

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, April 21, 2009

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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 6:25 PM

2 Roll Call / ORA & Council

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)

The following individual(s) spoke under Open Forum:

- Keith Muhammad*
- Diane Muhammad*
- Donnell Satterfield*
- Paulette Hogan*
- Geoffrey Pete*

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.

Councilmember Kernighan requested that item 14.3 be continued to the May 5, 2009 City Council Agenda

5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

There was no action necessary for this item

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

There was no action necessary for this item

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on March 31, 2009

A motion was made by Councilmember Reid, seconded by Councilmember Kaplan, to *Approve the Minutes. 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

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Arson Awareness Week
From: Oakland Fire Department
Recommendation: Adopt A Resolution Declaring May 3 - 9, 2009 As Arson Awareness Week In The City Of Oakland
[09-0220](#)

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

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

- *Sanjiv Handa*
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8.2 Subject: Oakland East Bay Symphony - Recognition
From: Councilmember Nadel
Recommendation: Adopt A Resolution In Celebration Of Oakland East Bay Symphony's 20th Anniversary As A Regional Orchestra Serving The Diverse Population Of The East Bay, Its Unique Convergence Of Artistic Excellence And Community Service, And Its Prominence As A Leading Cultural Institution In Oakland, And Declaring May 15, 2009 As "East Bay Symphony Day" In The City Of Oakland
[09-0231](#)

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 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:

- Paul Garrison

- Lori Zook

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8.3 Subject: Castlemont High School Football Team - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing The Castlemont High School Varsity Football Team For Their Recent O.A.L. And Silver Bowl Championship Title
[09-0234](#)

A motion was made by Councilmember Reid, 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:

- Oscar C. Wright

- Paulette Hogan

- Harold Logwood

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8.4 Subject: East Bay Dragons - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Recognizing The East Bay Dragons Motorcycle Club On Their 50th Anniversary
[09-0235](#)

A motion was made by Councilmember Reid, 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:

- Paulette Hogan
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8.5 Subject: Eva Aguillard - Recognition
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Honoring Community Activist Eva M. Aguillard For Over Forty Years Of Dedicated Service To The City Of Oakland
[09-0250](#)

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:

- Chris Finn
- Paulette Hogan
- Sanjiv Handa
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The Roll Call was modified to note Councilmember Brunner absent at 7:38 PM

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8.6 Subject: Public Works Employees - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Honoring Mr. Wayne Guidici For Thirty-Three (33) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement;
[09-0253](#)

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

Votes: ORA\Councilmember Absent: 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
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[81901 CMS.pdf](#)

2) A Resolution Honoring Mr. Manuel Valdez For Thirty-Four (34) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement;
[09-0253-1](#)

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

Votes: ORA\Councilmember Absent: 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
[81902 CMS.pdf](#)

3) A Resolution Honoring Mr. Larry Robinson For Thirty-Four (34) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement;
[09-0253-2](#)

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

Votes: ORA\Councilmember Absent: 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
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4) A Resolution Honoring Mr. Monte Dime For Thirty-Five (35) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement; And
[09-0253-3](#)

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

Votes: ORA\Councilmember Absent: 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
[81904 CMS.pdf](#)

5) A Resolution Honoring Mr. Gene Ungaretti For Forty-Seven (47) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
[09-0253-4](#)

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

Votes: ORA\Councilmember Absent: 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
The following individual(s) spoke and did not indicate a position on this item:

- *Sanjiv Handa*
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The Roll Call was modified to note Councilmember Brunner present at 7:56 PM

8.7 Subject: Oakland Bike Month-2009
From: Councilmember Jean Quan
Recommendation: Adopt Resolution Proclaiming May 2009 As City Of Oakland Bike Month And Thursday, May 14, 2009, As The City Of Oakland's 16th Annual Bike To Work Day
[09-0296](#)

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 Absent: 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
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8.8 Subject: Museum Of Children's Art - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Celebration Of The 20th Anniversary Of The Museum Of Children's Art (MOCHA), And Declaring April 26, 2009 As "MOCHA Day" In The City Of Oakland
[09-0305](#)

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

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

10. CONSENT CALENDAR (CC) ITEMS:

10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The AIDS Epidemic
[09-0298](#)

This Matter was Adopted on the Consent Agenda.

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:

- 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
[09-0299](#)

This Matter was Adopted on the Consent Agenda.

