



# 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 04, 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 5:43 p.m.*

2 Roll Call / ORA & Council

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ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Present: 7 - Councilmember Brooks, 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)

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*The following individuals spoke under open forum:*

- Janet Arnold
- Scott Peterson
- William Chorneau
- Danial Preciado
- Ms. Farve
- Gene Hazzard
- Alex Hahan
- Kubai
- M. Renee Huff
- Annie Jean McKinlie
- Shirley Burnell

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

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

- 4.1 Subject: 17th Annual Bike to Work Day  
From: Council President Brunner  
Recommendation: Adopt A Resolution Proclaiming Thursday, May 13, 2010, As The City Of Oakland's 17th Annual Bike To Work Day, And May 2010 As City Of Oakland Bike Month  
[09-1311](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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- 4.2 Subject: Honoring Khalil Shaheed - Oaktown Jazz  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Honoring Khalil Shaheed, Founder Of The Oaktown Jazz Workshops Program In Oakland And Director Of Khalil Shaheed Music, For His Outstanding Musical Prowess, Contributions To Music Education, And Extraordinary Accomplishments In The World Of Jazz Music  
[09-1400](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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*At this time Council took item 4.4*

4.3 Subject: Build It Green.  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Nine Resolutions Recognizing Project Teams For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Third-Party Rating Through Either The US Green Building Council's Leadership In Energy And Environmental Design And/Or A Greenpoint Rating Through Build It Green.

1) Recognizing CB Richard Ellis Investors And The Entire Project Team Including CB Richard Ellis And Envision-Realty Services For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Buildings: Operations And Maintenance Program For The Building At 180 Grand Avenue;  
[09-1352](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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2) Recognizing Shorenstein Realty Services And The Entire Project Team Including Simon & Associates For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Buildings: Operations And Maintenance Program For The Building At 555 12th Street;  
[09-1352-1](#)

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

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

3) Recognizing Shorestein Realty Services And The Entire Oakland City Center Project Team Including Envision Realty Services For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Buildings: Operations And Maintenance Program For The Building At 1111 Broadway;  
[09-1352-2](#)

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

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

4) Recognizing KEMA And The Entire Project Team Including Brandywine Realtors; CB Richard Ellis; Huntsman Architects, Skyline Construction; And Johnson Controls For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The KEMA Oakland Office At 155 Grand Avenue;  
[09-1352-3](#)

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

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

5) Recognizing Oakland Property LLC And The Entire Project Team Including Beacon Capital Partners, LLC; CAC Real Estate Management Co., Inc; Able Engineering; And KEMA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Buildings: Operations And Maintenance Program For The Lake Merritt Plaza At 1999 Harrison Street;

[09-1352-4](#)

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

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

6) Recognizing Resources For Community Development And The Entire Project Team Including Pyatok Architects; JH Fitzmaurice Construction; And The John Stewart Company For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For Fox Courts;

[09-1352-5](#)

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

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

7) Recognizing Habitat For Humanity East Bay And The Entire Project Team Including Gary Struthers, AIA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Homes Program For Three Buildings And A Greenpoint Rating For Eight Buildings Through Build It Green In The Edes Avenue Development:

[09-1352-6](#)

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

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

8) Recognizing Ellis Partners LLC, Transbay Holdings LLC And The Entire Project Team Including: RMW Architecture; Steve Worthington Architecture; Howard S. Wright; Taylor Engineering; Engineering Enterprise And KEMA For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Core And Shell Program For The Jack London Market; And

[09-1352-7](#)

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

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

9) Recognizing The East Bay Asian Local Development Corporation And The Entire Project Team Including SGPA Architects And Planning; Branagh Inc; Union Bank; Silicon Valley Bank; Oakland Housing Authority; Federal Home Loan Bank; And Bay Area Local Initiatives Support Corporation For Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For Jack London Gateway Senior Housing

[09-1352-8](#)

