



# City of Oakland Meeting Minutes

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

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

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

Tuesday, July 15, 2008

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:32 PM.*

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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*The following individuals spoke under Open Forum:*

- Odest Logan
- Wilbert McAlister
- Maurilio Leon
- Ronnie Caplane
- Nina Lindsay
- Charles Hahn
- Mike Jones
- Simuel Ramey
- Keith Muhammad
- Gary Upshaw
- Dwight McElroy
- Gene Hazzard
- Sanjiv Handa

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*Vice Mayor Reid requested to pull item 10.22-CC and Councilmember Brooks made an amendment to item 10.21-CC*

- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)  
*There was no action necessary for this item.*
- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.  
*There was no action necessary for this item.*
- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on July 1, 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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

## **8. PRESENTATION OF CEREMONIAL MATTERS**

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- 8.1 Subject: Emad Mirsaeidi - Recognition  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Acknowledging The Retirement Of Emad Mirsaeidi After Twenty-Three Years Of Dedicated Service To The City Of Oakland  
[07-1496](#)

**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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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- 8.2 Subject: Wil Hardee - Recognition  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Honoring Wil Hardee For His Outstanding Public Service and Congratulating Him On His Retirement  
[07-1498](#)

**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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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- 8.3 Subject: Barbara Rodgers - Recognition  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Honoring Barbara Rodgers On Her Retirement From CBS 5 (KPIX-TV) After Almost 30 Years Of Broadcast Service  
[07-1519](#)

**A motion was made by Councilmember Kernighan, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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- 8.4 Subject: Union Pacific Foundation Presentation  
From: Department of Human Services  
Recommendation: Receive The Presentation Of A Check From Union Pacific Foundation, A Grant Award To Augment The Community Cleanup Corps (CCC) Pilot Program And To Amend The Current Agreement With Goodwill Industries, Inc. To Add \$15,000 For A Total Contract Amount Of \$65,000  
[07-1521](#)

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

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

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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

*Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Donna Spring*

*Agency/Councilmember Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Denise Dolan*

*Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Jewel Sanford*

*Agency/Councilmembers Brooks & Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Helen Virginia Cobbs*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Elvina Baranco*

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

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- 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  
                 [07-1523](#)

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

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

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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  
                 [07-1524](#)

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

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

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10.3-CC Subject: J. W. Silveira Company - 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 J.W. Silveira Co. In The Amount Of Five Thousand One Hundred Dollars And No Cents (\$5,100.00), As A Result Of Property Damage Sustained Due To Roots From a City Tree On April 30, 2008. (Public Works Agency)  
[07-1525](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.4-CC Subject: Avery Enoch - 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 Avery Enoch, Et Al. V. City Of Oakland, Et Al., Alameda County Superior Court Case No. RG-07-336953, Our File No. 25843 In The Amount Of \$11,500.00. This Case Involves An Automobile Accident Involving A City Of Oakland Vehicle (Public Works Agency)  
[07-1528](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: Andre Dyer - 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 Andre Dyer In The Amount Of Eight Thousand Dollars And No Cents (\$8,000.00), As A Result Of Bodily Injuries Sustained In An Automobile Collision With A City Vehicle On January 8, 2008. (Oakland Police Department)  
[07-1531](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: Chi Kan Tung - 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 CSAA Insurance A/S/O Chi Kan Tung In The Amount Of Six Thousand Four Hundred Eighty Two Dollars And 89 Cents (\$6,482.89), As A Result Of Property Damage Sustained In An Automobile Collision With A City Vehicle On May 9, 2008. (Oakland Police Department)  
[07-1532](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: Monica R. Marquez - 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 GEICO As Subrogee For Monica R. Marquez In The Amount Of Seven Thousand Two Hundred Sixty Three Dollars And Ninety Eight Cents (\$7,263.98) As A Result Of Property Damage Sustained In An Automobile Collision With A City Vehicle On March 01, 2008. (Oakland Police Department)  
[07-1533](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.8-CC Subject: Gerald D. Gordon - 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 Gerald D. Gordon In The Amount Of Seven Thousand One Hundred Thirty Five Dollars And 40 Cents (\$7,135.40), As A Result Of Property Damage Sustained Due To Roots From A City Tree On January 29, 2008. (Public Works Agency)  
[07-1534](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: Richard Amaran Tarnoff - 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 Richard Amaran Tarnoff In The Amount Of Eighteen Thousand Five Hundred Forty Dollars And 53 Cents (\$18,540.53), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On April 25, 2008. (Public Works Agency)  
[07-1535](#)

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

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

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10.10-CC Subject: Fei Tsai/Kruz Investment LLC - 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 Fei Tsai/Kruz Investment LLC In The Amount Of Seven Thousand Two Hundred Forty Five Dollars And 39 Cents (\$7,245.39), For Property Damage To Claimant's Building Sustained In An Automobile Collision With A City Vehicle On May 11, 2008. (Oakland Police Department)  
[07-1536](#)

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

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

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10.11-CC Subject: Yun Su Kim - 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 Farmers As Subrogee For Yun Su Kim In The Amount Of Seven Thousand Four Hundred Sixty Three Dollars And Seventy Four Cents (\$7,463.74) As A Result Of Property Damage Sustained In An Automobile Collision With A City Vehicle On March 10, 2008. (Public Works Agency)  
[07-1537](#)

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

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

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10.12-CC Subject: Madeline And Larry Petersen - 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 Madeline And Larry Petersen In The Amount Of Ten Thousand Dollars And No Cents (\$10,000), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On November 25, 2007. (PUBLIC WORKS AGENCY)  
[07-1538](#)

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

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

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10.13-CC Subject: Jane Smith - Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle  
The Case Of Jane Smith, Et Al. V. City Of Oakland, U.S. District Court Action No. C06-07171  
MMC (JCS), Our File No. X02981, In The Amount Of \$2,000,000.00. This Case Involves  
Alleged Civil Rights Violations (Police Department)  
[07-1539](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
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*The following individual spoke on this item:*

- *Sanjiv Handa*  
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10.14-CC Subject: Tract 7868 - Final Map  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Conditionally Approving A Final Map For Tract No. 7868 For The Tassafaronga  
Affordable Housing Project At 968 81st Avenue For The Oakland Housing Authority  
Foundation; And  
[07-1276](#)

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

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

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2) A Resolution Approving A Subdivision Improvement Agreement With The Oakland Housing  
Authority Foundation For Deferred Construction Of Public Infrastructure Improvements At 968  
81st Avenue For The Final Map For Tract No. 7868 For The Tassafaronga Affordable Housing  
Project  
[07-1276-1](#)