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:

- Paulette Hogan
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10.3-CC Subject: Conflict Of Interest Waiver-Cox, Castle & Nicholson LLP
From: Office of the City Attorney
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Waiver Of Any Potential Conflict Of Interest That The Law Firm Of Cox, Castle & Nicholson LLP, May Have As A Result Of Representing: (1) The Developer Of The Oak To Ninth Project; And (2) Clients In Obtaining Project Approvals From The Agency Or City, To Allow The Firm To Provide Specialized Legal Advice Regarding Brownfields/Hazardous Materials Law To Facilitate Economic And Redevelopment Projects In The City; And

[09-0280](#)

This Matter was Adopted on the Consent Agenda.

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 Waiver Of Any Potential Conflict Of Interest That The Law Firm Of Cox, Castle & Nicholson LLP, May Have As A Result Of Representing: (1) The Developer Of The Oak To Ninth Project; And (2) Clients In Obtaining Project Approvals From The Agency Or City, To Allow The Firm To Provide Specialized Legal Advice Regarding Brownfields/Hazardous Materials Law To Facilitate Economic And Redevelopment Projects In The City

[09-0280-1](#)

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10.4-CC 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 July 21, 2009 (TITLE CHANGE)
[09-0189](#)

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

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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10.5-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 \$5,385.87 For An Automobile Collision Involving A City Vehicle On May 16, 2008. (Police Services Agency)
[09-0300](#)

This Matter was Adopted on the Consent Agenda.

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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10.6-CC Subject: Lisa Richard - 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 Lisa Richard And David I. Fischer Her Attorney Of
Record In The Amount Of \$9,279.00 As A Result Of An Automobile Collision Involving A City
Vehicle On August 31, 2008. (Police Services Agency)
[09-0301](#)

This Matter was Adopted on the Consent Agenda.

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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10.7-CC Subject: Lewis A. Borders - 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 California Fair Plan As Subrogee Of Lewis A. Borders, In
The Amount Of Twenty Three Thousand One Hundred Sixty Eight Dollars And Seventy Seven
Cents (\$23,168.77), As A Result Of Property Damages Sustained In An Automobile Collision
Involving A City Vehicle On October 9, 2008. (Police Services Agency)
[09-0302](#)

This Matter was Adopted on the Consent Agenda.

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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10.8-CC Subject: Kathleen D. Lewis - 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 Kathleen D. Lewis, In The Amount Of \$8,660.00, As A Result Of Property Damage Sustained As A Result Of A Failed City Sewer Main On October 26, 2008 (Public Works Agency)
[09-0303](#)

This Matter was Adopted on the Consent Agenda.

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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10.9-CC Subject: Felicia Powell - 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 Felicia Powell V. City Of Oakland, Alameda County Superior Court Case No. RG07332688 In The Amount Of \$14,000.00 (Public Works Agency)
[09-0304](#)

This Matter was Adopted on the Consent Agenda.

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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10.10-CC Subject: Oakland Bay Trail Gap Closure Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And Appropriate One Hundred And Twenty Five Thousand Dollars (\$125,000.00) In 2008-2009 Transportation Fund For Clean Air Grant Funds For The Oakland Bay Trail Gap Closure Project (Fruitvale Bridge To Park Street Bridge)
[09-0208](#)

This Matter was Adopted on the Consent Agenda.

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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10.11-CC Subject: Salary Ordinance Amendment - Construction Coordinator
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187
C.M.S. (The Salary Ordinance) To Add The Permanent Full Time Equivalent Classification
Construction Coordinator
[09-0217](#)

**This Matter was Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on May 5, 2009 on the Consent Agenda.**

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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10.12-CC Subject: Parking Pass-Through Surcharge
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Adding Section 10.48.025 To The Oakland Municipal
Code (O.M.C.) To Add A \$10.00 "Pass-Through" Surcharge To All O.M.C. Parking Violation
Fines Including All California Vehicle Code (C.V.C.) Violation Citations To Offset And Remit
To State/Alameda County Surcharges Imposed By California Government Code (GC) Sections
76000(b) And GC 70372(b) (TITLE CHANGE)
[09-0223](#)

**This Matter was Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on May 5, 2009 on the Consent Agenda.**

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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10.13-CC Subject: On Call Survey And Evaluation Services
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement For Fiscal Year 2008-2009 In An Amount Not To Exceed \$50,000 With Purple Lynx To Conduct Business Surveys; And
[09-0212](#)

This Matter was Adopted on the Consent Agenda.

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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[2009-0049 CMS.pdf](#)

2) An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement For Fiscal Year 2008-2009 In An Amount Not To Exceed \$15,000 With BAWP For The Business Alert Program
[09-0212-1](#)

This Matter was Adopted on the Consent Agenda.

