

City of Oakland Meeting Minutes

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

Concurrent Meeting of the Oakland Redevelopment Agency / City Council

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

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

Tuesday, May 19, 2009

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

Play Video

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 6:13 PM

2 Roll Call / ORA & Council

Play Video

ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Ouan and Councilmember Reid

ORA\Councilmember Present: 5 - Councilmember De La Fuente,

Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and

President of the Council Brunner

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

Play Video

The following individuals spoke under Open Forum:

- Marilynn Mackey
- Akilah Zainabu
- Geofrey Pete
- Vivek Bhatia
- Tao Matthews
- Delphine Prevost
- Jeff Levin
- 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.

There was no action necessary for this item

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- 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
- 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

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on May 5, 2009

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: Zero Waste Partnership - Recognition

From: Public Works Agency And Councilmembers Nadel, Brunner, Quan

Recommendation: Adopt A Resolution Recognizing The Zero Waste Partnership Of Oakland Residents And Businesses To Advance Environmental Sustainability Through Establishing The Brita Water Filter Recycling Program: Clorox/Brita, Take Back The Filter Campaign, And Whole Foods Market

09-0350 Play Video

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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Council

8.2

Subject: Raul Godinez - Recognition

From: Public Works Agency

Recommendation: Adopt A Resolution Honoring Public Works Director, Raul Godinez II, P.E., For Receiving The Prestigious "Top Ten Public Works Leaders Of The Year" Award For 2009

From The American Public Works Association

09-0351 Play Video

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 Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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8.3 Subject: Richard Aoki - Recognition

From: Councilmembers Nancy Nadel and Jean Quan

Recommendation: Adopt A Resolution Honoring Richard Aoki (November 20, 1938 - March 15, 2009) For Over Forty Years Of Civil Rights Activism And Community Service 09-0382

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 81985 CMS.pdf

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8.4

Subject: 2009 National Older Americans Month

From: Councilmember Desley Brooks

Recommendation: Adopt A Resolution Declaring May 2009 As National Older Americans Month

09-0383

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 Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner

The following individuals spoke on this item:

- Karen Smulevitz
- Andrew Montgomery
- John Garth
- Nate Miley

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8.5 Subject: Team Oakland Recognition

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Recognizing Team Oakland For Participating In The International Children's Games To Be Held In Athens Greece

09-0420

Play Video

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 Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmembers De La Fuente and Reid took a point of personal privilege and requested that the meeting be adjourned in memory of May Toshiko Manoki

Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Mother Maryann Wright and Iva Rene Beatrice Lett

Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Todd Perea, Floyd Ross and Ronald Gillis

10. CONSENT CALENDAR (CC) ITEMS:

Play Video

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 09-0414

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke 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

09-0415

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner

The following individual spoke on this item:

- Paulette HoganView Report.pdf81989 CMS.pdf

10.3-CC Subject: Ruben Perez - 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 Liberty Mutual Insurance A/S/O Ruben Perez In The Amount Of \$5,756.66 For An Automobile Collision Involving A City Vehicle On May 16, 2008. (Police Services Agency)

09-0416

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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Council 10.4-CC

Subject: Janell Hampton - 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 Progressive Insurance Company As Subrogee Of Janell Hampton, In The Amount Of Ten Thousand Three Hundred Sixty Two Dollars And Ten Cents (\$10,362.10), As A Result Of Property Damage Sustained In An Automobile Accident With A City Vehicle On January 4, 2009 (Police Department) 09-0417

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 81991 CMS.pdf

10.5-CC Subject: Peralta Street And Mandela Parkway Equivalent Exchange

From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance Authorizing The City Administrator Without Returning To Council To Acquire The Underlying Fee Simple Interest Of A Portion Of The Mandela Parkway Right-Of-Way By An Equivalent Exchange Without Compensation Of A Portion Of The Peralta Street Right-Of-Way Near The Intersections Of West Grand Avenue And 20th Street Between The City And Brian Collins And Hemmat And Dokhanchy Associates 09-0272-1

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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10.6-CC Subject: General Obligation Bonds

From: Finance and Management Agency

Recommendation: Adopt An Ordinance Authorizing The Director Of Finance To Determine Whether To Issue General Obligation Bonds By An Open Competitive Sale Or A Negotiated

Sale 09-0311

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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10.7-CC Subject: Proposed Vacation Of Skyline Circle

From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance Vacating The Public Right-Of-Way Of Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Service Easements 09-0312