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

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

*Council moved to item 5.*

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4.4 Subject: Oakland Public Works Week  
From: Public Works Agency  
Recommendation: Adopt A Resolution Proclaiming The Week Of May 16 - 22, 2010 As  
Oakland Public Works Week  
[09-1276](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-4.5 Subject: Affordable Housing Week  
From: Council President Brunner  
Recommendation: Adopt A Resolution Proclaiming The Week Of May 7 To May 16, 2010,  
Affordable Housing Week In The City Of Oakland  
[09-1425](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 Brooks to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item s-4.5 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.*

*The following individual spoke on this item:*

- Shawn Roland  
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*Council returned to item 4.3.*

5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETINGS OF  
THE March 16, 2010 and April 20, 2010  
*There was no action necessary for this item.*

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS  
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda,  
Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull  
Items held in Committee):  
*There was no action necessary for this item.*

**7. CONSENT CALENDAR (CC) ITEMS:**

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- 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  
[09-1386](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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  
[09-1387](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.3-CC Subject: Hepatitis B Awareness Week  
From: Council President Brunner  
Recommendation: Adopt A Resolution Declaring The Week Of May 16 Through 22, 2010 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  
[09-1350](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.4-CC Subject: Quan Pay-Go Funds  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,000.00 From  
Councilmember Jean Quan's Pay-Go Funds To The Woodminster Merchants Association For  
The Purchase Of A Woodminster District Sign  
[09-1380](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Land Located at 8000 Joe Morgan Way,  
From: Community And Economic Development Agency  
Recommendation: Adopt An City Ordinance Authorizing The Sale Of The City's Interest In  
Land Located At 8000 Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum  
Complex In The Coliseum Redevelopment Project Area, To The Redevelopment Agency Of  
The City Of Oakland For \$3,500,000  
[09-1278](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.6-CC Subject: Buddhist Church of Oakland - Landmark Designation  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Designating The Buddhist Church Of Oakland 825  
Jackson Street As A Landmark Pursuant To Section 17.136.070 Of The Oakland Planning  
Code  
[09-1279](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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7.7-CC Subject: Municipal Code Amendment - Cabarets  
From: Councilmember Nadel  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To 1) Update  
The Definition Of A Cabaret, 2) Streamline The Cabaret Permit Process, And 3) Allow The  
Issuance Of Extended Hours Permits To Cabarets Within The Central District To Remain Open  
Past 2 A.M. Through A Two-Year Pilot Program (TITLE CHANGE); And  
[09-0623](#)

**A motion was made to Approved As Amended On Introduction to the  
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,  
due back on May 18, 2010 on the Consent Agenda.**

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

*The following individual spoke on the item:*

- Gene Hazzard
- Geoffrey Pete
- M. Renee Huff
- Ian McDuff

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2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Set And Change Fees For Annual Cabaret Permits And Extended Hours Cabarets Permits(TITLE CHANGE)

[09-0623-1](#)

**This Matter was Adopted on the Consent Agenda.**

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

7.8-CC Subject: Installation of Additional Parking Meters  
From: Finance And Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Installation of Additional Parking Meters In The City Of Oakland And Adding Locations For Additional Meters To Approved Meter Zones; And

[09-1099](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 Ordinance Amending Oakland Municipal Code Section 10.36.140 To Add Street Segments To The Established Parking Meter Zones Throughout The City Of Oakland

[09-1099-1](#)

