

DRAFT



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, March 17, 2009

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:10 P.M.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individual(s) spoke under Open Forum:

- Sandra Black*
- Geoffrey Pete*
- Judy Glenn*
- Lynda Carson*
- Angela Howard*
- Dwight McElroy*
- John Momper*

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.

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No Action Taken

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- 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)

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No Action Taken

- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

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No Action Taken

The Roll Call was modified to note Councilmember Brooks absent at 6:36 P.M.

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on March 3, 2009

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Feather River Camp Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Celebrating The 85th Anniversary Of Oakland's Feather River Camp

09-0153

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

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

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The Roll Call was modified to note Councilmember Brooks present at 6:40 P.M.

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8.2 Subject: Project Teams Recognition
From: Council President Jane Brunner
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing Michael McDonald Of McDonald Construction And Development And The Entire Project Team Including Mike Dwyer, Fernando Sorto, Plumbob, LLC; Medium Plenty; Wonderland Gardens; Chris French Metal, Inc; And Concreteworks For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Homes Pilot Program And A Greenpoint Rating Through Build It Green For The Margarido House;

[09-0146](#)

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

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

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2) A Resolution Recognizing Mills College And The Entire Project Team Including: EHDD Architecture; Karen Fiene Architects; Peter H. Dodge, FAIA; James R. Griffin Construction, Inc; Rumsey Engineers, Silverman And Light; Archie Held Studio, And Dorothy Lenehan Architectural Glass For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction Program For The Betty Irene Moore Natural Sciences Building;

[09-0146-1](#)

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

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

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3) A Resolution Recognizing Earthjustice And The Entire Project Team Including: Design Avenues; West & East Bay Construction; Metropolitan Architecture; Constructive Technologies Group, Inc; And C & B Consulting Engineers For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The Earthjustice National Headquarters And Oakland Regional Office;
[09-0146-2](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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4) A Resolution Recognizing Steve And Janett Edrington, Of Go Green, LLC For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Greenpoint Rating Through Build It Green For 3926 Kansas Street And 3701 38th Avenue;
[09-0146-3](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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5) A Resolution Recognizing Oakland Housing Authority And The Entire Project Team Including: David Baker + Partners; Equity Community Builders; Cahill Contractors; Goldfarb And Lipman; CSG Advisors And Fugro West For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design For Neighborhood Development Pilot Program For The Tassafaronga Village;
[09-0146-4](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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6) A Resolution Recognizing The University Of California Office Of The President For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Existing Building Program For 1111 Franklin Street;
[09-0146-5](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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7) A Resolution Recognizing RPR Architects And The Entire Oakland Based Project Team Including Uptown Arts Building; Ingraham Dejesse Associates; W. E. Lyons Construction Co.; Sullivan Masonry And Restoration; Wooden Window; Paramount Aluminum And The Glass Man For The Restoration And Renovation Of The Uptown Arts Building At 1629 Telegraph Ave, Their Commitment To Sustainability And Green Building, And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Commercial Interiors Program For The RPR Architects Office;
[09-0146-6](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[81831 CMS.pdf](#)

8) A Resolution Recognizing Pulte Homes And The Entire Project Team Including Kava Massih Architects; Miller Company; And Civil Engineering Associates For Their Commitment To Sustainability And Green Building And Congratulating Them Attaining A Greenpoint Rating Through Build It Green For Zephyr Gate;
[09-0146-7](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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9) A Resolution Recognizing Brandywine Realty Trust And The Entire Project Team Including: Wright Heerema Architects; Charles Pankow Builders, LTD.; And Simon & Associates For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Gold Rating Through The US Green Building Council's Leadership In Energy And Environmental Design Core And Shell Program For Center 21 At 2100 Franklin Street;
[09-0146-8](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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10) A Resolution Recognizing Forest City Enterprises, MacFarlane Partners And The Entire Project Team Including: McLarand Vasquez Emsiek & Partners; James E. Roberts-Obayashi Corporation; LFR, Inc.; And CTG Energetics For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Silver Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction For The Uptown; And
[09-0146-9](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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11) A Resolution Recognizing StopWaste.Org And The Entire Project Team Including: Placeworks LLC; Komorous-Towey Architects; KEMA Green; BBI Construction; Four Dimensions; Rumsey Engineers, Inc.; OLMC Consulting Engineers; IDEAS; And Taylor Engineering For Their Commitment To Sustainability And Green Building And Congratulating Them On Attaining A Platinum Rating Through The US Green Building Council's Leadership In Energy And Environmental Design New Construction Program For 1537 Webster Street;
[09-0146-10](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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8.3

~~Subject: Dezie Woods Jones Recognition
From: Councilmember Rebecca Kaplan
Recommendation: Adopt A Resolution Acknowledging The Honorable Dezie Woods Jones For Her Years of Dedicated Service to The City of Oakland
[09-0171](#)~~

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Miles MacAffee, Leevurn Anthony Lyons, Cleveland Bellows, David L. Garrett and Mary Elizabeth Wright

Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Kita Albino

10. CONSENT CALENDAR (CC) ITEMS:

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The roll call was modified to show Councilmember Reid absent at 6:55 P.M.

