

- 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)

No Action Taken

- 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.

No Action Taken

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on November 18, 2008

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Coach Paul Perenon - Recognition
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Congratulating Coach Paul Perenon On His Two Hundred Varsity Football Wins At Bishop O'Dowd High School
[07-1839](#)

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

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

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

- David Glover

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8.2 Subject: Regina Jackson - Recognition
 From: Vice Mayor Larry Reid
 Recommendation: Adopt A Resolution Recognizing Regina Jackson For Her Dedication And
 Commitment To The Youth Of The City Of Oakland
 07-1841

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-8.3 Subject: Councilmember Chang Recognition
 From: Council President De La Fuente
 Recommendation: Adopt A Resolution Honoring Henry Chang, Jr. For 14 Years Of Exemplary
 Service To The People Of Oakland As A Distinguished Member Of The Oakland City Council
 07-1877

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

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

The following individual(s) spoke and did not indicate a position on this item:
- Douglas L. Butler
- Sanjiv Handa
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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Dwight Scott

10. CONSENT CALENDAR (CC) ITEMS:

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
[07-1859](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Stanley Perkins

- Paulette Hogan

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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
[07-1860](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Paulette Hogan

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10.3-CC Subject: Thelma Gooch - 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 Thelma Gooch V. City Of Oakland, Et Al., Alameda
County Superior Court No. RG06297206, Our File No. 25298, In The Amount Of \$34,050.00
(Public Works Agency - Trip And Fall)
[07-1861](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *Sanjiv Handa*
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10.4-CC Subject: Yun Su Kim And H. Joseph Jung - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Claim Of Yun Su Kim And H. Joseph Jung, Her Attorney Of
Record In The Amount Of \$7,500.00 For An Automobile Collision Resulting In Bodily Injury
Involving A City Vehicle On March 10, 2008 (Public Works Agency)
[07-1862](#)

This Matter was Adopted on the Consent Agenda.

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

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10.5-CC Subject: Humberto Mejia - 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 Humberto Mejia V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG-07-363616, Our File No. 25912 In The Amount Of \$11,000.00. This Case Involves An Automobile Accident Involving A City Of Oakland Vehicle (Police Department)
[07-1863](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.6-CC Subject: Jadina Meneses - 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 Jadina Meneses V. City Of Oakland, Alameda County Superior Court Case No. RG07-319608, In The Amount Of \$45,000.00. As A Result Of A Trip And Fall Near The Intersection Of Clay Street And Embarcadero West. (Public Works Agency)
[07-1864](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.7-CC Subject: Maureen Cadle - 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 Cadle V. City Of Oakland, Alameda County Superior Court Case No. RG05-235812 In The Amount Of \$7,500.00 (Public Works Agency)
[07-1865](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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10.8-CC Subject: Lawrence Williams - 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 Lawrence Williams V. City Of Oakland, Alameda County
Superior Court Case No. RG07351261, In The Amount Of \$9,000.00 (Public Works Agency)
[07-1866](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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10.9-CC Subject: Central Estuary Area Specific Plan - Contract Agreement
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 Two
Million One Hundred And Thirteen Thousand Twenty Four Dollars (\$2,113,024) From The
Coliseum Redevelopment Project Area To The City Of Oakland Under The Cooperation
Agreement To Fund The Development Of The Central Estuary Area Specific Plan And Related
Environmental Impact Report
[07-1680](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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[2008-0099 CMS.pdf](#)

2) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Million One Hundred And Thirteen Thousand Twenty Four Dollars (\$2,113,024) And Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement With Community Design + Architecture For Development Of The Central Estuary Area Specific Plan In An Amount Not To Exceed Two Million Fifty One Thousand Four Hundred Eighty Dollars (\$2,051,480)
[07-1680-1](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Paulette Hogan
[81696 CMS.pdf](#)

10.10-CC Subject: Urban Streams Restoration Program Grant
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Declaring The City Of Oakland's Intent To Apply With The Friends Of Sausal Creek For An Urban Streams Restoration Program Grant For The Sausal Creek Watershed
[07-1837](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Carl Kohnert
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10.11-CC Subject: Crimestop Committee Travel
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing The Use Of \$2,000.00 Of Councilmember Patricia Kernighan's Priority Project Funds To Pay For Travel Expenses Of Seven Oakland Police Department Crimestop Committee Members To Los Angeles, California, In December 2008, To Attend And Observe A Comparative Statistics ("CompStat") Meeting Held By The Los Angeles Police Department (LAPD) At Which The LAPD Will Discuss Crime And Crime Trends
[07-1838](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Paulette Hogan