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

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

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10.15-CC Subject: Firefighter Protective Clothing Agreement  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing A Term Agreement With Allstar Fire Equipment For The Purchase Of Firefighter Protective Clothing (Turnouts) In An Amount Not To Exceed Six Hundred Thirty-Two Thousand And Thirty-Five Dollars (\$632,035.00) For The Period July 1, 2008 Through June 30, 2011 In Accord With Specification Number 999-00 And Contractor's Bid Dated April 21, 2008, With An Optional Two-Year Extension For A Total Amount Not To Exceed One Million One Hundred Seven Thousand Eight Hundred Forty-Eight Dollars (\$1,107,848.00) Over The Possible Five-Year Term And Waiving Competitive Bidding Requirements  
[07-1338](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.16-CC Subject: Councilmembers Brooks And Reid - Travel Authorization  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Councilmembers Desley Brooks And Vice Mayor Larry Reid To Attend The National Black Caucus Of Local Elected Officials Conference From July 23 - July 27, 2008  
[07-1467](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.17-CC Subject: Councilmember Brooks - Travel Authorization  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend The Congressional Black Caucus Legislative Conference September 23 - 27, 2008  
[07-1468](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.18-CC Subject: Police Services - 3 On 3 Basketball Competition  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Use Of Pay Go In The Amount Of Ten  
Thousand Dollars (\$10,000.00) For Police Services At The So You Think You Can Hoop 3 On 3  
Basketball Competition At The Oracle Arena July 19th And 20th, 2008  
[07-1497](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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10.19-CC Subject: New Planter Boxes At Lakeview Elementary School  
From: Councilmember Kernighan  
Recommendation: Adopt A Resolution Authorizing Up To \$3200 Of Councilmember Patricia  
Kernighan's Pay-Go Funds To The Friends Of Oakland Parks & Recreation For Installation Of  
16 Benches And Purchase Of Lumber For Raised-Bed Planter Boxes And Tree Boxes In Front  
Of The Child Development Center At The Lakeview Elementary School  
[07-1517](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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10.20-CC Subject: Priority Project Funds - District Five  
From: Council President De La Fuente  
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La  
Fuente's Priority Project Funds To The Sankofa Holistic Healing Institute In The Amount Of  
\$1,500 For Their Summer Ceramics Class  
[07-1520](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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10.21-CC Subject: Urban Strategies Council Grant  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000.00 From  
Councilmember Desley Brooks' Pay Go Funds To Urban Strategies Council To Facilitate A  
Community Mapping Project  
[07-1522](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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10.22 Subject: Priority Project Funds - District 7  
From: Vice Mayor Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$1,672.65 From  
Vice Mayor Larry E. Reid's Priority Project Funds To The Black Cowboys Association For  
Police Security Services For The Black Cowboy Parade  
[07-1527](#)

**\*Withdrawn with No New Date**

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10.23-CC Subject: Janeith Glenn-Davis - 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 Janeith Glenn-Davis V. City Of Oakland, United States  
District Court No. C02-02257 SI In The Amount Of \$1,281,593.83 (Oakland Police  
Department). Plaintiff Obtained A Jury Verdict In 2006, Later Reduced By Court Order, In The  
Lawsuit Alleging Unlawful Discrimination On The Basis Of Gender And Pregnancy When The  
City Did Not Promote Plaintiff To The Rank Of Captain Of Police.  
[07-1540](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
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10.24-CC Subject: MacArthur Transit Village Project  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Rezoning The MacArthur Transit Village Project Site Located At The MacArthur Bart Station Between 40th Street, Telegraph Avenue, West MacArthur Boulevard And Highway 24 From The C-28 Commercial Shopping, R-70 Residential High Density And The S-18 Design Review Combining Zone To The S-15 Transit Oriented Development Zone; And Adopting A Text Amendment To Modify Required Open Space In The S-15 Zone  
[07-1236-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.25-CC Subject: Bicycle Parking Regulations  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Amending The Oakland Municipal Code To: (1) Add Chapter 17.117 "Bicycle Parking Regulations" To The Planning Code, Which Will Create Bicycle Parking Requirements For Certain Types Of Development And Making Related Amendments To Other Provisions Of The Planning Code; And (2) Amend Chapter 9.52 Of The Oakland Municipal Code, "Special Event Permit," To Require Valet Bicycle Parking At Large Public Events  
[07-1283](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individual spoke on this item:*  
- Sanjiv Handa  
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10.26-CC Subject: Zoning Map Amendments  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance, Recommended By The Planning Commission, Amending The Zoning Maps For Two Years, Applying The S-4 Design Review Combining Zone, Which Requires New Or Rehabilitated Non-Residential Facilities To Follow Established Design Review Procedures, To Those C-10, C-30, C-35 And C-40 Zones Which Are Designated In The General Plan As Neighborhood Center Commercial, Community Commercial And Urban Residential  
[07-1332](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.27-CC Subject: Muncpal Code Amendments - Sewer Design  
From: Community and Economic Development Agency  
Recommendation: Adopt An Ordinance Amending Title 13 Of The Oakland Municipal Code Adding Chapter 13.02 Authorizing The Engineer To Establish Sewer Design Standards  
[07-1406](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individual spoke on this item:*  
- Sanjiv Handa  
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10.28-CC Subject: Salary Ordinance Amendment - Classifications  
From: Finance and Management Agency  
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Add The Permanent Full Time Equivalent Classifications Of: Chief Deputy City Auditor To City Auditor, Assistant; Deputy City Auditor III To Performance Audit Manager; Deputy City Auditor II To Performance Auditor, Senior And Deputy City Auditor I To Performance Auditor  
[07-1414-1](#)

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

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

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10.29-CC Subject: Jack London District Parking Permit Fee  
From: Councilmember Nancy Nadel  
Recommendation: Adopt An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Modify Permit Fees Assessed By The Parking Division For The "Interim Mixed-Use Parking Permit Program For The Jack London District," As Follows: (A) Modify The Cost Of One-Day Permits From One Dollar (\$1) To Ten Dollars (\$10); And (B) Modify The Cost Of Two-Week Permits From Five Dollars (\$5) To Fifty Dollars (\$50), In Order To Maintain The Program's Cost-Neutrality  
[07-1440-1](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*