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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
[09-0165](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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10.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The
City Of Oakland
[09-0166](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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10.3-CC Subject: Purchase And Sell Agreement - Jefferson And 18th Streets
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement To Sell Approximately Sixty (60) Square Feet Of City-Owned Surplus Real Property Located At Jefferson And 18th Streets To Wendy Neft Sanda And Kenneth Neft, The Adjoining Property Owners, For The Total Fair Market Value Of Three Hundred (\$300.00) Dollars
[09-0053](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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10.4-CC Subject: Taxicabs Insurance Requirements
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 "Taxicabs" To A) Require The Same Insurance Limits Required By The Oakland Airport For Taxicabs That Work At The Airport; And B) Move 1) Authority For The Design Of The Fleet Management Permit Application, And 2) Discretion To Deny Fleet Management Permits On The Basis Of Criminal Convictions From The Oakland Police Department To The Office Of The City Administrator
[09-0059](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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10.5-CC Subject: Lion Creek Crossings - Phase IV
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Adopting The Seventh Amendment To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For The Lion Creek Crossing Phase IV Project From "Mixed Housing Type Residential" And "Urban Residential" To "Neighborhood Center Mixed Use"; And
[09-0026-1](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 31, 2009 on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
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2) An Ordinance Rezoning The Lion Creek Crossings Phase IV Project Site, Located On Snell Street Between 69th And 70th Avenues, From The R-36 Small Lot Residential, R-50 Medium Density Residential And M-30 General Industrial Zoning Districts To The C-25 Office Commercial District; And
[09-0026-3](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 31, 2009 on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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10.6-CC Subject: Planning Code Amendments - Chapters 17.73 And 17.102
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend Chapter 17.102 "General Regulations Applicable To All Or Several Zones" To Include Performance Standards For Primary Collection Center Recycling Uses In All Zones; (2) Amend Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones" To Include Regulations Concerning Primary Collection Center Recycling Uses In CIX-1, CIX-2 And IG Zones; (3) Amend Chapter 17.10 "Use Classifications" To Delete "Intermediate Processing Facility" As A Land Use Activity Type From O.M.C. 17.10.586 "Recycling And Waste-Related Industrial Activities"
[07-1774-1](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
- Nara Dahlbacka
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10.7-CC Subject: Council President Brunner Travel Authorization
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing Council President Jane Brunner To Travel To Yosemite, California, To Attend The 18th Annual Building Livable Communities Conference March 13-15, 2009
[09-0173](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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10.8-CC Subject: Employer Pick Up Resolution Amendment
From: Finance and Management Agency
Recommendation: Adopt A Resolution Amending Resolution No. 81776 C.M.S. Entitled
Employer Pick Up Resolution Pre-Tax Payroll Deduction Plan For Service Credit Purchases
(Contribution Code 14) To Include Certain Terminology That The California Employees'
Retirement System (CalPers) Requires
[09-0178](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.9-CC Subject: Travel Authorization - Councilmember Jean Quan
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing Council Member Jean Quan To Travel To
Washington, DC On March 14-18, 2009 To Attend The National League Of Cities,
Congressional City Conference
[09-0182](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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10.10-CC Subject: OAKPAC - 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 OAKPAC, Oakland Metropolitan Chamber Of Commerce
Independent Expenditure Committee, Michael Colbruno, Scott B. Peterson v. City Of Oakland,
Oakland Public Ethics Commission, U.S. District Court, Northern District Of California, Case
No. CV 06-06366WHA, In The Amount Of \$75,000.00 In Attorney's Fees As Result Of A
Challenge To Provisions Of Oakland's Campaign Reform Act ("OCRA") That Set Contribution
Limits For Political Action Committees That Make Independent Expenditures
[09-0190](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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S-10.11-C Subject: Revocable And Conditional Permit - 1002 Webster Street
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Clarence And Elaine Yee A Revocable And
Conditional Permit To Allow An Existing Basement For A Building At 1002 Webster Street To
Encroach Under The Public Sidewalk Along 10th Street And Webster Street
[09-0051](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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S-10.12-C Subject: Emergency/Disaster Preparedness Training Agreement
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Enter Into A
Services Agreement With The Regional Administrative Facility Corporation (RAFC) For Nine
Thousand Dollars (\$9,000) To Provide Emergency/Disaster Preparedness Training To RAFC,
The Metropolitan Transportation Commission (MTC), The Agency Of Bay Areas Governments
(ABAG), And Bay Area Rapid Transit (BART); And (2) Accept, Appropriate And Administer
Revenues Generated By Said Agreement; And (3) Appropriate Revenues Generated By Such
Training To The Oakland Fire Department, Office Of Emergency Services (OES); (4) And To
Enter Into Future Services Agreements With RAFC, And To Accept, Appropriate, Administer
And Expend Future Revenue Funds Generated By Providing Emergency/Disaster Preparedness
Trainings Up To An Amount Of Forty Thousand Dollars (\$40,000), Annually, Without Further
Council Authorization Through
[09-0055](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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S-10.13-C Subject: 2008 Community Emergency Response Team Grant
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Fifty Five Thousand Dollars (\$55,000) For Federal Fiscal Year 2008 Community Emergency Response Team (CERT) Grant Period From State Of California Homeland Security Grant Program For The City Of Oakland, Office Of Emergency Services (OES) Communities Of Oakland Respond To Emergencies (CORE) Program
[09-0056](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:

- Paulette Hogan
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Passed The Consent Agenda

A motion was made by Councilmember De La Fuente, 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 Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council Brunner

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

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There were no decisions made during Closed Session

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

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

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

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

The roll call was modified to show Councilmember Reid present at 7:05 P.M.

14. Consideration of items with statutory Public Hearing Requirements:

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- 14.1 Subject: Affordable Housing Development Activities
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,344 To Bridge Housing Corporation For the St. Joseph's Family Phase IIB Project Located At 2647 International Boulevard And Appropriating \$3,850,344 In Fiscal Year 2009-2010 Home Investment Partnership Grant Funds;

[09-0091](#)

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

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

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2) A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,344 To Affordable Housing Associates For The 6th And Oak Senior Homes Project Located At 609 Oak Street;

[09-0091-1](#)

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

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

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3) A Resolution Amending Resolution No. 80477 C.M.S. To Extend By One Year The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$3,991,000 To Bridge Housing Corporation For The St. Joseph's Senior Apartments Project Located At 2647 International Boulevard;

[09-0091-2](#)

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

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

[81847 CMS.pdf](#)

4) An Agency Resolution Appropriating \$4,225,390 From Fund Balance In Low And Moderate Income Housing Funds To The Housing Development Program;

[09-0091-3](#)

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

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

[2009-0018 CMS.pdf](#)

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5) An Agency Resolution Appropriating \$464,467 Of Investment Earnings From The 2000 Subordinated Affordable Housing Bond Issue And \$2,564,240 Of Investment Earnings From The 2006 Housing Bond Proceeds Fund For Housing Development Activities;

[09-0091-4](#)

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

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

[2009-0019 CMS.pdf](#)

6) An Agency Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,019,656 To Bridge Housing Corporation for The St. Joseph's Family Phase IIB Project Located At 2647 International Boulevard;

[09-0091-5](#)

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

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

[2009-0020 CMS.pdf](#)

7) An Agency Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,699,656 To Affordable Housing Associates For the 6th And Oak Senior Homes Project Located At 609 Oak Street;

[09-0091-6](#)

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

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

[2009-0021 CMS.pdf](#)

DRAFT

8) An Agency Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$584,000 To Paul Wang Enterprises, For The Golf Links Road Homeownership Project Located At 8379, 8395 And 8477 Golf Links Road And To Allow Resales Of Project Units To Households Up To 120% Of Area Median Income;
[09-0091-7](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0022 CMS.pdf](#)

9) An Agency Resolution Amending Resolution No. 2007-0026 C.M.S. To (1) Increase The Amount Of An Affordable Housing Development Loan To Home Place Initiatives Corporation By \$990,000, For The Sausal Creek Homes Project Located At 2464-2470 26th Avenue For A Total Loan Amount Of \$3,980,000, (2) Reduce The Affordability Term From Perpetuity To 45 Years, And (3) Allow Resales Of Project Units To Households Up To 120% Of Area Median Income;
[09-0091-8](#)

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

Votes: ORA\Councilmember Noes: 1 - President of the Council Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid
[2009-0023 CMS.pdf](#)

10) An Agency Resolution Amending Resolution No. 2007-0022 C.M.S. To Increase The Amount Of An Affordable Housing Development Loan To Bridge Housing Corporation For The St. Joseph's Senior Apartments Project Located At 2647 International Boulevard By \$850,000 For A Total Agency Loan Amount Of \$4,639,000, And To Extend For 12 Months The Time Funds Are Reserved For The Project;
[09-0091-9](#)

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

Votes: ORA\Councilmember Noes: 1 - President of the Council Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and Councilmember Reid
[2009-0024 CMS.pdf](#)

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11) An Agency Resolution Amending Resolution No. 2007-0020 C.M.S. To Allow An Extension Of Time For An Existing Commitment Of Funds, Reduce The Funding Commitment From \$4,450,000 To \$1,600,000, Reduce The Number Of Units From 42 To 20, And Change The Address For The Project Pride Development To Be Located At 2545 San Pablo Avenue;
[09-0091-10](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0025 CMS.pdf](#)

12) An Agency Resolution Amending Resolution No. 2007-0021 C.M.S. To Extend By One Year The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$5,133,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California Jointly For The Harrison Street Senior Housing Project Located At 1633 Harrison Street And 321 17th Street;
[09-0091-11](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0026 CMS.pdf](#)

13) An Agency Resolution Amending Resolution No. 2006-0023 C.M.S. To Extend The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$1,868,000 To East Bay Habitat For Humanity For The Tassafaronga Village Homeownership Project Located At 949 85th Avenue; And
[09-0091-12](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0027 CMS.pdf](#)

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14) An Agency Resolution Amending Resolution No. 2008-0019 C.M.S. To Extend The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$2,910,000 To FHP Housing Associates For The Foothill Plaza Rental Project Located At 6311 Foothill Boulevard
[09-0091-13](#)

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

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

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:08 P.M.