- Sanjiv Handa

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10.12-CC Subject: Violence Prevention Curricula Development
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing The Use Of \$7,978.50 From Councilmember Patricia Kernighan's Pay-Go Funds (General Purpose Fund 1010) For The Oakland Department Of Human Services (DHS) To Pay For Middle School Violence Prevention Curricula Materials For The Oakland Unified School District
[07-1840](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Paulette Hogan

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10.13-CC Subject: Toler Heights Estates LLC - Sales Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Ordinance No. 12726 C.M.S., Which Authorized The Sale Of City-Owned Properties To Toler Heights Estates LLC, To Authorize A Price Reduction For 9724 And 9745 Thermal Street From \$416,000 To The Negotiated Value Of \$120,000 To Allow The Completion Of Two Market-Rate Homes, And To Rescind The Authorization To Sell 2656 And 2660 98th Avenue For \$394,500; On The November 12, 2008 Community And Economic Development Committee Agenda
[07-1708](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[12906 CMS.pdf](#)

10.14-CC Subject: Purchase Of Three Landlocked Parcels
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The Purchase Of Three Landlocked Parcels Behind Leimert Boulevard And Adjacent To Dimond Park (APN 029A-1353-011-2; 029A-1353-013-2 And APN 029A-1354-001-1) From The Alameda County Treasurer-Tax Collector For A Total Price Not To Exceed \$27,000, Plus Interest
[07-1725](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[12907 CMS.pdf](#)

10.15-CC Subject: Anti-Nepotism Policy Amendment
From: Councilmember Nancy Nadel
Recommendation: Adopt An Ordinance Amending Title 9 Of The City Of Oakland Municipal Code By Adding A New Chapter, 2.38, Entitled Anti-Nepotism Policy, To Prevent Nepotism And Cronyism In Hiring And Administration
[07-1812](#)

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

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

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

- Judy Cox

- Gary Sirbu

- Paulette Hogan

- Sanjiv Handa

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[12908 CMS.pdf](#)

S-10.16-C Subject: Proposition 8 - Party Petitioner
C From: Office of the City Attorney
Recommendation: Adopt A Resolution Memorializing The Council's November 18, 2008 Unanimous Decision In Closed Session Authorizing City Of Oakland To Join As A Party Petitioner, City And County Of San Francisco, Et Al., V. Horton, Et Al., (California Supreme Court, Case No. 168078), A Petition For Writ Of Mandate Asking The California Supreme Court To Strike Down Proposition 8, The 2008 Voter Initiative Measure That Eliminates The Fundamental Right To Marry For Same-Sex Couples
[07-1876](#)

This Matter was Adopted on the Consent Agenda.

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

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[81700 CMS.pdf](#)

S-10.17-C Subject: Chappell Hayes Health Clinic Improvements
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate A Grant For \$473,707 From The U.S. Department Of Health And Human Services, Health Resources And Services Administration (HRSA), For Capital Improvements To The Chappell Hayes Health Clinic At McClymond's High School And To Execute Contract With Oakland Unified School District (OUSD) In An Amount Not To Exceed \$473,707 For The Period September 1, 2008 Though August 31, 2009
[07-1735](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81701 CMS.pdf](#)

S-10.18-C Subject: First Quarter Revenue And Expenditure Results
C From: Budget Office
Recommendation: Action On A Report On Fiscal Year 2008-2009 First Quarter Revenue And Expenditure Results And Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And City Facilities Fund (4400); And Overtime Analysis For General Purpose Fund (1010) And All Funds
[07-1768](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- *Sanjiv Handa*
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S-10.19-C Subject: Brown Act Amendments To The Sunshine Ordinance
C From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 2.20 Of The Oakland Municipal Code To Conform The Definition Of "Meeting" To Provisions Of The Ralph M. Brown Act
[07-1695-1](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 6, 2009 on the Consent Agenda.