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S-10.30-C Subject: City Stables Paddocks Project  
C From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The City Stables Paddocks Project To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Or If All Bids Submitted Are Non-Responsive, To Reject All Bids, Waive Further Competitive Bidding Requirements, And Negotiate A Contract Within Budget, For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) Without Return To Council  
[07-1391](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: Oakland/Alameda Bicycle And Pedestrian Estuary Crossing  
C From: Community and Economic development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The City Of Alameda To Provide \$10,000.00 In City Of Oakland Measure B Bike Facility Design And Implementation Funds For The Oakland/Alameda Bicycle And Pedestrian Estuary Crossing Feasibility Study  
[07-1420](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: C2 "C Squared" Alternative Services - Contract  
C From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing A Waiver Of The Competitive Request For Proposal/Qualification Process And Authorizing The City Administrator To Enter Into A Professional Services Agreement With C2 "C Squared" Alternative Services In An Amount Not To Exceed Fifty Thousand Dollars (\$50,000) For Five Years Beginning With Fiscal Year 2008-2009 And Ending With Fiscal Year 2012-2013 To Provide A Unique Used Oil Recycling Educational Curriculum At Various Adult English As Second Language (ESL) Education Venues In Oakland  
[07-1428](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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: 7th Street Streetscape Project - West Oakland BART  
C From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To Four Hundred Fifty Thousand Dollars (\$450,000.00) In Fiscal Year 2008-2009 Transportation Fund For Clean Air (TFCA) Funds For The 7th Street (West Oakland BART) Streetscape Project  
[07-1444](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.34-C Subject: Revocable And Conditional Permit - Jack London Square Investors  
C From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting Jack London Square Investors II, LLC, A  
Revocable And Conditional Permit For A New Pedestrian Bridge To Encroach Over  
Embarcadero And Connect A New Parking Garage At 255 2nd Street With A New Commercial  
Building At 65 Harrison Street  
[07-1447](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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S-10.35-C Subject: Civicorps Schools - Agreement Amendment  
C From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An  
Amendment To An Existing Agreement With Civicorps Schools (Formerly Known As The East  
Bay Conservation Corps) Increasing The Contract By Forty-Three Thousand Dollars  
(\$43,000.00) For A Total Contract Amount Not To Exceed One Hundred Ninety-Three  
Thousand Dollars (\$193,000.00) To Deliver Educational Materials And Recycling And Other  
Related Services  
[07-1452](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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S-10.36-C Subject: On-Call Bridge Maintenance  
C From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Ray's Electric For The On-Call Bridge Maintenance Services Fiscal Year 2008-2009 (City Project C321710), For The Amount Of Four Hundred Fifty Thousand Dollars (\$450,000.00), With An Option To Extend The Contract For An Additional One-Year Term In The Amount Of Five Hundred Thousand Dollars (\$500,000.00)

[07-1465](#)

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

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

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S-10.37-C Subject: 2008-2009 Debt Management Policy And Swap Policy  
C From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland's Debt Management Policy And Swap Policy For Fiscal Year 2008-2009; And

[07-1426](#)

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

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

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[81462 CMS.pdf](#)

2) An Agency Resolution Adopting The Oakland Redevelopment Agency's Debt Management Policy And Swap Policy For Fiscal Year 2008-2009

[07-1426-1](#)

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

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

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S-10.38-C Subject: 2008-2009 Investment Policy  
C From: Finance and Management Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2008-2009; And  
[07-1427](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[2008-0065 CMS.pdf](#)

2) A Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2008-2009  
[07-1427-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[81463 CMS.pdf](#)

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S-10.39-C Subject: Jack London District Interim Mixed-Use Parking Program Amendments  
C From: Councilmember Nancy Nadel  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12864 C.M.S., To Modify The Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program Area, In Order To Include All Of The Merchants, Businesses, Employees, And Residents Along The Waterfront And At 401 Broadway Street, As Follows: (A) Extend The Southern Boundary Of The Permit Parking Area South Approximately Two Blocks From Embarcadero West, To The Edge Of The Estuary, Between Oak Street And Washington Street Only, Extending The Eastern Boundary In A Straight Line Down Oak Street To The Water; And (B) Extend The Northern Boundary Of The Permit Parking Area North One Block From Fourth Street, Between Washington Street And Broadway Only, To Include The Southern Side Of Fifth Street Only (TITLE CHANGE)  
[07-1440](#)

**This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on September 16, 2008 on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.40-C Subject: Raiders Surcharge Revenue And Appropriation  
C From: Budget Office  
Recommendation: Adopt A Resolution Increasing Estimated Revenue And Offsetting Appropriation From The 2007 Raiders Ticket Surcharge And Authorizing A Transfer Of \$174,560.10 From The Non-Departmental Citywide Activities To The Office Of Parks And Recreation To Benefit Citywide Youth Activities  
[07-1453](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individual spoke on this item:*  
- Sanjiv Handa  
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S-10.41-C Subject: Emergency Vehicle Replacement  
C From: Public Works Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Appropriate The  
Emergency Services Retention Act Of 1997 Fund (Measure M Fund #2412) Balance Of One  
Million One Hundred Thousand Dollars (\$1,100,000) To Purchase Three Engines, Which Is  
Eighty Percent (80%) Of The Price Of The Engines, Which Are Essential Equipment To Provide  
Medical Related Emergency Services  
[07-1477](#)

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

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

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S-10.42-C Subject: RMT Landscape Contractors, Inc. - Contract  
C From: Public Works Agency  
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And  
Authorizing A Negotiated One (1) Year Contract With RMT Landscape Contractors, Inc. With  
The Option For Two (2) One-Year Extensions To Maintain Landscaping On The Mandela  
Parkway In Accord With The City's Specifications In A Not-To-Exceed Amount Of \$117,000.00  
Each Year For A Total Amount Not-To-Exceed \$350,000.00 Over Three Years  
[07-1397-1](#)

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

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

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S-10.43-C Subject: St. Joseph's Professional Center Relocation  
C From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Relocation Plan For The St. Joseph's Professional Center At  
2647 International Boulevard; And

[07-1369](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Brunner, Member 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 Approving The Relocation Plan For The St. Joseph's Professional Center At 2647 International Boulevard  
[07-1369-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[2008-0066 CMS.pdf](#)

S-10.44-C Subject: East Gateway Development Area  
C From: Community and Economic Development  
Recommendation: Adopt The Following Pieces Of Legislation:

(1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Supplemental Agreement No. 1-B, Which Supplements Section 6.5 Of The Memorandum Of Agreement Among The City Of Oakland, The Oakland Redevelopment Agency And The Port Of Oakland Relating To The Fair Share Basis Cost Agreement For The Deconstruction Of Buildings 804, 805, 806, 807, And 808 Within The East Gateway Development Area Of The Former Oakland Army Base;  
[07-1383](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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(2) A City Resolution Authorizing The Agency Administrator To Negotiate And Execute A Supplemental Agreement No. 1-B, Which Supplements Section 6.5 Of The Memorandum Of Agreement Among The City Of Oakland, The Oakland Redevelopment Agency And The Port Of Oakland Relating To The Fair Share Basis Cost Agreement For The Deconstruction Of Buildings 804, 805, 806, 807, And 808 Within The East Gateway Development Area Of The Former Oakland Army Base;  
[07-1383-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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(3) An Agency Resolution Contributing An Amount Not-To-Exceed \$1,505,838 From The OBRA Operations Fund (9570), West Oakland Base Reuse Organization (88679), Bay Bridge Gateway Project (S235323), Miscellaneous Contract Services Account (54919) To The City Of Oakland For The City's Fair Share Cost Of Deconstructing Buildings 804, 805, 806, 807 And 808 Within The East Gateway Development Area Of The Former Oakland Army Base;  
[07-1383-2](#)