The following individuals spoke on this item:

- Dr. Nancy Cross*
- Maizy Hennessy*
- Karoleen Feng*
- Paulette Hogan*

Agency/Councilmember De La Fuente 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, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -8
[2009-0028 CMS.pdf](#)

DRAFT

14.2 Subject: Rehabilitation Of Existing Affordable Housing
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount
Not To Exceed \$840,000 To Resources For Community Development For The Drachma
Housing Project Located At 1428 8th Street, 1510 9th Street, 1711 Goss Street, 1030 Wood
Street, 1479 12th Street, 1107 Center Street, 1503 12th Street, And Authorizing Loan Extensions
And/Or Changes In Terms For Existing Agency Loans For The Project;

[09-0092](#)

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

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

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[2009-0029 CMS.pdf](#)

2) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount
Not To Exceed \$1,257,000 To East Bay Asian Local Development Corporation For The Effie's
House (Ivy Hill) Project Located At 829 East 19th Avenue, And Authorizing Loan Extensions
And/Or Changes In Terms For Existing Agency Loans For The Project;

[09-0092-1](#)

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

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

[2009-0030 CMS.pdf](#)

DRAFT

3) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,655,000 To Resources For Community Development For The Eldridge Gonaway Commons Project Located At 1165 Third Avenue, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project;
[09-0092-2](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0031 CMS.pdf](#)

4) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,200,000 To Resources For Community Development For The Marin Way Court Apartments Project Located At 2000 International Boulevard, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project;
[09-0092-3](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0032 CMS.pdf](#)

5) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,100,000 To Affordable Housing Associates For The Oaks Hotel Project Located At 587 15th Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project.
[09-0092-4](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0033 CMS.pdf](#)

DRAFT

6) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,122,000 To East Bay Asian Local Development Corporation For The Hugh Taylor House Project Located At 1935 Seminary Avenue, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project
[09-0092-5](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0034 CMS.pdf](#)

7) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$1,920,000 To East Bay Asian Local Development Corporation For The Slim Jenkins Court Project Located At 700 Willow Street, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project;
[09-0092-6](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0035 CMS.pdf](#)

8) An Agency Resolution Authorizing A Preservation And Rehabilitation Loan In An Amount Not To Exceed \$450,000 To The Unity Council For The Posada De Colores Apartments Project Located At 2221 Fruitvale Avenue, And Authorizing Loan Extensions And/Or Changes In Terms For Existing Agency Loans For The Project;
[09-0092-7](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0036 CMS.pdf](#)

DRAFT

9) An Agency Resolution Authorizing The Agency Administrator To Take Actions To Facilitate The Transfer Of Affordable Housing Properties Owned By Oakland Community Housing, Inc. ("OCHI") Or OCHI Affiliates To New Ownership, Including Foreclosing On Agency Loans, Acquiring Properties At Foreclosure Sale, Transferring Properties Affordable Housing Entities, And Assigning Agency Loans Or Lien Rights To Affordable Housing Entities;
[09-0092-8](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[2009-0037 CMS.pdf](#)

10) A Resolution Authorizing Loan Extensions And/Or Changes In Terms Of Existing City Loans For The Effie's House (Ivy Hill) Apartment Project Located At 829 East 19th Avenue;
[09-0092-9](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[81848 CMS.pdf](#)

11) A Resolution Authorizing Loan Extensions And/Or Changes In Terms Of Existing City Loans For The Marin Way Court Apartments Project Located At 2000 International Boulevard;
[09-0092-10](#)

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 De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[81849 CMS.pdf](#)

DRAFT

12) A Resolution Authorizing Loan Extensions And/Or Changes In Terms Of Existing City Loans For The Oaks Hotel Project Located At 587 15th Street;
[09-0092-11](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[81850 CMS.pdf](#)

13) A Resolution Authorizing Loan Extensions And/Or Changes In Terms Of Existing City Loans For The Slim Jenkins Court Apartments Project Located At 700 Willow Street; And
[09-0092-12](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
[81851 CMS.pdf](#)

DRAFT

14) An Ordinance Authorizing The City Administrator To Take Actions To Facilitate The Transfer Of Affordable Housing Properties Owned By Oakland Community Housing, Inc. ("OCHI") Or OCHI Affiliates To New Ownership, Including Foreclosing On City Loans, Acquiring Properties At Foreclosure Sale, Transferring Properties To Affordable Housing Entities, And Assigning City Loans Or Lien Rights To Affordable Housing Entities
[09-0092-13](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Reid, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on March 31, 2009. The motion carried by the following vote:

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

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:25 P.M.