**This Matter was Adopted on the Consent Agenda.**

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

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7.9-CC Subject: Establishing A Fiscal Policy  
From: Councilmember De La Fuente  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12496 C.M.S. Which Sets Forth The City Council's General Purpose Fund (GPF) Financial Policies To Add A Fiscal Policy Requiring That Before The City Council Takes Any Action That Has A Fiscal Impact Or Cost, The Council Must (1) Identify And Approve The Funding Source To Fully Fund The Cost Of The Proposed Council Action, Such As The Approval Of Or Changes To A Policy, Program, Services, Or Positions; And (2) Make Any Adjustments To The Budget That Are Necessary To Maintain A Balanced Budget; And Setting Forth The Council's GPF Financial Policies In Their Entirety, As Amended (TITLE CHANGE)  
[09-1171](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.10-CC Subject: Environmental Monitoring Costs At Spunkmeyer Field  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Settlement Agreement In The Amount Of \$36,900, With The Port Of Oakland To Cover A Portion Of The Environmental Monitoring Costs At Spunkmeyer Field  
[09-1326](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.11-CC Subject: Municipal Clerk's Week  
From: Office of the City Clerk  
Recommendation: Adopt A Resolution Declaring May 2, 2010 Through May 8, 2010 As Municipal Clerk's Week  
[09-1403](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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7.12-CC Subject: Vacant Land Located On 66th Avenue At Joe Morgan Way  
From: Community And Economic Development Agency  
Recommendation: Adopt An Ordinance Authorizing The Sale Of Vacant Land Located On  
66th Avenue At Joe Morgan Way, Adjacent To The Oakland-Alameda County Coliseum  
Complex In The Coliseum Redevelopment Project Area, To The Redevelopment Agency Of  
The City Of Oakland For \$1,000,000  
[09-1222](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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S-7.13-CC Subject: Citywide Parking Policy  
From: Community And Economic Development Agency  
Recommendation: Recieve An Informational Report On The Status Of A City-wide Parking  
Study  
[09-1343](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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  
- Gene Hazzard  
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S-7.14-CC Subject: Create The Department Of Engineering And Construction  
From: Public Works Agency  
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code, Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of City Charter Section 600, To Transfer The Department Of Engineering And Construction From The Communtiy And Economic Development Agency To The Public Works Agency  
[09-1381](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-7.15-CC Subject: Preliminary Annual Report - WPAD  
From: Budget Office  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2010-2011 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District And Setting June 1, 2010 As The Date For A Public Hearing  
[09-1287](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-7.16-CC Subject: Various Providers Of Chemical Dependency  
From: Department of Human Resources Management  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute  
Agreements Between The City of Oakland And (1) Merritt Peralta Institute/Summit Medical  
Hospital, (2) New Bridge Foundation And (3) Recovery Management Services For An Amount  
Not To Exceed \$50,000 Each Per Fiscal Year Covering The Period 2009-2012 For A Total  
Amount Not To Exceed \$450,000  
[09-1151](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember  
Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember  
Quan, Councilmember Reid and President of the Council Brunner  
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S-7.17-CC Subject: 2010-2011 Preliminary Engineer's Report - LLAD  
From: Budget Office  
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The  
Fiscal Year 2010-2011 Preliminary Engineer's Report For The City Of Oakland Landscaping  
And Lighting Assessment District And Setting June 1, 2010 As The Date For A Public Hearing  
[09-1288](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-7.18-CC Subject: Summer Food Service Program  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator 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 \$319,000 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 \$230,000 And To Negotiate And Execute A Professional Service Agreement Between The City And Revolution Foods In An Amount Not To Exceed \$280,000 And To Apply For, Accept, And Appropriate An \$18,000 Grant From Kaiser Permanente Regional Community Benefit Program And To Apply For, Accept, And Appropriate A \$7,000 Donation From The East Bay Community Foundation For The 2010 Summer Food Service Program.[TITLE CHANGE]  
[09-1245](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: 17th Street Gateway Project  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Dan Corson In An Amount Not To Exceed Six Hundred Thousand Dollars (\$600,000) For Public Art Design Fabrication And Installation Services For The BART 17th Street Gateway Project  
[09-1317](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
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S-7.20-CC Subject: 2010 Public Art Projects Plan  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution To Adopt The 2010 Public Art Projects Plan  
[09-1318](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: OPD Overtime Costs - Reimbursement Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifty-Five Thousand Dollars (\$55,000) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For (1) Lieutenant, (1) Sergeant, And (8) Police Officers, And Rental Vehicle Expenses For The Period Of March 18, 2010, Through December 31, 2010 For Work Associated With The USDEA San Francisco Metro Task Force (DEA Task Force) For A Narcotics Investigation  
[09-1319](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Amending O.M.C 9.08.080 - Immoral Dress  
From: Councilmember Kaplan  
Recommendation: Adopt An Ordinance Amending Section 9.08.080 Of The Oakland Municipal Code To Delete The Language That Makes It Unlawful To Dress In Attire Of A Person Of The Opposite Sex  
[09-1301](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Detailing Service Implications - OPD  
From: Oakland Police Department  
Recommendation: Receive An Informational Report From The Oakland Police Department  
Detailing Service Implications Associated With Eliminating The Abandoned Auto Detail, And  
Any Considerable Options To Continue To Provide Abandoned Auto Detail Services Should  
Said Cut Occur, And How The Options Will Effect Overall Police Service Delivery  
[09-1248](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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**Passed The Consent Agenda**

