Department Of Human Services To Issue A Request For Proposal/Qualifications For The Homeless Prevention And Rapid Re-Housing Program; And 4) Authorizing Use Of HPRP As Needed For Housing Assistance Services And Rapid Re-Housing (TITLE CHANGE)
[09-0374](#)
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A motion was made by Councilmember Brooks, seconded by Councilmember De La Fuente, that this matter be Adopted as Amended. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 7:54 PM

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

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

The resolution was amended on page three to remove the last five (5) Further Resolved statements and to add language directing staff to return to the June 23, 2009 Life Enrichment Committee with a Draft RFP and a Resolution that provides authority to negotiate and enter into contracts, reporting back to the Council at the first meeting in September

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[81970 CMS.pdf](#)

S-14.5 Subject: Proposed Vacation Of Skyline Circle
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And
Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle To
The Abutting Property Owners Without Cost And Reserving Public Service Easement

[09-0308](#)

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

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[81971 CMS.pdf](#)

Subject: Proposed Vacation Of Skyline Circle
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Vacating The Public Right-Of-Way Of Skyline Circle To
The Abutting Property Owners Without Cost And Reserving Public Service Easements
[09-0312](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 19, 2009. The motion failed by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Noes: 1 - President of the Council Brunner
Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 8:08 PM

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

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

- 15 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

S-15.1 Subject: Alternative Fueled Vehicles Competitive Grant
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For The U.S. Department Of Energy Under Clean Cities Fiscal Year 2009 Petroleum Reduction Technologies Projects For The Transportation Sector Area Interest #4 For Up To \$500,000 (Five Hundred Thousand) In Funds To Cover The Incremental Cost Of Electric Vehicle Hybrid Technology On Light Duty And Medium Duty Fleet Vehicles And To Upgrade The City Of Oakland's Existing Electric Vehicle Charging Infrastructure (TITLE CHANGE)
[09-0367](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and President of the Council Brunner
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[81972 CMS.pdf](#)

S-15.2 Subject: Transportation Electrification Grant
From: Council President Jane Brunner
Recommendation: Action On A Status Report On The City's Progress In Preparing Projects For Funding And Identifying And Applying For Grants From The American Recovery And Reinvestment Act Of 2009 - Transportation Electrification (Federal Government's "Stimulus Package")
[09-0368](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Kernighan, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- *Sanjiv Handa*
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S-15.3 Subject: Brownfield Cleanup Revolving Loan Fund
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In A Total Amount Of Up To \$4.5 Million From The United States Environmental Protection Agency, American Recovery And Reinvestment Act (ARRA) Funding, For The City's Brownfield Cleanup Revolving Loan Fund ("BCRLF") (Federal Government's "Stimulus Package")
[09-0375](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and President of the Council Brunner
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[81973 CMS.pdf](#)

S-15.4 Subject: Head Start And Early Head Start Programs
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds In The Amount Of Approximately \$1,341,178.00 From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") To Provide Funding For A Cost Of Living Adjustments/Increases (COLA) And Quality Improvements (QI) For The Head Start Grantee And Its Delegate Agency (TITLE CHANGE)
[09-0369](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Quan and President of the Council Brunner
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[81974 CMS.pdf](#)

S-15.5 Subject: Formula Allocation And State Fiscal Stabilization Grant
From: Council President Jane Brunner
Recommendation: Action On A Report On The State Fiscal Stabilization Fund (SFSF) Grant
From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus
Package")
[09-0370](#)

**A motion was made by Councilmember De La Fuente, seconded by
Councilmember Kernighan, that this matter be *Received and Filed. The
motion carried by the following vote:**

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

The following individual spoke on this item:

- *Sanjiv Handa*
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S-15.6 Subject: Edward Byrne Grant
From: Council President Jane Brunner
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 Three
Million Three Hundred And Eleven Thousand Six Hundred And Eighty Dollars (\$3,311,680)
From The U.S. Department Of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG)
Formula Program, American Recovery And Reinvestment Act Of 2009 (Federal Government's
"Stimulus Package") And Appropriate Said Funds To The Police Department
[09-0371](#)

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

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

The following individual spoke on this item:

- *Mary Vail*
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[81975 CMS.pdf](#)

S-15.7 Subject: Internet Crimes Against Children
From: Council President Jane Brunner
Recommendation: Action On A Report On The Fiscal Year 2009 Internet Crimes Against
Children Task Force Training And Technical Assistance Grant From The American Recovery
And Reinvestment Act Of 2009(Federal Government's "Stimulus Package")
[09-0372](#)

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

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

The following individual spoke on this item:

- *Sanjiv Handa*
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16 Subject: Security Pilot Program
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Rescinding Resolution 2009-0047, Amending Resolution 2008-0034,
And Contributing Central City East And Coliseum Redevelopment Funds In An Amount Not To
Exceed \$180,000 To The City Of Oakland Under The Cooperation Agreement To Implement
The Central City East Commercial Security Pilot Program And The Coliseum Commercial
Security Pilot Program Using City Of Oakland Police Officers; And

[09-0290](#)

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

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

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[2009-0055 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Redevelopment Funds In An Amount Not To Exceed \$180,000 Under The Cooperation Agreement To Implement The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program Using City Of Oakland Police Officers
[09-0290-1](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution 79006 C.M.S. and City Charter Section 200 this item was placed on this agenda for the purposes of allowing the Mayor to cast the tie breaking vote.