The following individuals spoke on this item:

- Paulette Hogan
- Robbie Clark
- John Murdis
- Debbie Johnson
- Amie Fishman
- Marlon Taylor

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

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DRAFT

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

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

[09-0081](#)

[Play Video](#)

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 De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:50 P.M.

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

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[81852 CMS.pdf](#)

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

[09-0081-1](#)

Not Adopted

DRAFT

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code
[09-0081-2](#)

Not Adopted

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

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or
[09-0082](#)

[Play Video](#)

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

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

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 7:51 P.M.

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

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

[09-0082-1](#)

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Not Adopted

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

[09-0082-2](#)

Not Adopted

DRAFT

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

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

[09-0083](#)

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

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

Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 7:52 P.M.

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

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

[09-0083-1](#)

Not Adopted

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

[09-0083-2](#)

Not Adopted

DRAFT

14.6 ~~Subject: Small Business Assistance Center – Implementation~~
~~From: Community and Economic Development Agency~~
~~Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces~~
~~Of Legislation:~~

~~1) An Agency Resolution Authorizing A Contribution Of \$469,716 From Coliseum
Redevelopment Project Funds, West Oakland Redevelopment Project Funds, Central District
Redevelopment Project Funds, Oakland Army Base Redevelopment Project Funds And Central
City East Redevelopment Project Funds, To The City of Oakland Under The Cooperation
Agreement, For Staffing, Build-Out, Operations/Leasing, Equipment, Marketing And
Contingencies For The Oakland Business Assistance Center; And~~
~~09-0006~~

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~~2) A City Resolution Appropriating And Allocating Up To \$100,000 Of Community
Development Block Grant Funds, And Authorizing The City Administrator Or His Designee To
Hire Staff And Negotiate And Execute Agreements For Build-Out, Operations/Leasing,
Equipment, Marketing And Contingencies For The Oakland Business Assistance Center, And
Accepting A Contribution Of \$469,716 For This Purpose From The Oakland Redevelopment
Agency Under The Cooperation Agreement~~
~~09-0006-1~~

ACTION ON NON-CONSENT ITEMS:

DRAFT

15 Subject: Municipal Code Amendment - Special Elections
From: Office of the City Attorney
Recommendation: Adopt An Ordinance Adding Section 3.08.040 To Chapter 3.08 Of The
Oakland Municipal Code, Entitled "Elections", To Authorize The City Council To Call A Special
Election On [Date] (TITLE CHANGE)
[09-0189](#)
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A motion was made by Councilmember Nadel, seconded by Councilmember Quan to set the election date as July 21, 2009. A substitute motion was then made by Councilmember De La Fuente, seconded by Councilmember Reid to set the election date as June 30, 2009.

Upon call of the roll on the substitute motion, the motion tied: Ayes: Councilmembers Brooks, De La Fuente, Kaplan, Reid -4; Noes: Councilmembers Kernighan, Nadel, Quan President Brunner -4;

Upon call of the roll on the original motion, the motion passed: Ayes: Councilmembers Kaplan, Kernighan, Nadel, Quan, President Brunner-5; Noes: Councilmembers Brooks, De La Fuente, Reid-3.

Because there was a tie vote on the substitute motion, the vote on the original motion is void therefore, pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. and City Charter Section 200 this item was continued to the March 31, 2009 City Council meeting.

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

- Sanjiv Handa
 - Gregory McConnell
- [View Report.pdf](#)
[View Supplemental Report.pdf](#)

DRAFT

16 Subject: Charter Amendment To Section 1300 On Kids First
From: Councilmembers Jean Quan and Patricia Kernighan
Recommendation: Adopt One Of The Following Pieces Of Legislation:

1) (OPTION A-Set Aside of 2.5% of Actual Unrestricted General Purpose Fund City Revenue for Programs for Children and Youth)

A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Measure (1) To Repeal Charter Section 1300 On Kids First! Oakland Fund For Children And Youth Adopted By The Voters On November 4, 2008 (Measure OO) And (2) Readopt Charter Section 1300 On Oakland Fund For Children And Youth Adopted By The Voters On November 7, 1996 (Measure K) As Amended To, Among Other Things, Set Aside Two And One-Half Percent (2.5%) Of The Actual Unrestricted General Purpose Fund City Revenue For Programs For Children And Youth And (3) Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements

[09-0103](#)

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2) (OPTION D - Set Aside of 3.5% of Actual Unrestricted General Purpose Fund City Revenue for Programs for Children and Youth)

