



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

***Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, July 27, 2010

9:00 AM

City Council Chambers - 3rd Floor

1 Pledge of Allegiance

2 Roll Call / ORA & Council

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

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Kaplan, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente

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 9:08 am.

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual spoke under Open Forum:

- Sanjiv Handa
- Jeff Levin
- David Mix
- Ariana Casanova

4 Subject: The Limited Public Financing Act - Amendments
From: Public Ethics Commission
Recommendation: Adopt An Ordinance Amending Chapter 3.13 Of The Oakland Municipal Code (AKA "The Limited Public Financing Act Of The City Of Oakland") To 1) Limit Eligibility To Candidates For District City Council; 2) Provide That Public Financing Be Limited To The Reimbursement Of Specified Campaign Expenditures; 3) Limit Candidates From Making Contributions Or Loans From Personal Funds To Ten Percent Of The Voluntary Expenditure Ceiling; 4) Require Candidates To Raise In Local Contributions And Make In Expenditures Amounts Equal To Five Percent Of The Voluntary Expenditure Ceiling; 5) Permit Candidates To Appeal To The Public Ethics Commission Any Request For Reimbursement; And 6) Require Candidates To Repay The Election Campaign Fund From Any Surplus Campaign Funds In An Amount Not To Exceed The Percentage That Public Financing Represents Of Total Contributions Received [TITLE CHANGE]
[09-1500](#)

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

Votes: ORA\Councilmember Noes: 1 - Vice Mayor De La Fuente
ORA\Councilmember Ayes: 7 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Pro-Tem Reid

The following individual spoke on this item:

- *Steven Edrington*
- *David Kavlecek*
- *James Vann*
- *David Mix*

[View Report.pdf](#)

[View Report.pdf](#)

[13031 CMS.pdf](#)

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

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Nadel
ORA\Councilmember Ayes: 7 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente

The following individual spoke on this item:

- *David Mix*
- *Sanjiv Handa*
- *Kara Brown*
- *Leo Bazile*
- *Richard Muller*
- *Mickey Martin*
- *David Stogner*
- *Kevin Good*
- *Ryan Warman*
- *Brad Semsae*
- *Max Allstadt*
- *Liana Held*
- *Richard Lee*
- *Jeff Jones*
- *Angel Raich*
- *Tony Alvarez*
- *Carmen Hays*
- *Daniell Barber*
- *Susan Son*
- *Susan Campos*
- *Samantha Campos*
- *Beth Macall*
- *John Alton*
- *Robert Sandolo*
- *Rachel Semajda*
- *Mischa Steriner*
- *Dave Wedding Dress*
- *Gabriel Dean Daly*
- *Andrew De Angelo*
- *Steve De Angelo*

[View Report.pdf](#)
[13032 CMS.pdf](#)

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

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

Votes: ORA\Councilmember Abstained: 2 - Council President Brunner and Councilmember Nadel
ORA\Councilmember Ayes: 6 - Councilmember Kaplan, Councilmember Brooks, Councilmember Kernighan, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente

Agency/Councilmember Reid made a substitute motion, seconded by Agency/Councilmember Brooks, to adopt the Ordinance to include cultivation regulation policies, local hire, card check, environmental considerations, reduction of electrical usage, waste disposal in an environmentally safe manne, reduction of greenhouse, gas emissions, pesticide reduction, growing condition to provide plants free from mold, disease and heavy metals; points for goals met, testing, continuing education, equity participation, employee certifications, unionized shop, wages and working conditions, security plan adequacy, global warming, toxins, run off, electricity, legally viable. and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Chang, Kernighan, Reid, Quan, and De La Fuente -6, 2- Abstain - Nadel, Brunner

The following individual spoke on this item:

Sanjiv Handa

David Mix

[View Report.pdf](#)
[View Report.pdf](#)
[View Report.pdf](#)
[13033 CMS.pdf](#)

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

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
 Brooks, Council President Brunner, Councilmember Kernighan,
 Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor
 De La Fuente
 [View Report.pdf](#)
 [View Supplemental Report.pdf](#)
 [13034 CMS.pdf](#)

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

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
 Brooks, Council President Brunner, Councilmember Kernighan,
 Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor
 De La Fuente
 [View Report.pdf](#)
 [13035 CMS.pdf](#)

9 Subject: Recovery Zone Bond Issuance
From: Finance And Management Agency
Recommendation: Adopt A Revised Resolution Approving The Application Of The City's
Recovery Zone Economic Development Bond Issuance Authority Initial Allocation \$5,045,000
And Any Additional Allocations To The MacArthur Transit Village Within The
Redevelopment Agency Of The City Of Oakland Broadway/Macarthur/San Pablo
Redevelopment Project Area And The Obligations To Be Issued With Respect Thereto [TITLE
CHANGE]
[09-1615](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor
De La Fuente
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Report.pdf](#)
[82953 CMS.pdf](#)

10 Subject: Exclusive Negotiating Agreement
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An
Exclusive Negotiating Agreement Between The City Of Oakland And Peralta Community
College District For A Term Of 120 Days For The Lease Or Sale Of The Henry J. Kaiser
Convention Center Located At 10 Tenth Street In Oakland
[09-1669](#)

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

Votes: ORA\Councilmember Absent: 1 - Pro-Tem Reid
ORA\Councilmember Noes: 2 - Councilmember Kaplan and Councilmember
Brooks
ORA\Councilmember Ayes: 5 - Council President Brunner, Councilmember
Kernighan, Councilmember Nadel, Councilmember Quan and Vice Mayor De
La Fuente
[View Report.pdf](#)
[82954 CMS.pdf](#)

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

*There being no further business, and upon the motion duly made, the
Agency/Council adjourned the meeting at 9:52 a.m.*

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-3226

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TDD](#)

City Clerk and Clerk of the Council