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

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

(4) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not-To-Exceed \$1,505,838 To Fund The City's Fair Share Cost Of Deconstructing Buildings 804, 805, 806, 807 And 808 Within The East Gateway Development Area Of The Former Oakland Army Base  
[07-1383-3](#)

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

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

*The following individuals spoke on this item:*

- Dexter Vizinau
- Steve Lowe

S-10.45-C Subject: Quarterly Newsletter For Redevelopment Agency  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate, Execute And Amend Professional Services Contracts As Needed Without Returning To The Agency For The Design, Development And Production Of A Quarterly Newsletter For The Redevelopment Agency In An Amount Not To Exceed \$60,000 For Fiscal Year 2008-2009  
[07-1385](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa
- [View Report.pdf](#)  
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S-10.46-C Subject: St. Mary's Contract  
C From: Community and Economic Development  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Negotiate And Enter Into A Grant Agreement With St. Mary's Center In An Amount Not To Exceed \$350,000 For The Period Of July 1, 2008 To June 30, 2009 For The Acquisition Of Properties For St. Mary's Center Village At 925 Brockhurst Street  
[07-1386](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.47-C Subject: Central District Basement Backfill And Repair Program Expansion  
C From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Amending Resolution No. 2008-0006 C.M.S. To: (1) Revise And Expand The Central District Basement Backfill And Repair Program, (2) Allocate An Additional \$2,000,000 For The Revised And Expanded Program For A Total Aggregate Amount Of \$3,100,000 From Fiscal Year 2007-2009 Central District Funds, And (3) Authorize The Agency Administrator To Make Grants And Loans Under The Program Without Returning To The Agency  
[07-1418](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.48-C Subject: Oakland Universal Health Access Initiative  
C From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate A Three-Year Grant Of \$3,000,000 From Kaiser Permanente Northern California Fund For Community Benefit At The East Bay Community Foundation To Launch The Oakland Universal Access Initiative In Schools And To Execute A Grant Agreement Between The City Of Oakland And The Oakland Unified School District In An Amount Not To Exceed \$75,000 In Year One For The Period July 1, 2008 To June 30, 2009, With Two Consecutive Twelve Month Renewal Options In An Amount Not To Exceed \$75,000 Each Year, And To Execute A Grant Agreement Between The City Of Oakland And The Alameda County Health Care Services Agency In An Amount Not To Exceed \$551,000 In Year One For The Period July 1, 2008 To June 30, 2009, With Two Consecutive Twelve Month Renewal Options In Amounts Not To Exceed \$1,117,250 In Year Two, And \$1,061,750 In Year Three  
[07-1466](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.49-C Subject: Union Pacific Blight Abatement Grant  
C From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Allocate A Grant Award From Union Pacific Foundation In The Amount Of \$15,000 To Augment The Community Cleanup Corps (CCC) Pilot Program And To Amend The Current \$50,000 Agreement With Goodwill Industries, Inc. To Add \$15,000 For A Total Contract Amount Of \$65,000  
[07-1354](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.50-C Subject: Oil Spill Contingency Work Reimbursement  
C From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To Apply For, Accept And Appropriate Two Grants Totaling Fifty Thousand Dollars (\$50,000.00), From The Department Of Fish And Game For Approximately Fifteen Thousand Dollars (\$15,000.00) In Reimbursement To Oakland For Its Costs Of Updating And Revising The Alameda County Oil Spill Contingency Plan And Approximately Thirty Five Thousand Dollars (\$325,000.00) To Be Distributed To Participating Agencies  
[07-1445](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.51-C Subject: Computer Forensics Training And Support  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator To, 1) Enter Into A Memorandum Of Understanding With The Federal Bureau Of Investigation (FBI) And The Silicon Valley Regional Computer Forensics Laboratory (RCFL) To Provide Computer Forensic Investigator Training And Computer Forensics Laboratory Support To The Oakland Police Department (OPD), And 2) Receive Overtime Reimbursements Up To Fifteen Thousand Dollars (\$15,000) Per Year And Accept Title To Property And Equipment Given To OPD By RCFL  
[07-1455](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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S-10.52-C Subject: Opposition To State Initiative 07-0094 - The Runner Initiative  
C From: Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Opposing California State Initiative 07-0094, The Runner Initiative, A Proposed Ballot Measure That Would Annually Shift Half A Billion Dollars In State Resources From Education And Crime And Violence Prevention Services To Increase Funding For Criminal Justice Programs That Will A) Facilitate The Prosecution Of More Youth As Adults; B) Increase Penalties For Drug Offenses And Offenses Alleged To Be "Gang" Related; C) Create Mandatory Criminal Background Checks For Housing Subsidy Recipients; And D) Prohibit Bail For Undocumented Immigrants Charged With "Gang Related" Felonies  
[07-1334](#)

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

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

**A motion was made by Councilmember Quan, seconded by Councilmember Nadel, 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, Member 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 Reid, seconded by Councilmember Quan, the report from the Office of the City Attorney of two final decisions made during Closed Session. Please refer to Attachment "A" for the details of the two final decisions. The motion carried by the following vote:**

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

12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the Sunshine Ordinance

**A motion was made by Councilmember Brunner, seconded by Member Chang, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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

*There was no action necessary for this item*

**14. Consideration of items with statutory Public Hearing Requirements:**

14.1 Subject: Central City East Redevelopment Project - Implementation Plan  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The 2008-2013 Implementation Plan For the Central City East Redevelopment Project; And

[07-1173](#)

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**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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 A One-Year Extension Of The Project Area Committee For The Central City East Redevelopment Project To July 29, 2009  
[07-1173-1](#)

**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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 7:45 p.m.*

*The following individuals spoke on this item:*

- Arthur Clark
- Kenneth Harvey
- Gloria Jeffery

*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*  
[81475 CMS.pdf](#)

14.2 Subject: Piedmont Pines Undergrounding  
From: Public Works Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution In Favor Of An Affirmative Vote For City-Owned Parcels In The Assessment Ballot Of The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase I And Ratifying The City Administrators's Authority To Do So; And  
[07-1542](#)  
[Play Video](#)