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
[2009-0050 CMS.pdf](#)

10.14-CC Subject: Ambassadors Program Implementation
From: Council President Brunner and Councilmember Kaplan
Recommendation: Receive A Report And Recommendation On The Implementation Of The Oakland Ambassador Program
[09-0060](#)

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

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:

- Paulette Hogan
- Sanjiv Handa
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10.15-CC Subject: Rebuilding Oakland Together Grant
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From The West
Oakland Redevelopment Project Area Low And Moderate Income Housing Fund To Rebuilding
Together Oakland To Rehabilitate Houses For Low-Income Seniors And/Or Disabled Persons
Within The Project Area
[09-0211](#)

This Matter was Adopted on the Consent Agenda.

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:

- Paulette Hogan
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Passed The Consent Agenda

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

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

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

A motion was made by Councilmember Kernighan, seconded by Councilmember Quan, 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 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

DRAFT

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

A motion was made by Councilmember Reid, seconded by Councilmember Kaplan, to *Approve as Submitted. 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

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

13 Reconsideration of Ordinances pursuant to Charter Section 216

There was no action necessary for this item

14. Consideration of items with statutory Public Hearing Requirements:

14.1 Subject: Small Business Assistance Center - Implementation
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of \$434,791 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 (TITLE CHANGE); And [09-0006](#)

A motion was made by Councilmember De La Fuente, seconded by President of the Council Brunner, 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 Agency Resolution was amended to remove the second "Further Resolved"

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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 \$434,791 For This Purpose From The Oakland Redevelopment Agency Under The Cooperation Agreement (TITLE CHANGE)

[09-0006-1](#)

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

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 8:32 PM

The following individuals spoke on this item:

- Aziz Khatri
- Larry Chang
- Scott Peterson
- Steve Lowe
- Darrel Carey
- George Burt
- Gregory McConnell
- Sanjiv Handa

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

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14.2 Subject: Sewer Reassessment Amendments
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Ordering The Making Of Amended Reassessments Pursuant To Part 10 Of Division 10 Of The Streets And Highways Code And Directing Actions With Respect Thereto Fire Area Reassessment District No. 99-1;
[09-0224](#)

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
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2) A Resolution Preliminarily Approving Amended Reassessments, Ordering The Public Hearing, And Directing Actions With Respect Thereto Fire Area Reassessment District No. 99-1;
[09-0224-1](#)

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
[81919 CMS.pdf](#)

3) A Resolution Confirming The Amended Reassessments And Directing Actions With Respect Thereto Fire Area Reassessment District No. 99-1;
[09-0224-2](#)

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
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4) A Resolution Ordering The Making Of Amended Reassessments Pursuant To Part 10 Of Division 10 Of The Streets And Highways Code And Directing Actions With Respect Thereto Skyline Sewer Assessment District;

[09-0224-3](#)

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

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5) A Resolution Preliminarily Approving Amended Reassessments, Ordering The Public Hearing, And Directing Actions With Respect Thereto Skyline Sewer Assessment District; And

[09-0224-4](#)

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

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6) A Resolution Confirming The Amended Reassessments And Directing Actions With Respect Thereto Skyline Sewer Assessment District

[09-0224-5](#)

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 14.2 by the City Clerk, the Public Hearing was opened at 8:59 PM

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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14.3 Subject: Dawit Mabrahtu - Appeal
 From: Office of the City Administrator
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
 Denying The Appeal Filed By Dawit Mebrahtu And Upholding The Administrative Hearing
 Officer's Decision To Deny The Application For A Permit To Operate A Cabaret Under The
 Name "Oasis" At 135 12th Street
 [09-0225](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 5/5/2009**

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

- *Sanjiv Handa*
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ACTION ON NON-CONSENT ITEMS:

15 Subject: Emergency Declaration For Tax Measures
 From: Office of the City Attorney
 Recommendation: Adopt A Resolution By The City Council Of The City Of Oakland Finding
 And Declaring An Emergency Pursuant To Article XIII C, Section 2(b) Of The California
 Constitution Necessitating Submission Of Certain General Taxes To The Voters Before The Next
 Regular Election For The City Council
 [09-0297](#)

**A motion was made by Councilmember Quan, 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

*The Resolution was amended to include clarifying language that the Resolution
was adopted to strictly declare the Emergency for the tax measures*

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

- *Sanjiv Handa*
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[81924 CMS.pdf](#)