**A motion was made by Councilmember Nadel, seconded by  
Councilmember Reid, including all the preceding items marked as having  
been adopted on the Consent Agenda. The motion carried by the following  
vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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  
Quan, to \*Approve as Submitted of the City Attorney's report of 3 final  
decisions made during closed session. The motion carried by the following  
vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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

*At this time the City Council took item S-10.*

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE  
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA;**

- 9            9. CONSIDERATION OF NON-CONSENT CALENDAR ITEMS WITH STATUTORY  
PUBLIC HEARING REQUIREMENTS

9.1 Subject: Major Conditional Use Permit - 6400 Shattuck Avenue  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing To Consider A Major Conditional Use Permit  
And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity  
And Adopting One Of The Following Two Alternative Resolutions:

1) A Resolution Denying The Appeal (A09-220), Thereby Upholding The Planning  
Commission Decision To Approve A Major Conditional Use Permit And Variance At 6400  
Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; Or Alternatively,

[09-1133](#)

[Play Video](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Noes: 4 - Councilmember Kernighan, Councilmember  
Nadel, Councilmember Quan and President of the Council Brunner  
ORA\Councilmember Ayes: 3 - Councilmember Brooks, Councilmember  
Kaplan and Councilmember Reid

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened  
at 7:38 p.m.*

*The following individuals spoke on this item:*

- Cynthia Slater
- Colleen Brown
- David Vartanoff
- Michelle Leicester
- Gene Hazzard
- Christopher Waters
- Forest Thomas
- Marie Watts
- Guita Boostani
- Brian Hill
- Aimee Tabor
- Alfred Crofts
- Raymond Bobbitt
- Geoffrey Pete
- Don Link
- Roland Moore Ph.D.
- Jose Dorado
- Kevin Ward
- Leonard Raphael
- Pamela
- Roberk Brokl
- Jude Pope

- Sherman Kassof
- Ashrious Pannel, Sr.
- Alden Jenks
- Linda White Taylor
- Immanuel Alcala
- Joseph R. La Chaux
- Ayyub T. Nasir
- Valerie Winemiller
- Russell Uman
- Andre Isler
- Allene Warren
- Kendall Moalem
- Chris Vernon
- Gerald Veiluva
- Susan Parker
- Sean McGrath
- Diosado Ong
- Dawn Rubin
- Birgitta Meckel
- Scott Peterson

*Agency/Councilmember Brooks 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 Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -7, Noes: De La Fuente-1*  
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2) A Resolution Upholding And Approving The Appeal (Case No. A09-220), Thereby Reversing The Planning Commission Decision And Denying The Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity  
[09-1133-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Noes: 3 - Councilmember Brooks, Councilmember Kaplan and Councilmember Reid  
ORA\Councilmember Ayes: 4 - Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