A motion was made by Councilmember De La Fuente, seconded by Councilmember Nadel, that this matter be Not Approved. The motion failed by the following vote:

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Noes: 1 - President of the Council Brunner

ORA\Councilmember Ayes: 4 - Councilmember De La Fuente, Councilmember

Kaplan, Councilmember Kernighan and Councilmember Nadel

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10.8-CC Subject: California Public Employees Retirement System Contract

From: Finance and Management Agency

Recommendation: Adopt An Ordinance Of The City Of Oakland Authorizing An Amendment To-The Contract Between The City Of Oakland And The Board Of Administration Of The California-Public Employees' Retirement System (CalPERS) That Authorizes California Government Code-Section 20903, Two Years Additional Service Credit For Local Miscellaneous Members And-Local Safety Members

09-0323

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10.9-CC Subject: Ruby Sutton And Paul Robbins - 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 Ruby Jean Sutton And Paul Robbins, Her Attorney Of Record In The Amount Of \$22,400.00 For An Automobile Collison Involving A City Vehicle On May 11, 2008. (Police Services Agency) 09-0424

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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S-10.11-C Subject: Support Of Senate Bill 120

C From: Vice Mayor Ignacio De La Fuente

Recommendation: Adopt A Resolution To Support Senate Bill 120 (Lowenthal) To Add Tenant Protections In Foreclosure Situations 09-0442

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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S-10.12-C Subject: Mother Wright - Recognition

C From: Councilmembers Reid, Nadel, Brooks and Quan

Recommendation: Adopt A Resolution Honoring And Recognizing The Life Of Mother Mary

Ann "Mother" Wright Upon Her Passing On May 7, 2009

09-0450

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner

The following individual spoke on this item:

Ronald Muhammad
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S-10.13-C Subject: Rehabilitation Of Sanitary Sewers - Andes Construction

C From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To The Lowest Responsive, Responsible Bidder, Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers In An Area Bounded By Midvale Avenue, I-580 Freeway, Laurel Avenue And Carlsen Street (Project No. C227310) For The Amount Of Two Million Two Hundred Five Thousand Three Hundred Fifty-Seven Dollars (\$2,205,357.00) 09-0274

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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S-10.14-C Subject: 2009-2010 State Transportation Development Act Funding

C From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To One Hundred Seventy-Five Thousand Dollars (\$175,000.00) In Fiscal Year 2009-2010 State Transportation Development Act Article 3 Funds As Follows: (1) 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty Thousand Dollars (\$50,000.00); And (3) Rehabilitation Of The Margarido Stair And The Eucalyptus Stair And Path, Fifty Thousand Dollars (\$50,000.00) And Waiving The 1.5% Public Art Fee For The Projects 09-0340

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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S-10.15-C Subject: East Oakland Community Library

C From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Accept And Appropriate Four Hundred Ninety-Seven Thousand Sixty-Five Dollars (\$497,065.00) From The Oakland Unified School District For The East Oakland Community Library At 81st Avenue Project 09-0341

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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S-10.16-C Subject: As-Needed Design Service - Intelligent Transportation Systems

C From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To Enter Into Professional Service Agreements With Kimley-Horn And Associates, Inc., And KOA Corporation Inc. For As-Needed Design Services For Intelligent Transportation Systems (ITS) Projects In An Amount Not To Exceed Three Hundred Thousand Dollars (\$300,000.00) Each, Respectively 09-0342

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 81998 CMS.pdf

S-10.17-C Subject: Dangerous And Insanitary Conditions At Various Buildings

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

 A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 6629 Deakin Street; 09-0343

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 81999 CMS.pdf

2) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 2318-11th Avenue; 09-0343-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner 82000 CMS.pdf

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3) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1229 - 77th Avenue; 09-0343-2

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
82001 CMS.pdf

4) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 2103 - 89th Avenue; 09-0343-3

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
82002 CMS.pdf

5) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1120 Center Street; 09-0343-4

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
82003 CMS.pdf

6) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1908 - 47th Avenue; 09-0343-5

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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7) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1628 - 86th Avenue; And 09-0343-6

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner 82005 CMS.pdf

8) A Resolution Confirming Administrative Hearing That Dangerous And Insanitary Conditions Exists At The Building Serving The Property Known As 1771-83rd Avenue 09-0343-7