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

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

- Sanjiv Handa

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S-10.20-C Subject: Civicorps Schools Agreement
C From: Office of the City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two Year Professional Services Agreement, With Two One-Year Options For Renewal, With Civicorps Schools For Implementation Of The Excess Litter Fee Program In An Amount Not To Exceed \$400,000 Each Year (TITLE CHANGE)
[407-1756](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.21-C Subject: Third Wave Consulting - Professional Services Contract
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Professional Services Contract With Third Wave Consulting In An Amount Not To Exceed \$36,000.00 For The Design, Configuration And Implementation Of A Customer Relationship Management Application Of Salesforce.Com To Be Partially Paid For With Redevelopment Agency Funds
[07-1777](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81703 CMS.pdf](#)

S-10.22-C Subject: Various Façade Improvement Program Allocations
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating \$125,000 To The West Oakland Redevelopment Project Area Façade Improvement Program And Allocating \$125,000 To The West Oakland Redevelopment Project Area Tenant Improvement Program;
[07-1792](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) An Agency Resolution Allocating \$300,000 To The Coliseum Redevelopment Project Area Façade Improvement Program And Allocating \$245,000 To The Coliseum Redevelopment Project Area Tenant Improvement Program; And
[07-1792-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
[2008-0101 CMS.pdf](#)

S-10.23-C Subject: Various BID Annual Reports
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Annual Reports Of The Lakeshore/Lake Park Business Improvement Management District, Temescal/Telegraph Avenue Property Business Improvement District Of 2005, The Laurel Property Business Improvement District Of 2005, The Fruitvale Property Business Improvement District Of 2006, And The Koreatown/Northgate Community Benefit District Of 2007 Advisory Boards And Confirming The Continuing Annual Assessment For Each District For Fiscal Year 2008/2009; And
[07-1775](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) An Agency Resolution Authorizing Payment Of The Koreatown/Northgate Community Benefit District Of 2007 Assessment For One (1) Agency-Owned Property On Which An Assessment Is To Be Levied (Located At 2016 Telegraph Avenue APN 008-0649-010-00) In An Amount Not To Exceed \$2,035.50 For The Fiscal Year 2008-2009 Assessment Period
[07-1775-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- *Sanjiv Handa*
[2008-0102 CMS.pdf](#)

S-10.24-C Subject: Fruitvale Masonic Temple - Renovation
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept, And
Appropriate Grant Funds In An Amount Not To Exceed \$196,000 From The U.S. Department
Of Housing And Urban Development's Economic Development Initiative - Special Projects Grant
Program To Be Used In The Renovation Of The Fruitvale Masonic Temple Located At Plaza De
La Fuente And East 12th Street By The Unity Council
[07-1849](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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S-10.25-C Subject: Gibson And Associates Agreement
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And
Execute An Agreement With Gibson And Associates For The Period December 11, 2008
Through December 11, 2009, In An Amount Not To Exceed One Hundred Thirty-Five Thousand
Dollars (\$135,000) For Professional Services To Develop The Oakland Fund For Children And
Youth Strategic Plan (2010-2013)
[07-1796](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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[81706 CMS.pdf](#)

S-10.26-C Subject: Renaming Brookfield Park
C From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Renaming "Brookfield Park" At 9175 Edes Avenue, To
"Bill Patterson Park"
[07-1758](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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[81707 CMS.pdf](#)

S-10.27-C Subject: Dogs On Leashes - Mosswood Park
C From: Office of Parks and Recreation
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 6.04 -
"Animal Control Regulations Generally", Section 6.04.080 (A)(1), To Permit Dogs On A Six
Foot Leash On Designated Paths Through Mosswood Park
[07-1759](#)

**This Matter was Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on January 6, 2009 on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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S-10.28-C Subject: 2009 Selective Traffic Enforcement Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution No. 81223 C.M.S., Which
Authorized The City Administrator, On Behalf Of The City Of Oakland, To Accept And
Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Ninety-Eight Thousand
Seventy Dollars (\$298,070) From The State Of California, Office Of Traffic Safety, To The
Oakland Police Department For The Fiscal Year 2009 Implementation Of The Selective Traffic
Enforcement Program In The Police Department, To An Amended Amount Not To Exceed Four
Hundred Eleven Thousand Three Hundred Seventy Dollars (\$411,370)
[07-1663](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
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[81708 CMS.pdf](#)