The Mayor was not present to break the tie vote; therefore, Councilmember Brooks made a motion seconded by Councilmember De La Fuente to approve the staff recommendations with the following amendments:

- 1. There shall be two teams of two officers for a total of 4 officers;*
- 2. They will work under the 8-L18/4 L-18 Enhanced Security Program which allows officers to work on an over-time basis;*
- 3. The priority shall be, in order of priority, for the officer to walk, bike, or use the dual purpose motorcycles;*
- 4. The area for the walking patrols shall be prioritized as follows Macarthur from 73rd Avenue to the San Leandro border, International from 29th Avenue to the San Leandro border and Foothill from 23rd Avenue to the San Leandro border. Bancroft and side streets adjacent to the priority areas will also be walked on an as needed basis. The areas for security patrols will be determined in consultation with Council Members from Districts 5, 6 and 7.*
- 5. The shift shall start no earlier than noon and end around 7:00 PM. Deviations from this schedule shall be approved after consultation and agreement by the Council Member from the impacted area;*
- 6. The officers shall work 6 days per week Monday through Saturday.*
- 7. The program shall run for a minimum of 3 months;*
- 8. Officers for this detail shall only be pulled from a pool of officers assigned*

to beats covered by the areas mentioned in #4 above;

9. When arrests are made rather than the walking officer transporting the suspect to North County or Santa Rita, the walking officer shall detain the suspect in an interview room at Eastmont Substation or the paddy wagon that usually arrives at the Substation around 1:00 PM daily; or an arrest vehicle will be sent to the location to transport the suspect.

10. This program shall be implemented within 2 weeks from today;

11. The Police Department will incorporate into the Crime monthly report before the Public Safety Committee a section entitled "East Oakland Security Patrols" outlining statistics to include, but not limited to: Community and business contacts, citations issued, arrests made, tangible and intangible impacts of the program; The motion carried with 7 Ayes, 1-Excused-Reid

The following individual spoke on this item:

- Sanjiv Handa
 - Thomsa Thurston
- [81976 CMS.pdf](#)

17 Subject: California Public Employees Retirement System Contract
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Of The City Of Oakland Authorizing An Amendment To The Contract Between The City Of Oakland And The Board Of Administration Of The California Public Employees' Retirement System (CalPERS) That Authorizes California Government Code Section 20903, Two Years Additional Service Credit For Local Miscellaneous Members And Local Safety Members
[09-0323](#)

A motion was made by Councilmember Kaplan, seconded by President of the Council Brunner, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 2, 2009. The motion carried by the following vote:

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

The following individual spoke on this item:

- Sanjiv Handa
 - Vickie Carson
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18

~~Subject: Landmark Preservation Advisory Board Appointments~~

~~From: Office of the Mayor~~

~~Recommendation: Adopt a Resolution Confirming The Mayor's Appointment Of Daniel
Schulman, Anna Naruta And Valerie Garry, And The Re Appointment Of Delphine Prevost And
Kirk Peterson, As Members Of The Landmark Preservation Advisory Board
[09-0376](#)~~

***Withdrawn with No New Date**

The following individual spoke on this item:

- Sanjiv Handa

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S-18.1 Subject: Uptown Project Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To
Execute A Lease With FC Uptown Parcel 4 Parking, LLC, Or Related Entities, For A Term Of
Up To 36 Months To Reconstruct And Operate A Parking Lot At 1911 Telegraph Avenue
[09-0117-2](#)
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A motion was made by Councilmember Kaplan, seconded by Councilmember Nadel, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
A motion was made by Councilmember Kaplan, seconded by Councilmember Nadel directing staff to spend the next two weeks confirming a plan to use the subject lot for a temporary public art installation space at no additional cost to the Redevelopment Agency, pursuant to the Council-approved plan and funding for public art in this area. If, after two weeks, it is determined by the City Administrator that a temporary public art installation space is infeasible, staff may proceed with the previously planned, temporary surface parking lot without returning to the Redevelopment Agency; the motion carried with the following vote: Ayes-7, Excused 1-Reid