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner 82006 CMS.pdf

S-10.18-C Subject: Intelligent Transportation System Equipment-Ray's Electric

 \mathbf{C} From: Community and Economic Development Agency

82007 CMS.pdf

Recommendation: Adopt A Resolution Awarding A Construction Contract To The Lowest Responsive, Responsible Bidder, Ray's Electric, For The Installation Of Various Intelligent Transportation System Equipment In The City's Transportation Management Center In Accord With Plans And Specifications For City Project No. C313910, And Contractor's Bid Therefore, In The Amount Of Three Hundred Five Thousand One Hundred Forty-Eight Dollars And Thirty-Eight Cents (\$305,148.38)

09-0344

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner View Report.pdf

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S-10.19-C Subject: Trucking Services - Summerhill Electric

C From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Waive Advertising And Bidding For Trucking Services For The Transportation Of Contaminated Soil From The Coliseum Bart Station Area Underground Utility District No. 235 Project, Located On San Leandro Street, Between 66th Avenue And 73rd Avenue, To State-Certified Dump Site Facilities, And Awarding A Contract To Summerhill Electric In An Amount Not-To-Exceed One Hundred Twenty Thousand Dollars (\$120,000.00) For Said Trucking Services In Accord With Plans And Specifications For City Project No. C332110 And Contractor's Bid Dated April 2, 2009

09-0353

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 82008 CMS.pdf

S-10.20-C Subject: Purchase And Sale Agreement - Grand View Drive C From: Community and Economic Development Agency

Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute An Agreement To Sell Two City-Owned Surplus Real Properties Located Between 1522 Grand View Drive And 1600 Grand View Drive To Pentaiah Aisetty For One Hundred And Twenty Five Thousand (\$125,000) Dollars 09-0258

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 2, 2009 on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

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S-10.21-C Subject: Workforce Investment Board Report C Council President Jane Brunner

Recommendation: 1) Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting, Appropriating, And Allocating \$6,287,521 In Fiscal Year 2008-2009 Workforce Investment Act Title 1 Funds, And Authorizing A) A Memorandum Of Understanding With The Oakland Private Industry Council, Inc., (PIC) To Serve As The Oakland Work Force Investment System Administrator For Fiscal Year 2008-2009 In An Amount Not To Exceed \$1,163,317, And B) A Memorandum Of Understanding With The Oakland PIC To Serve As The One Stop Career Center Operator For Fiscal Year 2008-2009 In An Amount Not To Exceed \$1,811,813 (TITLE CHANGE) 09-0061

This Matter was Approved on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf

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2) Adopt A Resolution Retroactively Approving Allocations Of Workforce Investment Act Funds To Service Providers For Fiscal Years 2006-2007 And 2007-2008(TITLE CHANGE) 09-0061-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa 82010 CMS.pdf



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Council

S-10.22-C Subject: Purchase Of Real Property

C From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Ordinance Authorizing The Sale Of (1) 2100 Telegraph Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, To The Redevelopment Agency; And 09-0256

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 2, 2009 on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

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2) An Agency Resolution Authorizing The Purchase Of (1) 2100 Telegraph Avenue In The Central District Redevelopment Project Area For \$7,000,000, (2) The Oakland Coliseum Intercity Rail Parking Lot At 73rd Avenue In The Coliseum Redevelopment Project Area For \$500,000, And (3) Vacant Land Located At The Southeast Corner Of 73rd Avenue And International Boulevard In The Coliseum Redevelopment Project Area For \$290,000, From The City Of Oakland 09-0256-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner 2009-0057 CMS.pdf



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S-10.23-C Subject: West Oakland Neighborhood Project Initiative Program-Projects

C From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution (A) Authorizing Funding In An Amount Not To Exceed \$178,141 Under The West Oakland Neighborhood Project Initiative Program For 1) Installation Of A Dog Run At Grove Shafter Park, 2) Landscaping Of West Macarthur Boulevard Between Martin Luther King, Jr. Way And Market Street, 3) Installation Of Security Cameras At 801 West Macarthur Boulevard, 3rd And Lewis Street, And 1680 14th Street, 4) Upgrades To Community Farms At 16th And Center And 1240 18th Street, And 5) Seismic Retrofitting Of The "Black New World" Community Center At 840 Pine Street; (B) Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$90,000 For City Public Improvements Under The Program; And (C) Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The Agency; And 09-0268