S-10.29-C Subject: 2008 Secure Our Schools Grant Program
C From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To: 1) Accept And Appropriate Grant Funds From The U.S. Department Of Justice, Office Of Community Oriented Policing Services (DOJ/COPS) Secure Our Schools Grant Program To The Oakland Police Department (OPD) In An Amount Not To Exceed One Million Five Hundred Twenty-Five Thousand One Hundred Twenty-Six Dollars (\$1,525,126) For The Period September 1,2008 Through August 31, 2010 And, 2) Accept And Appropriate Match Funds From The Oakland Unified School District (OUSD) To The Oakland Police Department In An Amount Not To Exceed One Million Five Hundred Twenty-Five Thousand One Hundred Twenty-Six Dollars (\$1,525,126) And, 3) Execute A Memorandum Of Understanding (MOU) With The Oakland Unified School District For The Procurement Of Surveillance Equipment For The Oakland Secondary School Safety Project
[07-1670](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.30-C Subject: Marine Unit Equipment
C From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Fifty-Six Thousand Dollars (\$56,000) From The State Of California, Department Of Boating And Waterways, To The Oakland Police Department For Use By The Marine Unit For Equipment Purchases To Outfit And Maintain Two Vessels Used For Law Enforcement And Homeland Security On City Of Oakland Waterways And The Port Of Oakland Terminals
[07-1795](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.31-C Subject: Mayor's Street Outreach Program Funding
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate \$100,000 From Evelyn & Walter Haas Jr. Fund For Coordination, Technical Assistance, Training And Capacity Building For Measure Y Mayor's Street Outreach Program, Community Policing Officers And Other Providers
[07-1722](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.32-C Subject: Second Step Curriculum Funding
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Measure Y Grant Agreement With Oakland Unified School District (OUSD) For An Additional \$44,016 For Fiscal Year 2008-2009, Resulting In A Total Contract Amount Of \$277,348, To Provide Violence Prevention Curricula (Second Step and Too Good For Violence) To Middle Schools
[07-1736](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.33-C Subject: 2009 Federal Legislative Agenda Approval
C From: City Council
Recommendation: Action On A Report Requesting Approval Of The Proposed 2009 Federal Legislative Agenda For The City Of Oakland
[07-1853](#)

This Matter was Approved on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- *Sanjiv Handa*
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Passed The Consent Agenda

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

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

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

A motion was made by Councilmember Chang, seconded by Councilmember Reid, to *Approve as Submitted the report from the Office of the City Attorney of one final decision made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

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

The following individual(s) spoke and did not indicate a position 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 Reid, seconded by Councilmember Kernighan, to *Approve as Submitted. The motion carried by the following vote:

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

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

No Action Taken

14. Consideration of items with statutory Public Hearing Requirements:

14.1 Subject: Public Hearing - Real Property Transfer Taxes
 From: Finance and Management Agency
 Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real
 Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of
 Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-1833](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-1833-1](#)

A motion was made by Councilmember Reid, seconded by Councilmember Chang, that this matter be Not Adopted. The motion failed by the following vote:

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

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code [07-1833-2](#)

A motion was made by Councilmember Reid, seconded by Councilmember Kernighan, that this matter be Not Adopted. The motion failed by the following vote:

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

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 8:00 p.m.

The following individuals spoke on this item:

- Obadiah Gregory Butterworth*
- Brian Purcell*
- Sanjiv Handa*

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

Staff was directed to look at the issues regarding transfer taxes (i.e. title companies going out of business, the need to transfer property to oneself, etc.) and report back to the Finance and Management Committee

14.2 Subject: Public Hearing - Transient Occupancy Taxes
 From: Finance and Management Agency
 Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient
Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-1834](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or
[07-1834-1](#)

A motion was made by Councilmember Quan, seconded by Councilmember Kernighan, that this matter be Not Adopted. The motion failed by the following vote:

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

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code [07-1834-2](#)

A motion was made by Councilmember Quan, seconded by Councilmember Kernighan, that this matter be Not Adopted. The motion failed by the following vote:

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

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 8:12 p.m.