The following individuals spoke on this item:

- Sanjiv Handa
- Joyce Roy
- Karen Hester
- Naomi Schiff
- James Trenkle
- Melissa Fitzgerald
- Steve Lowe
- Joanna Adler
- Stephanie Velasquez-Pearl
- Dan Das Mann
- Jonathan Bair
- Rebecca Saltzman
- Sean Sullivan

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S-18.2 Subject: Educational Revenue Augmentation Fund Adjustment
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Amending Resolution Number 01-85 C.M.S. To
Decrease The Redevelopment Agency's Contribution Of The Additional 5% To The Low And
Moderate Income Housing Fund By An Amount Sufficient To Provide A Proportional Share Of
The Amount Required To Be Paid To The Educational Revenue Augmentation Fund (ERAF) In
Fiscal Year 2008-2009, And In Fiscal Year 2009-2010 And Fiscal Year 2010-2011 If A
Payment To The ERAF Is Required, And Reallocating \$2,504,000 In Fiscal Year 2008-2009
ERAF Payments To Non-Housing Redevelopment Funds
[09-0271](#)

***Withdrawn with No New Date**

The following individual spoke on this item:

- *Sanjiv Handa*

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S-18.3 Subject: 2009 Summer Food Service Program
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Summer Food Service Program Grant From The California Department Of Education Nutrition Services Division In An Estimated Amount Of \$550,000 And To Negotiate And Execute A Professional Service Agreement Between The City And The San Lorenzo Unified School District In An Amount Not To Exceed \$200,000 And To Negotiate And Execute A Professional Services Agreement Between The City And Revolution Foods Not To Exceed \$99,000 To Provide Food Services For The 2009 Summer Food Service Program For Children And To Accept The Donation Of \$32,000 From Allen Rossum For The 2009 Summer Food Service Program (TITLE CHANGE) 09-0221
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Adopted as Amended

A motion was made by President Brunner, seconded by Councilmember Nadel to amend the Resolution as follows:

- 1. Further Resolved (Resolved #4) Change the donation amount to "up to" \$32,000*

- 2. Further Resolved (Resolved #3) Change to read"...and execute professional service agreements between the City and both San Lorenzo Unified School District and Revolution Foods splitting the contract amount of \$210,000 in a ratio as close as possible to a 60%/40% split between the two vendors, with Revolution Foods portion to remain below \$100,000.*

- 3. Add a Further Resolved (new Resolved #4): If Revolution Foods is not able to receive its certifications from the State to allow the award of this contract to proceed, then the entire contract up to \$210,000 may be awarded to San Lorenzo Unified School District; the motion carried with the following vote; Ayes-7, Excused-Reid-1*

The following individual spoke on this item:

- Sanjiv Handa
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19 Subject: Community Policing Advisory Board Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Re-Appointing Marcus Johnson As A Member Of The
 Community Policing Advisory Board
 [09-0377](#)
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**A motion was made by Councilmember Quan, seconded by
Councilmember De La Fuente, that this matter be Adopted. The motion
carried by the following vote:**

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

The following individual spoke on this item:

- Sanjiv Handa
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20 Subject: Cultural Affairs Commission Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Ise Lyfe, As A Member Of The Cultural
 Affairs Commission
 [09-0378](#)
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**A motion was made by Councilmember Quan, seconded by
Councilmember De La Fuente, that this matter be Adopted. The motion
carried by the following vote:**

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

The following individual spoke on this item:

- Sanjiv Handa
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21 Subject: Civil Service Board Appointments
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Wendall Mitchell, Michelle J. Hatchell, And
 Winnie Lu Anderson As Members Of The Civil Service Board
 09-0379
 [Play Video](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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22 Subject: Violence Prevention And Public Oversight Committee Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Jose Dorado As A Member Of The Violence
 Prevention And Public Safety Oversight Committee
 09-0380
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**A motion was made by Councilmember Quan, seconded by
Councilmember De La Fuente, that this matter be Adopted. The motion
carried by the following vote:**

Votes: ORA\Councilmember Excused: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual spoke on this item:
- Sanjiv Handa
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23 Subject: Housing Residential Rent And Relocation Board Appointments
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Ryan Hunter, Jasmin V. Edouard And
Re-Appointing Jessica Leavitt As Members Of The Housing, Residential Rent And Relocation
Board
[09-0381](#)
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A motion was made by Councilmember Quan, seconded by Councilmember De La Fuente, that this matter be Adopted. The motion carried by the following vote:

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

The following individual spoke on this item:

- Sanjiv Handa
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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 10:30 p.m., unless extended by Majority Vote of the Council)

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There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Rosa Perez and Pete Taylor, Sr. at 10:13 PM

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City Clerk and Clerk of the Council