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9.2      Subject:      UCOP Garage With SKS Broadway - Agreement  
From:          Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Amendments To The Owner Participation  
Agreement For The 1100 Broadway Redevelopment Project And The Purchase And Sale  
Agreement For The University Of California Office Of The President Garage With SKS  
Broadway, LLC, To Extend Development And Purchase Deadlines [TITLE CHANGE]  
[09-1239](#)  
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**A motion was made by Councilmember Kernighan, seconded by Councilmember Quan, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 9.22 p.m.*

*There were no speakers on this item.*

*Agency/Councilmember Kernighan 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 Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -7, Noes: De La Fuente -1*

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9.3 Subject: U.S. Department Of Housing - Consolidated Plan  
From: Community And Economic Development Agenda  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Consolidated Plan For Fiscal Years 2010-2015 And The Annual Action Plan For Fiscal Year 2010-2015; 2) Accepting And Appropriating Funds Totaling \$16,439,906 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating \$670,480 In Program Income And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund; 4) Reprogramming Fiscal Year 2007-2009 And Fiscal Year 2009-2011 Cdbg Funds In The Amount Of \$219,671; And 5) Reprogramming Home Funds In The Amount Of \$167,862; And  
[09-1240](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Kaplan, that this matter be Adopted as Amended to include the recommendation of the April 27, 2010 Community and Economic Development Committee to include \$112,000 dollars in funding for the Josie De La Cruz Park The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 9:28 p.m.*

*The following individuals spoke on this item:*  
*- Britt Katryn Riss*

*Agency/Councilmember Nadel 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, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner*  
*-7 Noes: De La Fuente -1*  
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2) A Resolution Authorizing A Loan In An Amount Not To Exceed \$200,000 To Resources For Community Development Under The HUD Neighborhood Stabilization Program For The Acquisition And Rehabilitation Of The Marin Way Court Project Located At 2000 International Boulevard, And Authorizing Loan Extensions And Changes In Terms For Existing City Loans For The Project; And  
[09-1240-1](#)

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

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

3) A Resolution Authorizing A Loan In An Amount Not To Exceed \$1,159,031 To East Bay Asian Local Development Corporation Under The HUD Neighborhood Stabilization Program For The Acquisition And Rehabilitation Of The Drasnin Manor Apartments Located At 2530 International Boulevard  
[09-1240-2](#)

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

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



9.4 Subject: Coliseum Redevelopment Project Area  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation

1) An Agency Resolution Allocating Funding In An Amount Not To Exceed \$180,000 Under The Coliseum Redevelopment Neighborhood Project Initiative (NPI) Program For (1) Art Garden Beautification Project At Peterson Street Between Ford Street And Chapman Street (2) Street Banners Beautification Project Along International Boulevard In The Fruitvale District (3) Mural Beautification Project At 1446 High Street (4) Improvements To Rainbow Recreation Center At 5800 International Boulevard (5) Corridor Beautification Project Along International Boulevard From 67TH Avenue To 72nd Avenue (6) Street Banners And Light pole Painting Beautification Project Along International Boulevard In The Elmhurst District (7) Interior And Exterior Improvements To The East Oakland Boxing Community Center At 816 98th Avenue; And (8) Landscaping Improvements To Sobrante Park, And Authorizing A Contribution Of Agency Funds In An Amount Not To Exceed \$74,000 To The City Under The Cooperation Agreement For The Rainbow Recreation Center And Sobrante Park Improvements; And

[09-1219](#)

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**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Adopted as Amended to include the recommendation of the April 27, 2010 Community and Economic Development Committee to 1) Remove the \$28,000 dollars in grant funds from the High Street Mural; 2) Re-issue the RFP just for \$28,000 and High Street area to select a new project(s) approved by the Area 4 SDS Team and determined by the City Attorney's Office to meet all program criteria; and 3) requiring return to Council if the grant involves improvements to public land. And further revising both resolutions, to 1) change references from "Rainbow Recreation Center at 5800 International Boulevard" to "Rainbow Teen Center at 5818 International Boulevard"; 2) remove \$6,000 in funding from corridor beautification project along International Boulevard from 67th Avenue to 72nd Avenue, add\$6,000 to funding for improvements to the Rainbow Teen Center and remove reference to "Keep Oakland Beautiful: in the fourth Resolved of the Agency resolution; and 3) revise Agency and City resolutions to increase the amount contributed for city improvements by \$6,000, from \$74,000 to \$80,000 The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
*Upon the reading of Item 94 by the City Clerk, the Public Hearing was opened at 9:35 p.m.*