DRAFT

16 Subject: Transactions And Use Tax- Ballot Measure
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Submitting, On The City Council's Own Motion, To The Electors At A 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 Imposing A Transactions And Use Tax (Sales Tax) Of [One-Fourth To One-Half] Of One Percent For Three Years, To Maintain Vital City Services And Facilities; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Municipal Special Election
[09-0287](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Reid
ORA\Councilmember Noes: 3 - Councilmember Brooks, Councilmember De La Fuente and President of the Council Brunner
ORA\Councilmember Ayes: 4 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel and Councilmember Quan
The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
- Andre Spearman
- Sharon Cornu
- Scott Peterson
- Gregory McConnell
- Sean Sullivan

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DRAFT

17 Subject: Cannabis Business Class Tax Rate
From: Councilmembers Nadel & Kaplan
Recommendation: Adopt A Resolution Submitting To The Voters At The Next Special Election, Not Less Than 88 Days And Not More Than 150 Days From Passage Of This Resolution, A Proposed Ordinance Modifying The Business Tax, Chapter 5.04 Of The Oakland Municipal Code, Adding Section 5.04.480 Creating A New "Cannabis" Business Classification With A Business Tax Rate Of \$[12-24] Per \$1,000 Of Gross Receipts; 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
[09-0232](#)

A motion was made by Councilmember Kaplan, seconded by Councilmember Kernighan, 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 Resolution was amended to set the tax rate at \$18.00 per \$1,000 of Gross Receipts

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

- Richard Lee

- James Anthony

- Sanjiv Handa

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[81925 CMS.pdf](#)

18 Subject: 2009 Lighting, Parks, Trees, Heath and Safety Emergency - Ballot Measure
From: Councilmember Quan
Recommendation: Adopt 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 Passes This Resolution, A Proposed Ordinance Creating The 2009 Lighting, Parks And Trees Emergency Health And Safety Measure And Parcel Tax; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Municipal Special Election
[09-0104](#)

***Withdrawn with No New Date**

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

- Susan Montauk

- Judi Bank

- Sanjiv Handa

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DRAFT

The Roll Call was modified to note Councilmember De La Fuente absent at 10:46 PM

- 19 Subject: Real Property Transfer Tax - Ballot Measure
From: Finance and Management Agency
Recommendation: Adopt A Resolution Submitting To The Voters At the Next Special Election, Not Less Than 88 Days And Not More Than 150 Days From Passage Of 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 (TITLE CHANGE)
[09-0307](#)

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

- Votes:** ORA\Councilmember Absent: 1 - Councilmember De La Fuente
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:
-Scott Peterson
- Sanjiv Handa
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[81926 CMS.pdf](#)

The Roll Call was modified to note Councilmember De La Fuente present at 10:50 PM

DRAFT

20 Subject: Calling Of The Special Election
From: Office of the City Attorney
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland, California,
(1) Calling And Giving Notice For The Holding Of A Special Municipal Election On Tuesday,
July 21, 2009 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
[09-0288](#)

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 Noes: 1 - Councilmember De La Fuente
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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[81927 CMS.pdf](#)

21 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")

[09-0188](#)

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DRAFT

Subject: Brownfields Job Training Grant
From: Council President Jane Brunner
Recommendation: Receive An Informational Report On The City's Role Regarding The
Brownfields Remediation Job Training Grant From The American Recovery And Reinvestment
Act Of 2009
[09-0291](#)

A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, 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

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

- *Sanjiv Handa*
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Subject: Grant Applications Report
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For The U.S. Department Of Justice, Office Of Justice Programs' Bureau Of Justice Assistance (OJP, BJA), Edward Byrne Memorial Competitive Grant (Byrne Competitive Grant) Program For Up To \$6,000,000 (Six Million) In Funds To Prevent And Reduce Violent Crimes, Hire Civilian Support Personnel In Law Enforcement And Enhance Forensic Crime Scene Investigations (TITLE CHANGE)
[09-0286](#)

A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, 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 Resolution was amended to change the amount of the grant application from \$6,000,000 to \$7,000,000 and to include language to allow for Civilian Crime Intelligence Analysts to be hired

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

- *Sanjiv Handa*
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DRAFT

Concurrent Meeting of the Oakland
Redevelopment Agency / City
Council

Meeting Minutes

April 21, 2009

Subject: Crimes Against Women Grants
From: Council President Jane Brunner
Recommendation: Receive An Informational Report On The City's Role Regarding The Violence
Against Women Transitional Housing Grant From The American Recovery And Reinvestment
Act Of 2009
[09-0293](#)

