

City of Oakland Meeting Minutes

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

Concurrent Meeting of the Oakland Redevelopment Agency / City Council

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

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

Tuesday, March 31, 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 6:14 PM.

2 Roll Call / ORA & Council

Play Video

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)

Play Video

The following individuals spoke under Open Forum:

- Paulette Hogan
- Judy Jackson
- Debra Nelson
- Louis Calabro
- Lvnda Carson
- Dennis Castro
- Jeffrey Levin
- Janine Moa
- Ricky Anderson
- Vickie Carson
- Oscar Wright
- Sharon Cornu
- Nathan Burris
- Geoff Collins

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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.

No Action Taken

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)

No Action Taken

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.

No Action Taken

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on March 17, 2009

A motion was made by Councilmember Reid, seconded by Councilmember De La Fuente, 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: Dezie Woods-Jones Recognition

From: Councilmember Rebecca Kaplan

Recommendation: Adopt A Resolution Acknowledging The Honorable Dezie Woods-Jones For Her Years of Dedicated Service to The City of Oakland 09-0171

Play Video

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

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S-8.2 Subject: Oakland Police Officer Recognition

From: The City Council

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Honoring Sergeant Ervin Romans And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers; 09-0259

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

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

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 A Resolution Honoring Sergeant Mark Dunakin And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers; 09-0259-1

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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3) A Resolution Honoring Sergeant Daniel Sakai And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers; And 09-0259-2

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner
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4) A Resolution Honoring Officer John Hege And Extending Our Sincere And Deepest Sympathies And Condolences To His Family, Friends And Co-Workers 09-0259-3

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

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

The following individuals spoke on this item:

- Nathan Burris
- Louis Calabro
- Kevin Thomas 81875 CMS.pdf

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmembers De La Fuente, Reid and Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Corina Bobb and Edwin Leon

The Full Council took a point of personal privilege and requested that the meeting be adjourned in memory of Sergeant Ervin Romans, Sergeant Mark Dunakin, Sergeant Daniel Sakai and Officer John Hege

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 09-0201

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 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 09-0202

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 spoke on this item:

- Paulette Hogan
- James Gilbert Fronsee
- Kimberly Cue
- Renee Breen View Report.pdf 81877 CMS.pdf

10.3-CC Subject: Hong Thach - 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 CSAA Insurance Company As Subrogee Of Hong Thach, In The Amount Of Seven Thousand Sixty Six Dollars And Sixty Seven Cents (\$7,066.67), As A Result Of Property Damage Sustained In An Automobile Accident With A City Vehicle On August 24, 2008 (OPD)

09-0203

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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10.4-CC Subject: Travel Authorization - Councilmember Kaplan

From: Councilmember Kaplan

Recommendation: Adopt A Resolution Authorizing Councilmember Rebecca Kaplan To Travel To Portland, Oregon To Attend The National League Of Cities Green Cities Conference And Expo April 18-21, 2009

09-0197

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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10.5-CC Subject: Cypress Mandela Training Center - Pay-Go Grant

From: Council President Jane Brunner

Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000.00 From Councilmember Jane Brunner's Pay-Go Funds To The Cypress Mandela Training Center To Be Used For The Purchase Of Tools And Equipment For The Green Jobs For Youth Training Program 09-0229

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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Concurrent Meeting of the Oakland Redevelopment Agency / City

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Council 10.6-CC

Subject: Rehabilitation Of Existing Affordable Housing

From: Community and Economic Development Agency

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

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 spoke on this item:

- Paulette Hogan
- Nephtha Woods
- Mickey Martin
- Billy Johnson
- Ted Dixon
- Chris Walter
- Lynda Carson
- George Reynolds
- John Murcko

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10.7-CC Subject: Revocable And Conditional Permit - 1700 50th Avenue

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing A Revocable And Conditional Permit To Allow A Replacement Building For Fire Station No. 18 At 1700 50th Avenue To Encroach Into The Public Right-Of-Way

09-0147

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

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Brunner



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10.8-CC Subject: Franklin 88 Garage Management Agreement

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Two-Year Agreement With Pacific Park Management, Inc., For Management Of The Franklin 88 Parking Garage At 9th And Franklin Streets In Downtown Oakland 09-0152

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 spoke on this item:

Sanjiv Handa
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 2009-0038 CMS.pdf