*There were no speakers on this item.*

*Agency/Councilmember Brooks 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, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -7 Noes: De La Fuente - 1*

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2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$74,000 For (1) Improvements To The Rainbow Recreation Center At 5800 International Boulevard, And (2) Landscaping Improvements To Sobrante Park At 470 El Paseo Drive Within The Coliseum Redevelopment Project Area Under The Neighborhood Project Initiative (NPI) Program

[09-1219-1](#)

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

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

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

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S-10      Subject:    Denouncing Senate Bill 1070  
From:        Councilmembers Brunner, Quan and De La Fuente  
Recommendation: Adopt A Resolution Denouncing Senate Bill 1070, A Law That Seeks To Implement Arizona's Own Scheme Of Immigration Regulation That Will Inevitably Lead To Racial Profiling Of People Of Color And Limited English Proficient Persons, And Calling For A Boycott Of The State Of Arizona And Arizona-Based Businesses; On The May 4, 2010 City Council Agenda  
[09-1424](#)  
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**A motion was made by Councilmember Quan, seconded by Councilmember Kaplan, that this matter be Adopted with direction the City Administrator to analyze the firms in Arizona with which the City conducts business. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 Brunner to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item s-10 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to federal or state legislation.*

*The following individuals spoke on this item:*

- Tanya Kappner
  - Zachary RunningWolf
  - Michael Rubin
  - Sylvia Lopez
  - Ariana Gil
  - Eric A. Sisneros
  - Joel Tena
  - Wilson Riles
  - Michael Francisco Sarabia
- [View Supplemental Report.pdf](#)

11 Subject: Development Of The Countywide Transportation Plan  
From: Councilmembers Reid and Kaplan  
Recommendation: Receive An Update On The Development Of The Countywide  
Transportation Plan, Funding Strategies And Opportunities  
[09-1371](#)  
[Play Video](#)

**\*Received and Filed**

*The following individual spoke on this item:*

- Sanjiv Handa

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2) A Resolution To Approve The Creation Of The Alameda County Transportation  
Commission Of The Joint Powers Agreement And Approval Of Amendment To Joint Powers  
Agreement For Alameda County Congestion Management Agency  
[09-1374](#)

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

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

12 Subject: Voting Outreach And Education Campaign Fund  
From: Councilmembers De La Fuente and Kaplan  
Recommendation: Adopt An Ordinance Suspending For The 2010 Municipal Election The City Of Oakland's Limited Public Financing Program (Chapter 3.13 Of The Oakland Municipal Code) And Authorizing The Transfer Of \$100,000 From The Election Campaign Fund To The Instant Run-Off Voting (IRV) Outreach And Education Campaign Fund For The November 2010 Municipal Election. And Authorizing The City Administrator To Issue An Expedited RFQ Within 30 Days, To Community Non Profit Organizations With Demonstrated Ability, Expertise And Successful History Of Reaching And Working Effectively In And With Low Voter Propensity Communities, In A Culturally Competent Manner For The Purposes Of Targeted Ranked Choice Voting (RCV)/Instant Run Off Voting (IRV) Outreach And Education (TITLE CHANGE)

[09-1186](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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~~13 -Subject:- OFCY Committee Appointment  
From:- Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing Nina Horn As A Member Of The Children's Fund Planning And Oversight Committee~~

~~[09-1404](#)~~

~~[View Report.pdf](#)~~

~~14 -Subject: Measure Z Appointment - Dhar Mann  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Appointing Dhar Mann As A Member Of The Measure Z Community Oversight Committee, To Oversee The Implementation Of The Oakland Cannabis Regulation And Revenue Ordinance~~