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$90,000 For City Public Improvements Within The West Oakland Redevelopment Project Area Under The Neighborhood Project Initiative Program, And Authorizing The City Administrator To Enter Into Agreements And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The City Council 09-0268-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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S-10.24-C Subject: 7th And Campbell Properties-Loan Agreements Modifications

C From: Community and Economic Development Agency

Recommendation: Adopt An Agency A Resolution Amending Resolution No. 2000-0055 C.M.S. To Reduce The Interest Rate To Three Percent For Site Acquisition Loans For 1662-1664 7th Street, 1666 7th Street, 1672 7th Street And 715 Campbell Street, And To Authorize A Loan To Local Initiatives Support Corporation Of Up To \$6,000 For Maintenance Costs For The Properties

09-0269

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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 2009-0059 CMS.pdf

S-10.25-C Subject: International Boulevard Transit Oriented Development Plan

C From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed \$30,000 From The Coliseum Redevelopment Project And \$10,000 From The Central City East Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To Provide The Local Match For A Transportation Planning Grant For The International Boulevard Transit-Oriented Development Plan; 09-0270

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 2009-0060 CMS.pdf



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2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$40,000 To Provide The Local Match For A Transportation Planning Grant For The International Boulevard Transit-Oriented Development Plan; 09-0270-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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3) A City Resolution Authorizing The Selection Of Consultant(s) And Award Of Professional Services Agreement(s) In An Amount Not To Exceed \$245,000 For Consulting Services For The International Boulevard Transit-Oriented Development Plan Without Further Council Action; And 09-0270-2

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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4) A City Resolution Authorizing The Execution Of Memorandums Of Understanding As Needed With Transform, The Association Of Bay Area Governments (ABAG) And/Or Other Agencies Participating In The Development Of The International Boulevard Transit-Oriented Development Plan 09-0270-3

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner
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Council

S-10.26-C Subject: Fox Theater Project Loan Amendment

C From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Amend Resolution No. 2008-0077 C.M.S. To: (1) Allow The Agency To Reduce The Loan Amount For Tenant Improvements To Fox Theater Master Tenant, LLC From \$2,700,000 To An Amount Not To Exceed \$1,400,000 And (2) Authorize Redirecting The Remaining \$1,300,000 Of The Original Loan Amount To A Loan Agreement With Friends Of The Oakland Fox To Fund Needed Tenant Improvements In The Fox Theater 09-0357

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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 2009-0061 CMS.pdf

S-10.27-C Subject: 2009-2010 Nutritious Meals For Head Start Program

C From: Department of Human Services

Recommendation: Adopt A 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 \$375,000 To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start Program For Program Year 2009-2010 09-0241

) 0241 -----

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Review.pdf 82015 CMS.pdf



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S-10.28-C Subject: 2009-2010 Grants For Child Development Services

C From: Department of Human Service

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2009-2010 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF) In The Estimated Amount Of \$14,744,177, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$4,709,349 To Fund Child Development Services In Accord With Said Grants

09-0242

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 82016 CMS.pdf

S-10.29-C Subject: 2009-2010 Child Development And Family Literacy Services

C From: Department of Human Services

Recommendations: Adopt A 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 Estimated Amount Of \$1,138,896 For Program Year 2009-2010, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$119,884 To Fund Child Development And Family Literacy Services In Accord With Said Grant 09-0243

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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S-10.30-C Subject: 2009-2010 Permanent Access To Housing Program

C From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Grant Agreements With Agencies Selected Under The City Of Oakland 2009/2010 Request For Proposal Process For The Permanent Access To Housing (PATH) Strategy To Increase Permanent Supportive Housing Inventory, Provide Housing And Homeless Services To The Homeless (\$2,654,000) Starting July 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The City's Families In Transition Program Funded By The U.S. Department Of Housing & Urban Development (HUD) (\$133,000) For Program Period Started March 1, 2009; To Allocate Match Funding To The East Oakland Community Project For The Operation Of The Matilda Cleveland Transitional Housing Program Funded By HUD (Up To \$52,750) For Program Period Starting October 1, 2009; To Allocate Match Funding To Anka Behavioral Health, Inc. For The Operation Of The City's Homeless Families Support Network Supportive Housing Program Funded By HUD (Up To \$250,000) For Program Period Started March 1, 2009; To Allocate Funds To Cover Lease Cost At The Matilda Cleveland Transitional Housing Facility For The 2009/2010 Fiscal Year (\$36,000) Starting July 1, 2009; To Allocate Funds To Fulfill The City's Annual Obligation To The Alameda County Everyone Home Plan And Alameda County Homeless Management Information System (\$51,000); And To Allocate Funds To The City's Hunger Program (\$40,000) 09-0266