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

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

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2) A Resolution 1) Overruling Protests; 2) Determining Results Of Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase I; 3) Confirming Assessments And Adopting Engineer's Report; 4) Ordering The Improvements To Be Made; 5) Directing The City Clerk And The Director Of Public Works To File And Record Certain Documents Including A Notice of Assessment; 6) Directing Mailing To Property Owners Of A Notice Of Assessment; And 7) Designating The Treasury Manager To Collect And Receive Money

[07-1542-1](#)

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

**Votes:** ORA\Councilmember Noes: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member 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 7:34 p.m.*

*The following individuals spoke on this item:*

- Ryan Hatcher
- Dick Spees

*Agency/Councilmember Quan made a motion, seconded by Agency/Councilmember Nadel, 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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14.3 Subject: Lake Merritt/Uptown Community Benefit District  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Establishing The Lake Merritt/Uptown Community Benefit District Of 2008, Approving The  
Management Plan, Directing Filing of The Proposed Assessment District Boundary Description,  
Making A Determination With Regard To The Majority Protest Procedure For Approval Of The  
Proposed Assessments; And Approving The Assessments For The District  
[07-1543](#)  
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**A motion was made by Councilmember Nadel, seconded by  
Councilmember Kernighan, that this matter be Adopted as Amended. The  
motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member 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 7:59 p.m.*

*The following individuals spoke on this item:*

- George Rosen
- Antonio May
- Michael Bowman
- Peter Birkholz
- Chris Kattenburg
- Sanjiv Handa
- Thomas Garrity
- Dan Cushing
- Christopher Curtis
- Scott Stafford
- Deborah Boyer

*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*

*Councilmember Nadel made a motion seconded by Councilmember Kernighan  
to amend the Lake Merritt/Uptown Community Benefit District by removing the  
following parcels: 0634 001, 0634 003, 0634 004-045, 0634 047-053, 0627  
002, 0627 038-03, 0627 005, 0627 006, 0627 037 0. The motion passed with 7  
Ayes, 1 Absent - Brunner*



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[81478 CMS.pdf](#)

14.4 Subject: Downtown Oakland Community Benefit District  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces  
Of Legislation:

1) A Resolution Establishing The Downtown Oakland Community Benefit District Of 2008,  
Approving The Management Plan, Directing Filing Of The Proposed Assessment District  
Boundary Description, Making A Determination With Regard To The Majority Protest Procedure  
For Approval Of The Proposed Assessments; And Approving The Assessments For The District;  
And

[07-1544](#)

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**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 Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member 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 Downtown Oakland Community Benefit District Of 2008 Assessment For The Four (4) Agency-Owned Properties On Which An Assessment Is To Be Levied (APN: 001 0201 010 00, 002 0097 045 00, 008 0620 009 03, 008 0641 008 05) In An Amount Not To Exceed A Total Of \$30,438 For The Fiscal Year 2008/2009 Assessment Period  
[07-1544-1](#)

**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 Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member 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 8:37 p.m.*

*The following individuals spoke on this item:*

- JC Wallace  
- Scott Stafford

*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*  
[2008-0071 CMS.pdf](#)

14.5 Subject: Fremont Pool Facility Improvements  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing Central City East Redevelopment Funds In The Amount Of \$800,000 To The City Of Oakland Under The Cooperation Agreement For Exterior Renovation Improvements To The Fremont Pool Facility At 4559 Foothill Boulevard; And  
[07-1358](#)

**A motion was made by Councilmember Quan, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[2008-0072 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Funds From The Redevelopment Agency In The Amount Of \$800,000 Under The Cooperation Agreement For Exterior Renovation Improvements To The Fremont Pool Facility At 4559 Foothill Boulevard

[07-1358-1](#)

**A motion was made by Councilmember Quan, 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, Member 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 8:38 p.m.*

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

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14.6 Subject: Extension Of Recycling Facility Moratorium  
From: Community and Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance For The Extension Through December 16, 2008 Of Ordinance No. 12873 C.M.S., An Interim Ordinance, Adopted As An Urgency Measure Pursuant To California Government Code Section 65858, Establishing, A Temporary Moratorium On The Establishment Or Expansion Of An Activity Or Facility That Involves Primary Recycling And Intermediate Processing Facilities, To Take Effect Immediately Upon Adoption

[07-1518](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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 8:43 p.m.*

*The following individual spoke on this item:*

*- Sanjiv Handa*

*Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Chang, 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:**

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15 Subject: Declaration Of The June 3, 2008 Election Results  
From: Office Of The City Clerk  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Declaring The Results Of The Municipal Nominating Election Held On Tuesday, June 3, 2008; And  
[07-1530](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[81481 CMS.pdf](#)

2) A Resolution Requesting Consolidation Of The City Of Oakland General Municipal Election (Run-Off) With The Statewide General Election To Be Held On Tuesday, November 4, 2008  
[07-1530-1](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
[81482 CMS.pdf](#)

16            Subject:    Police Services Ballot Measure  
              From:        Office of the Mayor  
              Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The  
                                 Electors At The November 4, 2008 Statewide General Election, A Proposed Ordinance Creating  
                                 A Special Parcel Tax For Increased Police Personnel; Consolidating The Election With The  
                                 Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of  
                                 Arguments And Provide For Notice And Publication In Accordance With The November 4,  
                                 2008, Statewide General Election

[07-1485](#)

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

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brooks and President of the  
Council De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and  
Councilmember Reid

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Subject: Police Services Ballot Measure  
From: Councilmember Jane Brunner  
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At The November 4, 2008 Statewide General Election, A Proposed Ordinance Creating A Special Parcel Tax To Increase Police Personnel And Add A Data Management System; Consolidating The Election With The Statewide General Election; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The November 4, 2008, Statewide General Election  
[07-1485-1](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Noes: 2 - Councilmember Brooks and President of the Council De La Fuente  
ORA\Councilmember Ayes: 5 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan  
*A motion was made by Councilmember Brunner seconded by Councilmember Kernighan to amend the resolution as follows:*

*Part 2, Section 9. MINIMUM STAFFING*

*A. No tax authorized by this Ordinance may be collected in any year that the number of police officers employed by the City of Oakland is less than 740. If 740 police officers are employed, then the parcel tax shall be collected as provided for in this Ordinance, except as provided in Section B below.*

*B. The Violence Prevention and Public Safety Act of 2004 (hereinafter referred to as 'Measure Y') is in effect until December 31, 2014. While Measure Y or a renewal of Measure Y is in effect, no tax authorized by this Ordinance may be collected in any year that the number of police officers employed by the City of Oakland is less than 803.*

*C. Once the collection of the parcel tax imposed by this Ordinance commences, the amount of the parcel tax can only be increased if the number of police officers are employed as specified in Part 2, Section 30) of the Ordinance and such increase will be delayed until such officers are so employed.*