10.9-CC Subject: Rebuilding Oakland Together- Housing Rehabilitation Grant

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A \$50,000 Grant From Central City East Redevelopment Funds And A \$50,000 Grant From Coliseum Redevelopment Funds To Rebuilding Together Oakland To Rehabilitate Houses And/Or Facilities For Low-Income Seniors And/Or Disabled Persons Within The Project Areas 09-0116

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: Fitzgerald Park Improvements

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

1) An Agency Resolution Allocating Redevelopment Funds In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald And Union Plaza Parks In West Oakland, And Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement For This Purpose; And 09-0119

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 City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$100,000 For Improvements To Fitzgerald And Union Plaza Parks In West Oakland 09-0119-1

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
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10.11-CC Subject: West Oakland Transit Village Project Funding

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

1) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development (HCD) For Funding Under The Transit Oriented Development Housing (TOD) Program For The Mandela Transit Village Project In An Amount Not To Exceed \$17 Million And The Fruitvale Transit Village Phase II In An Amount Not To Exceed \$15 Million For Each Project And Authorizing Acceptance And Appropriation Of Grant Funds And The Execution Of Standard Agreements With HCD If Selected For Such Funding; And 09-0149

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) An Agency Resolution Authorizing The Submittal Of Applications To The California Department Of Housing And Community Development (HCD) For Funding Under The Infill Infrastructure Grant Housing Program For The Mandela Transit Village Project And The Coliseum Transit Village Project Phase II In An Amount Not To Exceed \$20 Million Each And The Fruitvale Transit Village Phase II In An Amount Not To Exceed \$15 Million And The 720 East 11th Street Project In An Amount Not To Exceed \$2,890,000 For These Projects And Authorizing Acceptance And Appropriation Of Grant Funds And The Execution Of Standard Agreements With HCD If Selected For Such Funding 09-0149-1

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

The following individual spoke on this item:

- Paulette Hogan
- Sanjiv Handa 2009-0042 CMS.pdf

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10.12-CC Subject: Ice Resurfacing Machine Purchase

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing Agency Administrator To Purchase A Zamboni Ice Resurfacing Machine For The Oakland Ice Center In An Amount Not-To-Exceed \$90.000

09-0151

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 spoke on this item:

- Sanjiv Handa View Report.pdf 2009-0043 CMS.pdf

Passed The Consent Agenda

A motion was made by Councilmember De La Fuente, seconded by Councilmember Reid, 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

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

There were no decisions made in Closed Session

The following individual spoke on this item:

- Sanjiv Handa

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 De La Fuente, 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

There was no non-confidential Closed Session discussion



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

Reconsideration of Ordinances pursuant to Charter Section 216

14. Consideration of items with statutory Public Hearing Requirements:

14.1 Subject: Uptown Project Amendments

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces

Of Legislation:

1) An Agency Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The Redevelopment Agency, The City Of Oakland And Uptown Housing Partners, LP, For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By Up To \$252,000, From \$4,085,600 To \$3,833,600, Resulting From Remediation Cost Savings; And (B) Reallocate Up To \$182,000 Of The Remediation Cost Savings Toward The Construction Of The Public Park In The Uptown Project (Phase 1);

09-0117 Play Video

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

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2) A City Resolution Authorizing An Amendment To The Lease Disposition And Development Agreement Between The City Of Oakland, The Redevelopment Agency And Uptown Housing Partners LP For The Development Of A Mixed-Use Project In The Central District Redevelopment Project Area, Commonly Known As The Uptown Project (Phase 1), To: (A) Reduce The Agency's Contribution Toward Hazardous Materials Abatement By Up To \$252,000, From \$4,085,600 To \$3,833,600, Resulting From Remediation Cost Savings; And (B) Reallocate Up To \$182,000 Of The Remediation Cost Savings Toward The Construction Of The Public Park In The Uptown Project (Phase 1);

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

Council amended the resolution to remove the re-allocation of up to \$182,000 of the Remediation Cost Savings from the resolution and directed staff to come back to the Community and Economic Development Committee with more options for use of the money 81883 CMS.pdf

-3) An Agency Resolution Authorizing The Agency Administrator To Execute A Lease With FC Uptown Parcel 4 Parking, LLC, Or Related Entities, For A Term Of Up To 36 Months To Reconstruct And Operate A Parking Lot At 1911 Telegraph Avenue; 09-0117-2