~~[09-1275](#)~~

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- 15      ~~Subject: Violence Prevention And Public Safety Committee Appointment~~  
~~From: Office Of The Mayor~~  
~~Recommendation: Adopt A Resolution Reappointing Nicole R. Lee As A Member Of The~~  
~~Violence Prevention And Public Safety Committee~~  
[09-1407](#)  
[View Report.pdf](#)
- 16      ~~Subject: Wildfire Prevention Appointment~~  
~~From: Office Of The Mayor~~  
~~Recommendation: Adopt A Resolution Appointing Dinah Fischbach Benson As A Member Of~~  
~~The Wildfire Prevention Assessment District Advisory Board~~  
[09-1408](#)  
[View Report.pdf](#)
- 17      ~~Subject: Budget Advisory Committee~~  
~~From: Office Of The Mayor~~  
~~Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kenneth~~  
~~Benson And Sherbeam Wright As Members Of The Budget Advisory Committee~~  
[09-1409](#)  
[View Report.pdf](#)
- 18      ~~Subject: Cultural Affairs Commission Appointment~~  
~~From: Office Of The Mayor~~  
~~Recommendation: Adopt A Resolution Appointing Georgia Fraizer As A Member Of The~~  
~~Cultural Affairs Commission~~  
[09-1410](#)  
[View Report.pdf](#)
- 19      ~~Subject: Parks and Recreation Advisory Commission~~  
~~From: Office Of The Mayor~~  
~~Recommendation: Adopt A Resolution Appointing Ellen Wu As A Member Of The Parks And~~  
~~Recreation Advisory Commission~~  
[09-1411](#)  
[View Report.pdf](#)
- 20      ~~Subject: Youth Advisory Commission--District 6 Appointment~~  
~~From: Councilmember Brooks~~  
~~Recommendation: Adopt A Resolution Appointing Olivia Lucas As The District 6~~  
~~Representative To The Youth Advisory Commission~~  
[09-1322](#)  
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S-21      Subject:    Increasing The Sewer Service Charge - OMC Amendment  
From:        Community And Economic Development Agency  
Recommendation: Adopt A Resolution Of Intention To Amend Chapter 13 Of The Oakland  
Municipal Code Increasing The Sewer Service Charge, Initiating A Majority Protest  
Proceeding Under Article XIII-D Of The California Constitution, And Setting The Date For A  
Public Hearing To Consider Sewer Service Charge Increase  
[09-1299](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner  
*The recommendation of the April 27, 2010 Public Works committee was NOT adopted.*  
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S-22

Subject: Fee Charge Associated With False Alarm Services

From: Oakland Police Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 8.02, Burglar Alarm Systems, To Modify Alarm Company Responsibilities; And

[09-1223](#)

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**A motion was made by Councilmember Kaplan, seconded by Councilmember Reid, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on May 18, 2010 to include the recommendations of the April 27, 2010 Finance and Management Committee to amend the Ordinance to delete the line under Section 3 8.02.050 "Alarm Company Business Responsibilities" and under Section G. delete "prior to" and add "within (30) days of the installation of a new alarm system". The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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
- Tim Westphal
- Tom Rood
- Michael John Salk
- Mark McClure
- Robert Mitchell

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2) An Ordinance Amending Ordinance No. 12809 (Master Fee Schedule) To Create A Fee Associated With Failure To Report Discounted Alarm Users

[09-1223-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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-23      Subject:    Assembly Bill 2567  
             From:        Councilmember Kaplan  
             Recommendation: Adopt A Resolution To Support Assembly Bill 2567, Authorizing Local  
                                 Public Agencies To Install And Operate Automated Parking Enforcement Systems As Part Of  
                                 Public Agency Street Sweepers  
                                 [09-1296](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting shall conclude no later than 12:00 a.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----- at \_\_\_\_\_ p.m.*

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*City Clerk and Clerk of the Council*