*D. Once each year of the term of the parcel tax imposed by this Ordinance, the City Council shall determine the number of police officers that have been employed by the City of Oakland and whether this parcel tax is to be imposed. This annual determination shall be made at a public City Council meeting.*

*E. Police officers and Measure Y officers shall be deemed employed by the City of Oakland if they are employed as a police officer.*

*and amending the language on Page 8 to include:*

*"or crime analysts" and deleting "I and II" from police service technicians.*

*The following individuals spoke on this item:*

- Dinah Benson
- Geoff Collins
- James Price
- Keith Muhammad
- Steven Edrington
- John Wagers
- Marleen Sacks
- Greg McConnel
- Carlos Plazola
- Sanjiv Handa

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From: The Office of the City Auditor

Recommendation: Requested Change To The Audit Requirements For The Proposed 2008  
Oakland Police Services Expansion Measure

[07-1485-2](#)

*No Action Taken*

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17 Subject: Spousal Retirement Benefits Ballot Measure  
From: Finance and Management Agency  
Recommendation: Adopt A Resolution Submitting, On The Oakland City Council's Own Motion, A Proposed Charter Amendment, Entitled, "Measure Allowing All Widows And Widowers Of Members Of The City Of Oakland Police And Fire Retirement Systems Who Remarry To Receive Spousal Retirement Benefits" To Be Submitted To The Electors At The Election Of November 4, 2008; Directing The City Clerk To Fix The Date For Submission Of Arguments And To Provide For Notice And Publication In Accordance With The Law And Authorizing Certain Other Election Activities  
[07-1487](#)  
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**A motion was made that this matter be Not Adopted. The motion failed by the following vote:**

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember Reid  
ORA\Councilmember Noes: 2 - Councilmember Quan and President of the Council De La Fuente  
ORA\Councilmember Ayes: 4 - Councilmember Brooks, Member Chang, Councilmember Kernighan and Councilmember Nadel  
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18 Subject: Business Services Contract  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement With Oakland Commerce Corporation For Business Retention And Expansion Services To Businesses In Oakland In An Amount Not To Exceed \$150,000 On A Month-To-Month Basis For The Period Beginning July 1, 2008, And Ending No Later Than December 31, 2008, And Authorizing An Amount Not To Exceed \$4,500 For Contract Compliance  
[07-1237-2](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Nadel  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individuals spoke on this item:*  
- Steve Lowe  
- Sanjiv Handa  
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[2008-0073 CMS.pdf](#)

19

Subject: Hiring Practices Audit  
From: Council President Ignacio De La Fuente  
Recommendation: Adopt A Resolution Requesting The City Auditor To Conduct A Hiring Practices Performance Audit Covering The Period Of July 1, 2005 To June 30, 2008  
[07-1545](#)  
[Play Video](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*A motion was made by Councilmember Kernighan seconded by Councilmember Chang to amend the resolution by changing the date of the audit to cover the period of July 1, 2003 to June 30, 2008*

*The following individuals spoke on this item:*

- Tom Thurston
  - Vicky Carson
  - Andre Spearman
  - Carlos Plazola
  - Geoffrey Pete
  - Gene Hazzard
  - Sanjiv Handa
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20

Subject: Mid-Cycle Budget Amendments  
From: The Budget Office  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The Mid-Cycle Policy Budget For Fiscal Year 2008-2009 Which The City Council Adopted Pursuant To Resolution No. 81403 C.M.S. On June 17, 2008; And  
[07-1546](#)  
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**A motion was made by Councilmember Quan, seconded by Councilmember Brunner, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member 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 Amending The Mid-Cycle Oakland Redevelopment Agency Budget For Fiscal Year 2008-2009 Which The Redevelopment Agency Adopted Pursuant To Resolution No. 2008-0057 C.M.S. On June 17, 2008

[07-1546-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Council directed staff to go to the 2 redevelopment agencies that don't have Project Area Committees (PACs) to fund the Public Safety Director and to go to the other areas that do have PACs and ask for permission to fund the Public Safety Director from their monies. The funding should come from the designated administration monies.*

*The following individual spoke on this item:*

- *Sanjiv Handa*  
[2008-0074 CMS.pdf](#)

21

Subject: Sports4kids - Agreement  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Agreement Between The City Of Oakland And Sports4kids To Provide Violence Prevention Services For A Total Amount Not To Exceed \$94,245 The Period Of July 1, 2008 To June 30, 2009

[07-1516](#)

**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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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22 Subject: El Embarcadero And Lakeshore Avenue Project - Measure DD Allocation  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Amending Resolution No. 77965 C.M.S. To Reallocate Additional Measure DD, Series 2003A Bond Proceeds In The Amount Of One Million Seven Hundred Forty-Four Thousand Seven Hundred Ten Dollars (\$1,744,710.00) To The Park And Street Improvements Of El Embarcadero And Lakeshore Avenue Project, And To Authorize The City Administrator, Or The City Administrator's Designee, To Reallocate Measure DD, Series 2003A Bond Proceeds And To Allocate To Measure DD, Series B And Series C Funds, As The City Administrator Deems Necessary For The Timely Completion Of Specific Measure DD Projects  
[07-1547](#)

**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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[81487 CMS.pdf](#)

23 Subject: East Oakland Sports Center - Measure DD Allocation  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Amending Resolution No.77965 C.M.S. To Reallocate Additional Measure DD, Series 2003A Bond Proceeds In The Amount Of Eight Million Four Hundred Fifteen Thousand Dollars (\$8,415,000) To The East Oakland Sports Center Project, And To Authorize The City Administrator, Or The City Administrator's Designee, To Reallocate Measure DD, Series 2003A Bond Proceeds And To Allocate To Measure DD, Series B And Series C Funds, As The City Administrator Deems Necessary For The Timely Completion Of Specific Measure DD Projects  
[07-1548](#)