A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Measure (1) To Repeal Charter Section 1300 On Kids First! Oakland Fund For Children And Youth Adopted By The Voters On November 4, 2008 (Measure OO) And (2) Readopt Charter Section 1300 On Oakland Fund For Children And Youth Adopted By The Voters On November 7, 1996 (Measure K) As Amended To, Among Other Things, Set Aside Three And One-Half Percent (3.5%) Of The Actual Unrestricted General Purpose Fund City Revenue For Programs For Children And Youth And (3) Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements (TITLE CHANGE)

09-0103-1

Councilmember Kernighan proposed an amendment to Measure OO, (Option D-2) which has the same setaside formula as Option D (3.5% of the actual unrestricted general purpose fund revenue) and keeps the baseline year the same as in Option D (1995-96). The difference with this option is that most of the remaining language would remain the same as Measure OO, rather than Measure K. It is entitled: A Resolution submitting, on the City Council's Own Motion, to the Electors at the next Municipal Election, a Measure (1) to Amend Charter Section 1300 on Kids First! Oakland Fund for Children and Youth adopted by the voters on November 4, 2008 (Measure OO) to, among other things, set aside Three and One-half percent (3.5%) of the Actual Unrestricted General Purpose Fund City Revenue for Programs for Children and Youth and (2) Directing the City Clerk to Fix the Date for Submission of Arguments and provide for notice and publication in accordance with applicable legal requirements.

A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel to place Option D-2 to Measure OO (Attached) on the ballot.

A substitute motion was made by Vice Mayor De La Fuente, seconded by Councilmember Reid to place Option D-2 to Measure OO on the ballot with the following amendments: 1) funding to remain at 2.5% of the unrestricted general fund and 2) adding the following language to Section 9 (e) "Funding recommendations will be presented to the City Council no later than April 15th of each year" and to Section 9 (f) "An independent evaluation shall be done each year for the contracts for the period from July 1st to June 30th of the preceding year. The evaluation will be available to the Children's Fund Planning and Oversight Committee for review in October and presented to the City Council prior to the Committee's funding recommendations. Additionally, fund recipients that receive poor evaluations for two consecutive years will not be eligible for funding in the next year's funding cycle."

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*Upon call of the roll on the substitute motion, the motion tied: Ayes:
Councilmembers Brooks, De La Fuente, Reid, President Brunner -4; Noes:
Councilmembers Kaplan, Kernighan, Nadel, Quan -4.*

*Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 79006
C.M.S. and City Charter Section 200 this item was continued to the March 31,
2009 City Council meeting.*

*The City Attorney amended the title of the Resolutions to include the following
language: "Special Municipal Election that is not less than 88 days and no
more than 150 days after the date the Council passes this Resolution"*

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

- Sanjiv Handa*
- Charles Pine*
- Georgio Conley*
- Susan Montauk*
- Anita Carse*
- Taylor Reynolds*
- Tyler Reynolds*
- Judy Glenn*
- Wendy Calimag*
- Marion Taylor*
- Nhi Chau*
- Patricia Hannum*
- Sally Rademaker*
- Twinkie Bradshaw-Flores*
- Taya Johnson*
- Lori King*
- Andrew Benford*
- Michael Garrette*
- Paul Simms*
- Peter Saechao*
- Kathy Johnson-Fuller*
- Nancy Lau*
- Donald Campbell*
- Marie Turner*
- Lonnie Scogginhs*
- Mio Flores*
- Jean Tolentino*
- Patricia Miranda*
- Joseph McEwing*
- Toneesha Pace*

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- *Landesha Pace*
- *Melissa Bryan*
- *Abraham Ruelas*
- *Brenda Mejia*
- *Carla Schulz*
- *Sally Chan*
- *Vicky Kong*
- *Nancy Quach*
- *Amy Lee*
- *Sau Fong Chin*
- *Zhoug Zhen Wang*
- *Noah E. Keller*
- *Jowana George*
- *Joshlyn Patrick*
- *Mavco Owens*
- *Kim Mouton*
- *Donya Sauders*
- *Kim Miyoshi*
- *Edward Hannemann*
- *Jeanne Pinkler*
- *Deb Janes*
- *Ana Montanez*
- *Rebecca Hawiey-Cooper*
- *Stanley Go*
- *Stephanie Garcia*
- *Thomas Lynch*
- *Ralph Cooke*
- *Jasiyah Al-Amin*
- *Saleem Shakir*
- *Jennifer Soojin*
- *Valerie Winemiller*
- *Karla Gal*
- *Eliz Roser*
- *Lisa Hire*
- *Judith Sims*
- *Shanon Cornu*

DRAFT

17 Subject: City's Hotel Tax (Transient Occupancy Tax) - Ballot Measure
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Submitting, On The Council's Own Motion, To The Electors At A June 2, 2009 Special Election, A Proposed Ordinance Amending The Oakland Municipal Code In Order To Provide For A Two Percent Surcharge To The City's Transient Occupancy Tax (Hotel Tax) To Support The Oakland Zoo, The Oakland Museum of California, Chabot Space And Science Center And The Cultural Arts Programs And Festivals
[09-0102](#)
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A motion was made by Councilmember Quan, seconded by Councilmember Kaplan, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The City Attorney amended the title of the Resolution to include the following language: "Special Municipal Election that is not less than 88 days and no more than 150 days after the date the Council passes this Resolution"