A motion was made by Councilmember Nadel, seconded by President of the Council Brunner, 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

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

- *Sanjiv Handa*
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Subject: Combating Criminal Narcotics Activity
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From the American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For State And Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming From The Southern Border Of The U.S. Competitive Grant In An Amount Not To Exceed \$700,000 (Seven Hundred Thousand) To Support Regional Task Force Operations Relating To Narcotics Trafficking (TITLE CHANGE)
[09-0294](#)

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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[81929 CMS.pdf](#)

DRAFT

Subject: Clean Water And Clean Diesel Grant Applications
From: Council President Jane Brunner
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For State Coastal Conservancy In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,00) For Various Watershed Management Projects; And (TITLE CHANGE)
[09-0292](#)

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

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

- Sanjiv Handa
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2) A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, And Accept Grant Funds From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") For The National Clean Diesel Funding Assistance Program In An Amount To Be Determined For The Replacement Of Eligible Diesel Vehicles
[09-0292-1](#)

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

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

- Sanjiv Handa
[81931 CMS.pdf](#)

DRAFT

22

Subject: Neighborhood Stabilization Program Contracts
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Loan In An Amount Not To Exceed \$903,637 To Affordable Housing Associates/East Bay Community Recovery Project Under The Neighborhood Stabilization Program For The Acquisition And Rehabilitation Of The Asasha Hotel At 2545 San Pablo Avenue For Project Pride
[09-0213](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, 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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2) A Resolution Authorizing A Loan In An Amount Not To Exceed \$5,025,000 To The Urban Strategies Council/Oakland Community Land Trust For The Acquisition And Rehabilitation Of Foreclosed Single Family Homes Under The Neighborhood Stabilization Program
[09-0213-1](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, 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
[81933 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To Apply For And Accept Funds For the Neighborhood Stabilization Program From The American Recovery And Reinvestment Act Of 2009 From The U.S. Department Of Housing And Urban Development And The State Of California
[09-0213-2](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, 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
[81934 CMS.pdf](#)

DRAFT

4) A Resolution Authorizing A Contract With The Unity Council In An Amount Not To Exceed \$250,000 For The Period Of May 1, 2009, To June 30, 2011, For Pre-Purchasing Counseling, General Homebuyer Education And Post-Purchase Education As Required Under The Neighborhood Stabilization Program
[09-0213-3](#)

A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, 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 Resolutions were amended to modify the second "Further Resolved" to read as follows: FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than nine months from the date of this Resolution, and the making of the loan for each property shall be contingent on Developer's success in securing commitments for full funding for the acquisition and rehabilitation of the property; and be it

and to add the following two "Further Resolved" paragraphs:

FURTHER RESOLVED: That the by laws governing the Oakland Land Trust reflect the following governance requirements, which are widely regarded as best practices: - At least 1/3 of Directors be targeted area residents who are not CLT homeowners - At least 1/3 of Directors have a technical expertise and/or represent the general public interest, one of whom must be the City of Oakland's Deputy Director of Housing or his or her designee; and be it

FURTHER RESOLVED: That all staff will bring an informational report to the October 20, 2009 Community and Economic Development Committee meeting to report on whether sufficient commitments to fully fund acquisition and rehabilitation of all 200 homes, as well as fund the first year of organizational operating costs have been, or are likely to be, met within the 9 month reservation period. If as of February 1, 2010, staff determines that such sufficient commitments of funding have not been secured, staff will prepare a recommendation to be heard directly by the full City Council at its March 2, 2010 meeting to adopt an alternative recommendation to insure that all Neighborhood Stabilization Program funds are obligated by October 1, 2010

In addition the City Attorney was given the authority to remove the City employee from the Board if there is a conflict of interest

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DRAFT

5) A Resolution Authorizing A Loan In An Amount Not To Exceed \$1,675,000 To Allen Temple Housing And Economic Development Corporation For The Acquisition And Rehabilitation Of Foreclosed Single Family Homes Under The Neighborhood Stabilization Program

[09-0213-4](#)

Not Adopted

6) A Resolution Authorizing A Loan In An Amount Not To Exceed \$1,675,000 To Bridge/Homebricks For The Acquisition And Rehabilitation Of Foreclosed Single Family Homes Under The Neighborhood Stabilization Program

[09-0213-5](#)

Not Adopted

7) A Resolution Authorizing A Loan In An Amount Not To Exceed \$1,675,000 To Hallmark Community Solutions For The Acquisition And Rehabilitation Of Foreclosed Single Family Homes Under The Neighborhood Stabilization Program