The following individuals spoke on this item:

- Sanjiv Handa

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

14.3 Subject: Public Hearing - Delinquent Mandatory Garbage Fees
 From: Finance and Management Agency
 Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2008, Monthly Accounts And July/August/September 2008, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or [07-1835](#)

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

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

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-1835-1](#)

A motion was made by Councilmember Chang, seconded by Councilmember Reid, that this matter be Not Adopted. The motion failed by the following vote:

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

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code
[07-1835-2](#)

A motion was made by Councilmember Chang, seconded by Councilmember Reid, that this matter be Not Adopted. The motion failed by the following vote:

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

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 8:15 p.m.

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

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

14.4 Subject: Public Hearing - Delinquent Business Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or
[07-1836](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-1836-1](#)

A motion was made by Councilmember Reid, seconded by Councilmember Brunner, that this matter be Not Adopted. The motion failed by the following vote:

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

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code
[07-1836-2](#)

A motion was made by Councilmember Reid, seconded by Councilmember Brunner, that this matter be Not Adopted. The motion failed by the following vote:

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

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 8:19 p.m.

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

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

14.5 Subject: Revolution Foods Relocation And Expansion Loan Agreement
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing 1) A Coliseum Redevelopment Revolving Loan In An Amount Not To Exceed \$170,500, And 2) A Coliseum Commercial Tenant Improvement And Facade Improvement Grant In An Amount Not To Exceed \$90,000, To Revolution Foods, Inc. For The Company's Relocation And Expansion; And
[07-1686](#)

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

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

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2) A Resolution Authorizing The Loan Of Enhanced Enterprise Community Loan Funds In An Amount Not To Exceed \$249,500 To Revolution Foods, Inc. To Assist The Company's Relocation And Expansion

[07-1686-1](#)

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

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

Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 8:22 p.m.

The following individuals spoke on this item:

- Amy Omand

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

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S-14.6 Subject: General Plan Land Use Diagram Corrections
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Correcting Long-Standing Scrivener's Errors On The
General Plan Land Use Diagram To Conform To What Was Previously Adopted
[07-1773](#)

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

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

*Upon the reading of Item 14.6 by the City Clerk, the Public Hearing was
opened at 8:28 p.m.*

The following individuals spoke on this item:

- Shirley Waters
- Sanjiv Handa

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

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S-14.7 Subject: Planning Code Amendments - Chapters 17.73 And 17.102
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.102 "General Regulations Applicable To All Or Several Zones" To Include Performance Standards For Primary Collection Center Recycling Uses In All Zones (2) Amend Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones" To Include Regulations Concerning Primary Collection Center Recycling Uses In CIX-1, CIX-2 And IG Zones; (2) Amend Chapter 17.10 "Use Classifications" To Delete "Intermediate Processing Facility" As A Land Use Activity Type From O.M.C. 17.10.586 "Recycling And Waste-Related Industrial Activities"
[07-1774](#)

A motion was made by Councilmember Nadel, seconded by Councilmember Kernighan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on January 6, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was opened at 8:35 p.m.

The following individuals spoke on this item:

- Aaron Forkash
- Paul Forkash
- Jay Anast
- Treva Reid
- Elin Christopherson
- Rose Black
- Edward Kangeter
- Marc Madden
- George Burt

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

Council amended the ordinance as follows: 1) change the radius for litter pick up to 1 block (9 square blocks) around the facility; 2) change the radius for grocery cart pick up to 2 blocks and develop a cart management plan; and 3) during business hours facility owned trucks should be parked around the facility and only on the facility side of the street

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S-14.8 Subject: Studio One Art Center - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating Studio One Art Center (Historic Name:
Ladie's Relief Society Children's Home) At 365 45th Street As A Landmark Pursuant To Section
17.136.070 Of The Oakland Planning Code
[07-1790](#)

**A motion was made by Councilmember Brunner, 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, due back on January 6, 2009 as a Consent Calendar
item. The motion carried by the following vote:**

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

*Upon the reading of Item 14.8 by the City Clerk, the Public Hearing was
opened at 9:27 p.m.*

The following individuals spoke on this item:

- Jeff Norman

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

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S-14.9 Subject: The Altheim - Landmark Designation
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Designating The Altheim At 1720 MacArthur
Boulevard As A Landmark Pursuant To Section 17.136.070 Of The Oakland Planning Code
[07-1791](#)

A motion was made by Councilmember Brooks, 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, due back on January 6, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

Upon the reading of Item 14.9 by the City Clerk, the Public Hearing was opened at 9:30 p.m.