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

- Linda Twichell
 - Gregory McConnell
 - Sanjiv Handa
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S-17.1 Subject: Real Property Transfer Tax - Ballot Measure
From: Finance and Management Agency
Recommendation: Adopt A Resolution Submitting, To The Voters At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passes This Resolution, A Proposed Ordinance Amending The Real Property Transfer Tax, Chapter 4.20 Of The Oakland Municipal Code, To Clarify Application Of The Tax To Transfers Of Real Estate Resulting From Changes In The Ownership And Control Of Corporations And Other Legal Entities Without Increasing The Tax Rate; To Remove The Current Requirement Of Conformity To Statewide Rules; To Add A Definition Of "Person" To The Tax; Requesting The Services Of The Registrar Of Voters; And Directing The City Clerk To Take Any And All Actions Necessary Under Law To Prepare For And Conduct The Special Election.
[09-0093](#)

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

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

The City Attorney amended the title of the Resolution to include the following language: "Special Municipal Election that is not less than 88 days and no more than 150 days after the date the Council passes this Resolution" and made the following corrections: Replacement in the second line of the fifth recital or WHEREAS of "sections 4.20.020 and 4.20.021 with sections 4.20.020 and 4.20.030; Replacement in Section 3 of Section 4.20.021 with Section 4.20.030; Replacement in Section 6 of Section 4.20.021 with Section 4.20.030

The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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18 ~~Subject: Calling Of Special Election~~
~~From: Office of the City Attorney~~
~~Recommendation: Adopt A Resolution (1) Calling A Special Municipal Election On [Date] For The Purpose Of Submitting To The Electors Of The City Of Oakland Various Proposed Measures, Including But Not Limited To, A Charter Amendment And Ordinances, (2) Authorizing The City Administrator To Enter Into A Contract With A Consultant To Provide Assistance In Preparing For And Conducting The Special Municipal Election If Necessary, (3) Waiving The Request For Proposal Process For Such Consulting Contract; And (4) Authorizing And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements~~
[09-0186](#)

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19 Subject: Fiscal Year 2008-2009 Second Quarter Reports
From: Budget Office
Recommendation: Receive A Report On Fiscal Year 2008-2009 Second Quarter Revenue And Expenditure Results And Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); Overtime Analysis For The General Purpose Fund (1010) And All Funds; And The Status Of Implementing The October 2008 Budget Revisions
[09-0037](#)
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A motion was made by Councilmember De La Fuente, seconded by Councilmember Kaplan, that this matter be *Received and Filed. The motion carried by the following vote:

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

Staff was directed to come back to the March 31, 2009 City Council meeting with a resolution and a report including the following: 1) An analysis of policing costs (i.e. overtime costs versus costs for more officers); 2) An analysis of the other items that might potentially be eligible for competitive grant funds; 3) The number of vacancies in and the revenue through February 28, 2009 for Fund 2415; 4) The balance in the Geological Hazard Abatement District Fund; 5) Whether or not the City can charge BART for the cost of covering the demonstrations; 6) Analysis of increasing the fees for the City Pools; 7) More information on the proposed cuts in IT and the impacts of those cuts; and 8) Whether or not the City is collecting the Cigarette Tax as prescribed in Municipal Code Section 4.12.

Staff was also directed to: 1) Provide to the full council a list of every police officer injured and/or on administrative leave; and 2) Remove the following items from the "cut" list: Oakland History Room, Hardy Park and the Redlight Camera Enforcement

Staff was further directed to come back in April with a status report on the cuts made last year during the budget process and to include what department/agency the positions are cut from

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20 Subject: Support Of Assembly Bill 312
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution In Support Of Assembly Bill 312 (Assembly Member Ammiano/Senator Yee) Requiring the Bay Area Rapid Transit (BART) District To Create An Office Of Citizen Complaints for the BART Police Department
[09-0172](#)
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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 De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner

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

- Sanjiv Handa
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21 Subject: Budget Advisory Committee Appointment
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Appointing Mario Juarez As The District 6 Representative To The Budget Advisory Committee
[09-0183](#)

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

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

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

- Sanjiv Handa
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22 Subject: Measure Y Oversight Committee Appointment
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Appointing Maureen P. Dorsey As The District 6
Representative To The Measure Y Violence Prevention And Safety Oversight Committee
[09-0184](#)

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

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

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

- Sanjiv Handa

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23 Subject: Wildfire Prevention Advisory Board Appointment
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Re-Appointing Lilah Green And James Williams, Sr. As The District 6 Representatives To The Wildfire Prevention Assessment District (WPAD) Advisory Board
[09-0185](#)