[09-0213-6](#)

Not Adopted

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

- Junious Williams
- Shirley Burnell
- Beverly Williams
- Martha Lee Daniels
- Annie McKinzie
- Sanjiv Handa

DRAFT

23 Subject: Budget Changes
 From: The Budget Office
 Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of Parks And Recreation
[09-0226-1](#)

A motion was made by Councilmember Quan, 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 May 5, 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

The Council also approved the recommended funding reduction for the Library Operations and Maintenance

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

- Marvin Schwartz

- Lesile Absher

- Sanjiv Handa

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24 Subject: Security Pilot Program
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Rescinding Resolution 2009-0047, Amending Resolution 2008-0034, And Contributing Central City East And Coliseum Redevelopment Funds In An Amount Not To Exceed \$180,000 To The City Of Oakland Under The Cooperation Agreement To Implement The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program Using City Of Oakland Police Officers; And

[09-0290](#)

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DRAFT

2) A City Resolution Accepting And Appropriating Redevelopment Funds In An Amount Not To Exceed \$180,000 Under The Cooperation Agreement To Implement The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program Using City Of Oakland Police Officers
[09-0290-1](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Reid to approve the staff recommendations and adopt the two pieces of legislation noticed on the agenda. A substitute motion was then made by Councilmember De La Fuente, seconded by Councilmember Brunner to proceed with Resolution 2009-0047 passed on the March 31, 2009 agenda authorizing a professional services agreement for an amount not to exceed \$180,000 with International Services Incorporated or DTM to provide armed security patrol services in the Central City East and Coliseum Redevelopment Areas...

Upon call of the roll on the substitute motion, the motion tied: Ayes: Councilmembers De La Fuente, Kaplan, Quan, President Brunner -4; Noes: Councilmembers Brooks, Kernighan, Nadel, Reid -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 May 5, 2009 City Council Agenda for the purposes of allowing the Mayor to cast the tie breaking vote on the motion

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

The Roll Call was modified to note Councilmember Brooks absent at 12:20 AM

DRAFT

25 Subject: Ban On Assault Weapons Sales
From: Council President Brunner & Councilmembers Brooks & Reid
Recommendation: Adopt A Resolution To Encourage President Barack Obama And Congress To Reinstigate And Make Permanent A Ban On The Sale Of Assault Weapons, In Light Of The March 21, 2009 Shooting Deaths Of Four Oakland Police Officers
[09-0260](#)

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

- Sanjiv Handa
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[81936 CMS.pdf](#)

26 Subject: Cryer Site Segment - Oakland Waterfront Bay Trail
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City Administrator's Designee, To Award A Construction Contract To McGuire & Hester For The Cryer Site Segment Of The Oakland Waterfront Bay Trail (C243010) In The Amount Of One Million Seven Hundred Thirty-Five Thousand Six Hundred Eighty Dollars (\$1,735,680.00) And To Authorize The City Administrator, Or The City Administrator's Designee, To Allocate Measure DD, Series A And Series B Funds, As The City Administrator Deems Necessary And Appropriate For Funding And The Timely Completion Of Specific Measure DD Projects In Accordance With Measure DD
[09-0209](#)

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

- Sanjiv Handa
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[81937 CMS.pdf](#)

DRAFT

27 Subject: Contractor Debarment Ordinance
 From: Contracting and Purchasing
 Recommendation: Adopt An Ordinance Amending Title 2 Of The Oakland Municipal Code To
 Add Chapter 2.12, Debarment Program (TITLE CHANGE)
 [07-1210-1](#)

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

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

- *Sanjiv Handa*
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28 Subject: Measure Y Oversight Committee Appointment
 From: Councilmember Larry Reid
 Recommendation: Adopt A Resolution Appointing Mark L. Forte As A Member Of The Measure
 Y Violence Prevention And Public Safety Oversight Committee
 [09-0261](#)

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

- *Sanjiv Handa*
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DRAFT

Concurrent Meeting of the Oakland
Redevelopment Agency / City
Council

Meeting Minutes

April 21, 2009

29 Subject:: Chabot Space And Science Center Board Appointment
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Appointing Councilmember Jean Quan As A Member Of
The Chabot Space And Science Center Board Of Directors
[09-0295](#)

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 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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Continuation of Open Forum

The following individuals spoke under the Continuation of Open Forum:

- Sanjiv Handa
- Oscar Wright

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting at 12:30 AM

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City Clerk and Clerk of the Council