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

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Council

S-10.31-C Police Operations Against Human Trafficking Subject:

Oakland Police Department C From:

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Contribution Of Coliseum Redevelopment Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) To The City, Under The Agency/City Cooperation Agreement, To Conduct Police Operations Against Human Trafficking On International Boulevard In The Coliseum Redevelopment Project Area; And 09-0245

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember

Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 2009-0062 CMS.pdf

2) A Resolution Authorizing Acceptance And Appropriation Of Redevelopment Agency Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000), Under The Agency/City Cooperation Agreement, To Conduct Police Operations Against Human Trafficking On International Boulevard In The Coliseum Redevelopment Project Area 09-0245-1

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

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Council

S-10.32-C Subject: Alameda County Family Justice Center Agreement

C From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Partnership Agreement And An Occupacy Agreement With The Alameda County Family Justice Center ("ACFJC") In Which The ACFJC Will Provide And Maintain A Worksite For The Oakland Police Department's Child Abuse, Sexual Assault, And Domestic Violence Investigative Units For The Period Of January 1, 2009 Through December 31, 2009, At No Cost To The City Of Oakland 09-0246

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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S-10.33-C Subject: National Urban Search & Rescue - Memorandums Of Agreement

C From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into Memorandums Of Agreement Regarding Participation In The National Urban Search & Rescue Response System With 1) The U.S. Department Of Homeland Security Acting Through The Federal Emergency Management Agency And The State Of California, And 2) Other Agencies And Personnel In Participating And Affiliated Relationships 09-0218

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 82021 CMS.pdf

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S-10.34-C Subject: Townsend Public Affairs Agreement

C From: Office of the Mayor

Recommendation: Adopt A Resolution Awarding A Contract To Townsend Public Affairs, Inc. To Serve As The City's State Legislative Representative For The Period Of November 1, 2008 Through October 31, 2010, A Period Of Two Years, In An Amount Of One Hundred Thirty Thousand Dollars (\$130,000) Per Year, For A Total Amount Not To Exceed Two Hundred Sixty Thousand Dollars (\$260,000.00), And Authorizing The City Administrator, Without Further Council Action, To Exercise An Option To Renew The Contract For A Third Year Under The Same Terms, Conditions And Price, For A Total Amount Not-To-Exceed Three Hundred Ninety Thousand Dollars (\$390,000) For Three Years 09-0355

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv HandaView Report.pdf82022 CMS.pdf

S-10.35-C Subject: Support Of Assembly Bill 772 C From: Vice Mayor De La Fuente

Recommendation: Adopt A Resolution In Support Of Assembly Bill 772 (Ammiano) "Local Government Identification Act," Which Would Authorize Counties To Establish Municipal ID Programs 09-0412

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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Council

C

S-10.36-C Subject: Opposition To Assembly Bill 781

From: Vice Mayor De La Fuente And Councilmembers Quan And Kernighan Recommendation: Adopt A Resolution Opposing Assembly Bill 781 (Jeffries) "Public Employment: Language" Relating To Bilingual Hiring Requirements In Local And State Government Which If Enacted Would Hinder Oakland's Ability To Implement The Equal Access To Services Ordinance (TITLE CHANGE) 09-0423

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 82024 CMS.pdf

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 Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

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

A motion was made by Councilmember De La Fuente, seconded by Councilmember Kernighan, to *Approve as Submitted the oral report from the Office of the City Attorney of 1 final decision made during Closed Session. Please refer to Attachment A for the details of the final decision. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa



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

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

<u>COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL</u> THEREAFTER:

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:



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Council

14.1

Subject: S-4 Design Review Combining Zone

From: Vice Mayor Ignacio De La Fuente Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim

Ordinance, Recommended By The Planning Commission, Amending The Zoning Maps For Two Years To Add The S-4 Design Review Combining Zone To The M-40 Heavy Industrial Zone In

The Area Where The Central Estuary Plan Is In Progress

09-0205 Play Video

A motion was made by Councilmember De La Fuente, seconded by Councilmember Kernighan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 2, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:46 PM

The following individuals spoke on this item:

- Sanjiv Handa

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Kernighan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: De La Fuente, Kaplan, Kernighan, Nadel, and President of the Council Brunner -5; Excused: Agency/Councilmember: Brooks, Quan, and Reid View Report.pdf

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14.2 Subject: Zoning Approvals

From: Council President Brunner & Councilmember Kernighan

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance, Recommended By The City Planning Commission, Adopting An Interim Rule To Allow The Planning Director, Or Designee, Discretion To Approve Ground Floor Commercial Uses Of Less Than 10,000 Square Feet In The Central Business District Without A Conditional Use Permit 09-0228

Play Video

A motion was made by Councilmember Kaplan, seconded by Councilmember Kernighan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 2, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:50 PM

The following individuals spoke on this item:

- Sanjiv Handa

Agency/Councilmember Kaplan made a motion, seconded by Agency/Councilmember Kernighan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: De La Fuente, Kaplan, Kernighan, Nadel, and President of the Council Brunner -5; Excused: Agency/Councilmember: Brooks, Quan, and Reid View Report.pdf

ACTION ON NON-CONSENT ITEMS:

15 Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment

From: Finance and Management Agency

Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At Parking Stations Operated Exclusively For Large Diesel Trucks

09-0206 Play Video

Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/2/2009

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16

Subject: Lake Merritt BART Station Area Specific Plan
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Fifty
Thousand Dollars (\$50,000) From The Central City District Redevelopment Project And TwoHundred Fifteen Thousand Dollars (\$215,000) From The Central District Redevelopment Project
To The City Of Oakland Under The Cooperation Agreement To Fund The Development Of The
Lake Merritt BART Station Area Plan And Environmental Document; And
09-0247

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2) A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency-Funds Under The Cooperation Agreement In An Amount Not To Exceed Two Hundred-Sixty Five Thousand Dollars (\$265,000) For The Development Of The Lake Merritt Bart Station-Area Plan And Environmental Document, And Authorizing The City Administrator To Negotiate-And Execute A Professional Services Agreement With Dyett & Bhatia For Development Of The-Lake Merritt Bart Station Area Plan In An Amount Not To Exceed One Million Eighty-Five Thousand Dollars (\$1,085,000)



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Council

17

Subject: Oakland Army Base Final Reuse Plan

From: Community and Economic Development Agency Recommendation: Adopt The Following Pieces Of Legislation:

- 1) An Agency Resolution Rescinding, Per Court Order:
- (1) An Agency Resolution No. 2006-0084 ("A Resolution Amending The Oakland Army Base Final Reuse Plan") Regarding An Auto Mall Project As Described In Resolution No. 2006-0084
- (2) Approval Of The 2007 Amendment To The Oakland Army Base Final Reuse Plan (Amended Reuse Plan) Per Agency Resolution No. 2007-0086 Only To The Extent The Amended Reuse Plan Refers, Relates Or Applies To The Auto Mall Project And/Or Relates To (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue; And

09-0332

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf 2009-0063 CMS.pdf **Meeting Minutes**

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- 2) A City Resolution Rescinding, Per Court Order:
- (1) Approval Of The 2007 Amendment To The Oakland Army Base Final Reuse Plan (Amended Reuse Plan) Per City Council Resolution No. 81004 C.M.S. Only To The Extent The Amended Reuse Plan Refers, Relates Or Applies To The Auto Mall Project And/Or Relates To (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue
- (2) Certification Of The Supplemental Environmental Impact Report For The Oakland Army Base Auto Mall Project (SEIR) Per City Council Resolution No. 80301 C.M.S., Only To The Extent The SEIR Is Applicable To The Auto Mall Project And Purports To Provide Environmental Review And/Or Clearance Under The California Environmental Quality Act (CEQA) For (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue
- (3) Certification Of The First Addendum To The SEIR For The Oakland Army Base Auto Mall Project (Addendum) Per City Council Resolution No. 81004 C.M.S., Only To The Extent The Addendum Is Applicable To The Project And/Or Purports To Provide Environmental Review And/Or Clearance Under CEQA For (A) Any Discharges From New Development Into The 15-Inch Sewer Line And/Or (B) Vacation And/Or Relocation Of Wake Avenue 09-0332-1

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

- Sanjiv Handa 82025 CMS.pdf

Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

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09-0188

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S-18.1 Subject: Green Jobs Corps Training