**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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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- 24      Subject:    Measure Y Oversight Committee - Appointment  
From:        Councilmember Brunner  
Recommendation: Adopt A Resolution Appointing Joanne Brown As A Member Of The  
Violence Prevention And Public Safety Oversight Committee  
[07-1526](#)
- A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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- 25      Subject:    Children's Fund Planning And Oversight Committee Appointment  
From:        Councilmember Jane Brunner  
Recommendation: Adopt A Resolution Appointing David Klein As A Member Of The Children's  
Fund Planning And Oversight Committee  
[07-1541](#)
- A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel,  
Councilmember Quan, Councilmember Reid and President of the Council De La  
Fuente  
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- 26      Subject:    2521 And 2529 Seminary Avenue - Real Property Purchase  
From:        Community And Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At  
2521 And 2529 Seminary Avenue, From Danilo Mayorga Sr. For \$1,450,000 Less Cost Of  
Environmental Site Remediation And Authorizing Up To \$100,000 For Costs For Demolition  
And Real Estate Closing  
[07-1310-1](#)
- 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 Abstained: 2 - Councilmember Kernighan and  
Councilmember Quan  
ORA\Councilmember Noes: 1 - President of the Council De La Fuente  
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Councilmember  
Brunner, Member Chang, Councilmember Nadel and Councilmember Reid  
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S-27 Subject: Municipal Boathouse: Park & Street Improvements  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee To:  
1) Award A Construction Contract To The Lowest, Responsive, Responsible Bidder, McGuire  
And Hester For The Park And Street Improvements For The Municipal Boathouse And Lakeside  
Drive Project In The Amount Of Three Million Eight Hundred Twenty-Five Thousand Four  
Hundred Dollars (\$3,825,400.00) In Accordance With The Specifications For The Project And  
Contractor's Bid; 2) Appropriate \$1,318,818.00 Of Measure DD Series B Funds In The Lake  
Merritt Path Improvement Project (C242311); 3) Appropriate \$2,280,933.00 Of Measure DD  
Series B Funds In The Lake Merritt Path Improvement Project (C242310) And; 4) Appropriate  
\$278,032.00 Of Measure DD Series B Funds In The Systemwide Project (C242110)  
[07-1392](#)

**A motion was made by Councilmember Reid, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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S-28 Subject: Two-Hour Parking Limit And New Residential Permit Parking Area  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving The Implementation Of A Preferential Residential Permit Parking (PRPP) Area On Ruby Street From 38th Street To 40th Street And On 38th Street From Ruby Street To Telegraph Avenue As An Addition To The Existing Area "A" PRPP, And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two Hours, Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Chapter 10.44

[07-1421](#)

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

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

*The following individual spoke on this item:*

- Kevin Hawkins

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S-29

Subject: City Administrator - Summer Recess Authorization

From: Office of the City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Make Grant Awards, Accept Grant Funds And Take Action On Procurement Of Certain Supplies, Contruction Labor And Materials Exceeding \$500,000.00 And Professional Services Contracts Exceeding \$300,000.00 During The City Council Annual Recess Of 2008 As Follows:

1. Resolutions Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute Grant Agreements With Provider - To Be Determined In Amounts To Be Determined, For Head Start Family Child Care Services For Program Year 2008-2009, Contingent Upon Receipt Of Grant Funding, Authorizing The City Administrator To Extend Grant Funding Of Each Grant Agreement For One Additional Year In An Additional Aggregate Amount And Two-Year Total To Be Determined,
2. Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child Care Food Program (CCFP) Grant From The California Department Of Education In An Estimated Amount Of Three Hundred Seventy Five Thousand Dollars (\$375,000.00) To Provide Funding For Nutritious Meals For The City Of Oakland»S Head Start Program For Program Year 2008-2009,
3. Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate The California State Preschool Expansion Grant From The California Department Of Education In An Amount To Be Determined For Program Year 2008-2009, And Authorizing A Grant Agreement With The Unity Council For An Amount To Be Determined To Fund Child Development And Family Literacy Services In Accord With Said Grants,
4. Resolution Authorizing The City Administrator On Behalf Of The City Of Oakland To Accept And Appropriate The Even Start Family Literacy Grant For Program Year 2008-2009 From The State Of California Department Of Education In The Amount Of One Hundred Nine Thousand Six Hundred Twenty Three Dollars (\$109,623.00) For The City Of Oakland San Antonio Even Start Program,
5. Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Oakland Police Department Locker Room Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder/Contractor To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed The Project Budget Of One Million Two Hundred Ninety-Seven Thousand Dollars (\$1,297,000.00), Or If All Bids Are Non-Responsive Or Otherwise Invalid, To Reject All Bids And Negotiate A Contract On The Open Market Within Budget Without Return To Council,
6. Resolution Waiving The Request For Proposal Process And Authorizing The City Administrator To Amend The Contract With Rajappan & Meyer Consulting Engineers Inc. For The 12th Street Reconstruction Project To Add Design And Engineering Services And To Increase The Contract By Three Hundred Thousand Dollars (\$300,000.00), For A Total Contract Amount Not-To-Exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000.00),

7. Resolution Authorizing The City Administrator Or Her Designee To Award Two (2) Professional Services Agreements For As-Needed Hydrology And Civil Engineering Services To Mactech Engineering And Consulting, Inc., And Philip Williams Associates, Ltd., For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) Each,
8. Resolution Awarding A Contract To The Lowest Responsible, Responsive Bidder, Andes Construction, Inc., For The Rehabilitation Of Sanitary Sewers In The Area Bounded By MacArthur Boulevard, Montana Avenue, Pleitner Avenue, Nicol Avenue, Berline Avenue, And Curkan Avenue (Project No. C267210) For An Amount Not To Exceed Two Million Five Hundred Eighty-Seven Thousand Dollars (\$2,587,000.00),
9. Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Derby Avenue To Lancaster Street Segment Of The Oakland Waterfront Trail (Project No. C243610) To The Lowest, Responsive And Responsible Bidder To Be Selected Upon Bidding Of The Project For An Amount Not To Exceed One Million Nine Hundred Thousand (\$1,900,000.00),
10. Resolution Authorizing The City Administrator, Or Her Designee, To Apply For, Accept, And Appropriate Grant Funds From The Roberti-Z'berg-Harris Urban Open Space And Recreation Program Under The Safe Neighborhood Parks, Clean Water, Clean Air, And Coastal Protection Bond Act Of 2000 In The Amount Of Two Hundred Fifty-Thousand Dollars (\$250,000.00) To The Montclair Park Pathway Improvement Project From The Laurel Park Acquisition/Development Project; And
11. Resolution Authorizing The City Administrator, Or Her Designee To Appropriate Two Hundred Fifty-Thousand Dollars (\$250,000.00) From The Joint Power Finance Authority (JPFA) Capital Project Series 2005 Fund (No. 5200) From The Montclair Park Project To The Laurel Park Acquisition/Development Project; And
12. Resolution Awarding A Construction Contract For The Montclair Park Pathway Improvements Project (Project No. To Be Determined) To The Lowest, Responsible And Responsive Bidder, Bay Construction Company, In The Amount Of Two Hundred Forty One Thousand Five Hundred Dollars (\$241,500.00)  
[07-1476](#)

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

*The following individual spoke on this item:*

*- Sanjiv Handa*



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S-30      Subject:      Whistleblower Protection  
From:          Council President De La Fuente And City Auditor Ruby  
Recommendation: Adopt An Ordinance Prohibiting Retaliation Against Employees Who Act As Whistleblowers  
[07-1021](#)  
[Play Video](#)