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

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

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

- Sanjiv Handa

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24 Subject: Senate Bill 7
 From: Public Works Agency
 Recommendation: Adopt A Resolution To Support, If Amended, Senate Bill 7 Legislation
 Expanding Electric Utilities' Obligations To Purchase Electricity From Customers Who Generate
 More Electricity In A Twelve-Month Period Than They Consume
 [09-0094](#)
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**A motion was made by Councilmember Nadel, seconded by
Councilmember De La Fuente, that this matter be Adopted as Amended.
The motion carried by the following vote:**

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

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

- *Sanjiv Handa*
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25 Subject: Assembly Bill 64
 From: Public Works Agency
 Recommendation: Adopt A Resolution To Support, If Amended, Assembly Bill 64 Legislation
 Regarding Modifying Statewide Renewables Portfolio Standards, Creating A Standard Tariff For
 Certain Renewable Energy Generation Projects And Creating A Renewable Infrastructure
 Authority
 [09-0095](#)
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**A motion was made by Councilmember Nadel, seconded by
Councilmember Kaplan, that this matter be Adopted as Amended. The
motion carried by the following vote:**

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

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26 Subject: Assembly Bills 68 And 87
 From: Public Works Agency
 Recommendation: Adopt A Resolution In Support Of Assembly Bill 68 (Brownley) And
 Assembly Bill 87 (Davis) - Solid Waste: Single Use Carryout Bags, Which Would Require On
 Or After July 1, 2010, A Store Providing Plastic Carryout Bags To Customers To Charge Not
 Less Than \$0.25 Per Bag
 [09-0096](#)

**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: 2 - Councilmember Brooks and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember De La Fuente, Councilmember
 Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember
 Quan and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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27 ~~Subject: Assembly Bill 16~~
 ~~From: Oakland Police Department~~
 ~~Recommendation: Adopt A Resolution In Support Of Assembly Bill #16, Which Makes It A~~
 ~~Felony For Any Person To Solicit Another Person Who Is Under 18 Years Of Age To Engage In~~
 ~~An Act Of Prostitution In Return For Money Or Other Consideration Or To Agree To Give~~
 ~~Another Person Who Is Under 18 Years Of Age Money Or Other Consideration In Return For~~
 ~~The Other Person Committing An Act Of Prostitution~~
 ~~[09-0133](#)~~

The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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28 Subject: Citizen's Police Review Board Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Thomas Cameron, And Re-Appointing Tina Allen, And Dona Duhe, As Members Of The Citizen's Police Review Board
[09-0191](#)

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

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

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

- Sanjiv Handa

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29 Subject: Commission On Persons With Disabilities Appointment
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Laura Martell, Eugenie Marie Barton, Merlin M. Nw, And Michael C. Moore As Members Of The Commission On Persons With Disabilities
[09-0192](#)

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

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

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30 Subject: Police And Fire Retirement Board Mayor's Designee
From: Office of the Mayor
Recommendation: Adopt A Resolution (1) Rescinding Resolution Number 81556 C.M.S. Which Authorized The City Administrator To Serve As The Mayor's Designee On The Police And Fire Retirement Board And (2) Approving The Mayor's Designation Of The Director Of Finance To Serve In The Mayor's Place And Stead As A Member Of The Police And Fire Retirement Board
[09-0193](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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31 Subject: Public Ethics Commission Appointment
Fro: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Al Mori As A Member Of The Public Ethics Commission
[09-0194](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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32 Subject: Violence Prevention And Public Safety Oversight Committee Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Nicole R. Lee, Donald Blevins, And Ronald Owens As Members Of The Violence Prevention And Public Safety Oversight Committee
[09-0195](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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33 Subject: Commission On Aging Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Re-Appointment Of Antoinette Warren-Williams, And Appointment Of Karen A. Anderson As Members Of The Commission On Aging
[09-0196](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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S-34 Subject: Solid Waste Management Assessment
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting Evaluative Criteria For Assessing Solid Waste Management System Designs Responsive To The Zero Waste By 2020 Goal
[09-0121](#)

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

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

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

- Sanjiv Handa

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S-35 Subject: Central City East And Coliseum Project Areas Security
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement For An Amount Not To Exceed \$180,000 With International Services Incorporated Or DTM Corporation To Provide Armed Security Patrol Services In The Central City East And Coliseum Redevelopment Areas, And Allocating A Contract Compliance Fee To The City Under The Cooperation Agreement In The Amount Of 3% Of The Contract Amount
[07-1778-1](#)

Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 3/31/2009

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Continuation of Open Forum

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The following individual spoke under Open Forum:

- Sanjiv Handa

ADJOURNMENT OF COUNCIL SESSION

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

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There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Miles MacAffee, Leevurn Anthony Lyons, Cleveland Bellows, David Garrett, Mary Elizabeth Wright and Kita Albino at 11:49 A.M.

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**Concurrent Meeting of the Oakland
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March 17, 2009

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