From: Office of the City Administrator

Recommendation: Discussion And Possible Action On A Report On The California Green Jobs Corps Pilot Program To Train At-Risk Youth For Technical, Construction And Other Skilled Jobs In Eco-Friendly Industries Expected To Help Fuel Economic Recovery, As Part Of The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") 09-0418

Play Video

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 Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

Council directed staff in the next round of job training applications to work with some of the partners, possibly Ella Baker or Cypress, to secure funding for job training for youth that are in juvenile hall or on probation. Staff was also directed to make sure there is a Oakland hiring element within the Community Services Block Grant specifically for weatherization allocation that is going to Spectrum in Hayward

The following individual spoke on this item:

Sanjiv Handa
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Council

19

Subject: Landmark Preservation Advisory Board Appointments

From: Office of the Mayor

Recommendation: Adopt a Resolution Confirming The Mayor's Appointment Of Daniel

Schulman, Anna Naruta And Valerie Garry, And The Re-Appointment Of Delphine Prevost And

Kirk Peterson, As Members Of The Landmark Preservation Advisory Board

09-0376

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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 Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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 82026 CMS.pdf

20 Subject: Children's Fund Planning And Oversight Committee

From: Councilmember Rebecca Kaplan

Recommendation: Adopt A Resolution Appointing Maya Dillard Smith As A Member Of The Children's Fund Planning And Oversight Committee

09-0419

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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 Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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Meeting Minutes

May 19, 2009

Council

21 Subject: Wildfire Prevention District Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Charles L. Bowes As A Member Of The

Wildfire Prevention Assessment District Advisory Board

09-0425

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 Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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22 Subject:: Library Advisory Commission Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Linda White Taylor As A Member Of The Library Advisory Commission

09-0426

Play Video

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 Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

The following individual spoke on this item:

Sanjiv Handa
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23 Subject: City Planning Commission Appointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Vien V. Troung, Amanda J. Monchamp, Sean-Heron And Re Appointing Michael Colbruno, As Members Of The City Planning Commission 09-0427

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Meeting Minutes

May 19, 2009

Council

S-24 Subject: Third Quarter Revenue And Expenditure Results

From: The Budget Office

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Redevelopment Agency Funds To The City Under The Cooperation Agreement For The Nuisance Abatement Program For Fiscal Year 2008-2009 In The Amount Of \$135,834; And

09-0244 Play Video

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Ouan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner View Report.pdf

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2) A Resolution Authorizing Acceptance And Appropriation Of A Contribution Of Redevelopment Agency Funds To The City Under The Cooperation Agreement For The Nuisance Abatement Program For Fiscal Year 2008-2009 In The Amount Of \$135,834 09-0244-1

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner 82030 CMS.pdf

Meeting Minutes

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A Resolution Authorizing Balancing Measures to Address The Fiscal Year 2008-2009
 Projected Deficit In The General Purpose Fund
 09-0244-2

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

Council approved the committee's recommendation with the following additional staff amendments to Exhibit A: 1) One-time revenue from Capital Trust Debt payoff and 2) Remaining proceeds from sale of T-12 building

The following individual spoke on this item:

- Sanjiv Handa 82031 CMS.pdf

S-25 Subject:: Receipt And Distribution Of Passes And Tickets

From: Office of the City Attorney

Recommendation: Adopt A Resolution Enacting A Policy For The Receipt And Distribution Of Passes And Tickets By City Of Oakland Officials And Repealing Resolution Number 75052 C.M.S., Adopted June 15, 1999 09-0363

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

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the Council Brunner

Council approved recommendations and amended the policy at Section B. (2) to read as follows: The distributing official will distribute the ticket or pass to the third party either in person or by mail

The following individual spoke on this item:

Sanjiv Handa
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Concurrent Meeting of the Oakland Redevelopment Agency / City

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Council

S-26

Subject: Support Of Assembly Bill 603

From: Councilmember Desley Brooks

Recommendation: Adopt A Resolution To Support Assembly Bill 603 (Price) To Add Tenant

Protections In Foreclosure Situations

09-0422 Play Video

A motion was made by Councilmember Kaplan, seconded by Councilmember Kernighan, that this matter be *Withdrawn with No New Date. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 3 - Councilmember Brooks, Councilmember

Quan and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and President of the

Council Brunner

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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There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Mary Toshiko Manoki, Mother Mary Ann Wright, Iva Rene Beatrice Lett, Ronald Gillis, Todd Perea and Floyd Ross at 8:50 PM

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Concurrent Meeting of the Oakland Redevelopment Agency / City

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Council

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