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, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -8
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ACTION ON NON-CONSENT ITEMS:

15 Subject: Donald P. McCullum Youth Court - Grant
 From: Oakland Police Department
 Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The
City Of Oakland, To 1) Apply, Accept, And Appropriate Grant Funds In An Amount Not To
Exceed Five Hundred Thousand Dollars (\$500,000) From The State Of California, Corrections
Standards Authority, Juvenile Accountability Block Grant (JABG) Program, Gang Intervention
Grant Initiative, For The Grant Term Of January 1, 2009 Through June 30, 2009; 2) Authorize A
Funding Agreement In An Amount Not To Exceed One Hundred And Fifty Thousand Dollars
(\$150,000) With The Donald P. McCullum Youth Court For Supplemental Implementation Of
The Oakland Youth Court, Interface Project, As It Pertains To Youth-Based Gang Violence
Preventions and Intervention Services
[07-1842](#)

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

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

*Council approved the application process and directed staff to return to the
January 27, 2009 Finance and Management Committee meeting with a revised
plan for using the money including but not limited to more restorative justice
programs and implementing a program similar to the City of San Jose*

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16 Subject: Billboard Relocation Agreement - CBS Outdoor
 From: Community And Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A
Billboard Relocation Agreement With CBS Outdoor, Inc. (CBS Outdoor), Allowing CBS
Outdoor To Remove And Waive Its Rights To Compensation, Including All Real Property And
Personal Property Interests, For A Number Of Billboards At Various Locations In Exchange For
Reconstruction Of A Billboard Located At 185 98th Avenue (At The Intersection Of Bigge
Avenue And 98th Avenue)
[07-1682](#)

***Withdrawn with No New Date**

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

- Sanjiv Handa
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17 Subject: Rockridge Business Improvement District - Annual Assessment
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal
 Year 2009-2010 For The Rockridge Business Improvement District, Approving The Annual
 Report Of The Rockridge Business Improvement District Advisory Board, And Scheduling A
 Public Hearing For January 6, 2009
[07-1727](#)

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

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

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

- Sanjiv Handa
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18 Subject: Montclair Business Improvement District - Annual Assessment
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal
 Year 2009-2010 For The Montclair Business Improvement District, Approving The Annual
 Report Of The Montclair Business Improvement District Advisory Board, And Scheduling A
 Public Hearing For January 6, 2009
[07-1728](#)

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

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

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

- Sanjiv Handa
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19 Subject: Hartford Life, Inc. - Agreement
 From: Finance and Management Agency
 Recommendation: Adopt A Resolution Authorizing The Deferred Compensation Committee To
 Execute An Agreement On Behalf Of The City Of Oakland With The Hartford Life, Inc., To
 Provide Recordkeeping, Administration, Investment, And Related Services For The City's
 Deferred Compensation Plan
 [07-1713](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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20 Subject: Community Choice Aggregation - Joint Workshop
 From: Councilmember Nancy Nadel
 Recommendation: A Request For The City Council To Approve The Scheduling Of A Joint
 Workshop, In Early 2009, On Community Choice Aggregation Including The City Councils
 Representing Oakland, Berkeley and Emeryville
 [07-1797](#)

***Table**

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

- David Room
 - Hunter Stern
 - Kent Lewandowski
 - Kirsten Schwind
 - Rene Mendieta
 - Alana Ross
 - Aaron Lehmer
 - Carl Chan
 - Joe Partida
 - Jan Cox Golovich
 - Scott Peterson
 - Paul Fenn
 - Elizabeth Rivera-Cerda
 - Alicia Bert
- [View Report.pdf](#)