**A motion was made by Councilmember Kernighan, seconded by President of the Council De La Fuente, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on September 16, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Council directed staff to return in September with Resolution for the funding for the Whistle Blower Protection including the number of employees, the funding source and where it is coming from and what is being deleted to fund the program.*

*The following individuals spoke on this item:*

- Andre Spearman

- Gene Hazzard

- Sanjiv Handa

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S-31      Subject:    Master Developer Selection  
From:        Community and Economic Development Agency  
Recommendation: Action On A Report And Recommendations Regarding The Selection Of A  
Master Developer For A 108-Acre Portion Of The Former Oakland Army Base  
[07-1359](#)  
[Play Video](#)

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

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

*Council approved staff recommendations and directed staff to strike the following language from the RFP "However, destination retail would be inappropriate for the site due to access constraints;" and to specify in the RFP that work done on the land should be done by local small businesses*

*The following individuals spoke on this item:*

- Sharon Cornu
  - Phil Tagami
  - Merlin Edwards
  - Michael Spears
  - Reverend Michael Wallace
  - David Lezynski
  - Sean House
  - Monsa Nitoto
  - Sanjiv Handa
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S-32      Subject:    Fox Theater Project  
From:        Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Amend The Disposition And Development Agreement To Provide For A Bridge Loan Between The Agency And Fox Oakland Theater Inc (FOT), A Non-Profit Entity, In An Amount Not To Exceed \$7,450,000 To Fund The Completion Of The Fox Theater Renovation Project;

[07-1464](#)

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**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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[2008-0075 CMS.pdf](#)

2) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Tenant Improvement Grant Agreement Between The Agency And GASS Entertainment Inc. In An Amount Not To Exceed \$2,000,000, To Fund The Completion Of The Fox Theater Renovation Project;

[07-1464-1](#)

**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

[2008-0076 CMS.pdf](#)

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3) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Loan Agreement Between The Agency And Fox Theater Master Tenant, LLC In An Amount Not To Exceed \$2,700,000 To Fund Needed Tenant Improvements In The Fox Theater;

[07-1464-2](#)

**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

[2008-0077 CMS.pdf](#)

4) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Loan Agreement Between The Agency And The Oakland School For The Arts In An Amount Not To Exceed \$2,300,000 To Fund The Tenant Improvements In The New Wrap-Around Portion Of The Building;

[07-1464-3](#)

**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

[2008-0078 CMS.pdf](#)

5) An Agency Resolution Authorizing The Agency Administrator To Apply For, Accept And Appropriate Grant Funds From The Following: (1) California Cultural And Historical Endowment Grant In An Amount Not To Exceed \$1,400,000; (2) Department Of Housing And Community Development Infill Infrastructure Grant In An Amount Not To Exceed \$10,000,000; And A Federal Housing And Urban Development Grant In An Amount Not To Exceed \$3,000,000; And

[07-1464-4](#)

**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

[2008-0079 CMS.pdf](#)

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6) An Agency Resolution Authorizing The Agency Administrator To Accept And Appropriate \$68,750 In Historic Mitigation Funds From Signature At Broadway Grand LLC, For The Fox Theater Project

[07-1464-5](#)

**A motion was made by Councilmember Brunner, 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

*The following individuals spoke on this item:*

- Sanjiv Handa

- Monsa Nitoto

- Geoffrey Pete

- Gene Hazzard

- Phil Tagami

[2008-0080 CMS.pdf](#)

S-33

Subject: Permanent Access To Housing Grant Agreements

From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements Not To Exceed Total Allocation Of \$673,362, With Agencies Selected Under The City Of Oakland's 2008-2009 Permanent Access To Housing (PATH) Strategy To Provide Housing And Services To The Homeless; To Allocate \$133,000 In Match Funds To East Oakland Community Project For The 2008-2009 Families In Transition Program; To Release A Second Request For Proposals Under The 2008-2009 Path Strategy To Fill Service Gaps, Total Allocation Not To Exceed \$128,574; To Allocate Up To \$52,750 In Match Funds To East Oakland Community Project For The 2008-2009 Matilda Cleveland Transitional Housing Program (MCTHP); To Allocate Funds To Cover 2008/2009 Lease Cost At The MCTHP Facility In The Amount Of \$36,000; And To Allocate \$10,000 To The City's 2008/2009 Hunger Program; On The July 15, 2008 City Council Agenda

[07-1479](#)

**A motion was made by Member 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, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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S-34      Subject:    Resource Development Associates - Contract  
From:        Office of the City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And  
Execute A Contract Between The City Of Oakland And Resource Development Associates In An  
Amount Not To Exceed Three Hundred And Fifty Thousand Dollars (\$350,000) For Outcome  
And Process Evaluation Services Of The Measure Y Violence Prevention Programming, Fiscal  
Year 2008-2009, July 1, 2008 - June 30, 2009  
[07-1512](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Noes: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 6 - Member Chang, Councilmember Kernighan,  
Councilmember Nadel, Councilmember Quan, Councilmember Reid and  
President of the Council De La Fuente  
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S-35      Subject:    Attitudinal Healing Connection, Inc - Amended Agreement  
From:        Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An  
Amendment To The Agreement Between The City Of Oakland And Attitudinal Healing  
Connection, Inc. For An Amount Not To Exceed \$50,000 For A Total Amount Not To Exceed  
\$210,750, To Provide Restorative Justice Training And Coordination At Eight Middle Schools In  
Accordance With Measure Y For The Period Of July 1, 2008 To June 30, 2009  
[07-1513](#)

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

**Votes:** ORA\Councilmember Noes: 2 - Councilmember Brunner and Councilmember  
Quan  
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Reid and  
President of the Council De La Fuente

*The following individual spoke on this item:*

- Laura Moran

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S-36      Subject:      Support Of Assembly Bill 2058  
From:          Public Works Agency  
Recommendation: Adopt A Resolution In Support Of Assembly Bill 2058 (Levine) - Recycling:  
Plastic Carryout Bags, Paper Carryout Bags, Which Would Require On Or After July 1, 2011, A  
Store To Provide Plastic Carryout Bags To Customers For Not Less Than \$0.25 Per Bag If The  
Store Does Not Meet Or Exceed A Plastic Carryout Bag Diversion Rate Of 70% And To Provide  
Paper Carryout Bags To Customers For Not Less Than \$0.25 Per Bag  
[07-1515](#)  
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**A motion was made by Member Chang, seconded by Councilmember  
Quan, that this matter be Adopted. The motion carried by the following  
vote:**

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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### **Continuation of Open Forum**

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### **ADJOURNMENT OF COUNCIL SESSION**

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

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