21 Subject: Entitlement Extensions
 From: Council President De La Fuente
 Recommendation: Adopt A Resolution Extending Until December 31, 2011 The Expiration Date
 Of Permits Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning
 Code) And Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The
 Oakland Municipal Code That Expire Prior To January 1, 2011 Upon Request And Payment Of
 Administrative Fee (TITLE CHANGE)
[07-1569](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Councilmember Chang, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Councilmember Reid and President of the Council
De La Fuente
*Council directed staff to make sure the permits that are extended are in good
standing*

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

- Sanjiv Handa

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[81723 CMS.pdf](#)

22 Subject: Measure Q Performance Audit
 From: Office of the City Auditor
 Recommendation: Receive The Measure Q Performance Audit: Library Funds Were Mostly
 Spent In Accordance With The Measure
[07-1852](#)

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

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

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

- Sanjiv Handa

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23 Subject: Board Of Port Commissioners Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Pamela Calloway And James Head As
 Members Of The Board Of Port Commissioners
 07-1867

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

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

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

- Sanjiv Handa

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[81724 CMS.pdf](#)

S-24 Subject: Declaration Of The November 4, 2008 Election Results
 From: Office of the City Clerk
 Recommendation: Adopt A Resolution Declaring The Results Of The City Of Oakland General
 Municipal Election Held On Tuesday, November 4, 2008
 07-1874

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

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

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

- Sanjiv Handa

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[81725 CMS.pdf](#)

S-25 Subject: Oakland Army Base Settlement Agreement - Caltrans
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute An Amendment To The April 18, 2002 Oakland Army Base Settlement Agreement To Extend Caltrans' Use Of 26 Acres Of The West Gateway Area Property From April 2013 To April 2016 And To Accept From Caltrans A One-Time Easement Fee Of At Least \$10,835,283 In Exchange For The Extension (TITLE CHANGE);

[07-1730](#)

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

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

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[2008-0104 CMS.pdf](#)

2) An Agency Resolution Authorizing The Agency Administrator To:

1) Negotiate And Execute An Amendment To The April 29, 2005 Under-Freeway Easement From Caltrans To Expand The Agency's Easement Uses To Include Vehicles And Vehicle Storage; 2) Negotiate And Execute A Phase II Tidelands Trust Exchange Agreement For Oakland Army Base Under-Freeway Property And Take Any Actions Necessary To Implement The Agreement; 3) Negotiate And Execute An Amendment To The May 23, 2005 Purchase And Sale Agreement With Caltrans For 6.5 Acres Of Oakland Army Base Property; And 4) Negotiate And Execute An Easement In Favor Of Caltrans For A San Francisco Bay Trail Connection To Maritime Street

[07-1730-1](#)

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

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

[2008-0105 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To: 1) Negotiate And Execute An Amendment To The April 18, 2002 Army Base Settlement Agreement To Extend Caltrans' Use Of 26 Acres Of The West Gateway Area Property From April 2013 To April 2016, And 2) Negotiate And Execute An Amendment To The May 23, 2005 Purchase And Sale Agreement With Caltrans For 6.5 Acres Of Oakland Army Base Property(TITLE CHANGE)
[07-1730-2](#)

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

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

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

- Sanjiv Handa
- Merlin Edwards
[81726 CMS.pdf](#)

S-26 Subject: Elmhurst Weed And Seed Initiative Funding
From: Office of the City Administrator

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 One Hundred Fifty Thousand (\$150,000) From The U.S. Department Of Justice, Office Of Justice Programs, Community Capacity Development Office, In Support Of Third Year Program Operations Associated With The Elmhurst Weed And Seed Initiative In The Office Of The City Administrator
[07-1723](#)

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

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

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[81727 CMS.pdf](#)

S-27 Subject: Taxi Cab Ordinance Amendment
 From: City Council
 Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64
 "TAXICABS" To A) Move The Administration Of Taxi Permits From The Oakland Police
 Department To The City Administrator's Office And B) Move The Initial And Annual Inspection
 Of Taxis From The Oakland Police Department To The Public Works Agency
[07-1875](#)

A motion was made by Councilmember Brunner, seconded by Councilmember Nadel, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 6, 2009. The motion carried by the following vote:

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

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

- Sanjiv Handa
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Continuation of Open Forum

The following individual(s) spoke under Open Forum:

- Sanjiv Handa
- Jacquee Castain

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Dwight Scott at 11:51p.m.

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City Clerk and Clerk of the Council