Not Adopted

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4) An Agency Resolution Authorizing An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Date To Purchase The Property By 36 Months; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain Hazardous Materials Abatement Costs To Be Incurred Developing The Project; And 09-0117-3

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

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

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5) A City Resolution Approving An Amendment To The Disposition And Development Agreement Between The Redevelopment Agency And FC Uptown Parcel 4 LLC, For The Development Of A Mixed-Use Project At 1911 Telegraph Avenue, Commonly Known As The Uptown Project (Phase 2), To: (A) Extend The Date To Purchase The Property By 36 Months; And (B) Place An Amount Of Up To \$70,000 From The Sales Proceeds In Escrow To Reimburse FC Uptown Parcel 4 LLC For Certain Hazardous Materials Abatement Costs To Be Incurred In Developing The Project 09-0117-4

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

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

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:50 PM

The following individuals spoke on this item:

- Sanjiv Handa
- Paulette Hogan
- Joyce Roy
- Ricky Anderson

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Quan, 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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Council

14.2

Subject: Defremery Recreation Center Rehabilitation

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces

Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Oak Center Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$85,000 For Rehabilitation Of The Defremery House And Tennis Courts At 1651 Adeline Street In The Oak Center Redevelopment Project Area; And 09-0118

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

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

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2) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$85,000 For Rehabilitation Of The Defremery House And Tennis Courts At 1651 Adeline Street In The Oak Center Redevelopment Project Area

09-0118-1

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

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

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 8:20 PM.

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: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -8 81885 CMS.pdf

The Roll Call was modified to note Councilmember Reid absent at 8:35 PM

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Council

14.3

Subject: Consolidated Annual Performance And Evaluation Report

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Take The Following

Actions:

1) Receive A Report Regarding (1) Review Of Oakland's Consolidated Annual Performance And Evaluation Report (CAPER) For Community Development Block Grant, Home, Housing Opportunities For People With Aids And Emergency Shelter Grant Programs Performance For The Year 2007-2008; And

09-0150

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
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2) Adopt A Resolution Allocating An Estimated Award Of \$8,326,488 Of Community Development Block Grant (CDBG) Funds For Fiscal Year 2009-2011 Between The Categories Of Administration, Economic Development, Housing, Homeless Services, HUD 108 Loan Repayment And Neighborhood Programs And Allocating An Additional Estimated Amount Of \$670,480 In Program Income To A Revolving Loan Fund For Housing Rehabilitation Activities 09-0150-1

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan and President of the Council Brunner
Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was
opened at 8:21 PM

Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Quan, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Quan, and President of the Council Brunner -7; Absent: Agency/Councilmember Reid-1 81886 CMS.pdf

ACTION ON NON-CONSENT ITEMS:

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The Roll Call was modified to note Councilmember Reid present at 8:46 PM

15 Subject: Municipal Code Amendment - Special Elections

From: Office of the City Attorney

Recommendation: Adopt An Ordinance Adding Section 3.08.040 To Chapter 3.08 Of The Oakland Municipal Code, Entitled "Elections", To Authorize The City Council To Call A Special Election On July 21, 2009 (TITLE CHANGE) 09-0189

A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on April 21, 2009. 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
Pursuant to City Charter Section 200, which provides that "the Mayor shall
have a vote on the Council if the councilmembers are evenly divided", and Rule
29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. this item
was continued to the Council's next regularly scheduled meeting solely for the
purpose of allowing the Mayor to cast the tie breaking vote on the motion. The
Mayor did not appear, therefore, Council returned to the original motion.

Upon call of the roll on the original motion, the motion passed: Ayes: Councilmembers Brooks, Kaplan, Kernighan, Nadel, Quan, Reid, President Brunner-7; Noes: Councilmember De La Fuente-1

The following individual spoke on this item:

- Sanjiv Handa View Report.pdf View Supplemental Report.pdf View Supplemental Report.pdf

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

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

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

09-0103

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Not Adopted

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81887 CMS.pdf

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

A Resolution Submitting, On The City Council's Own Motion, To The Electors At The Next Special Municipal Election, That Is Not Less Than 88 Days And No More Than 150 Days After The Date The Council Passses This Resolution, A Measure (1) To Repeal Charter Section 1300 On Kids First! Oakland Fund For Children And Youth Adopted By The Voters On November 4, 2008 (Measure OO) And (2) Readopt Charter Section 1300 On Oakland Fund For Children And Youth Adopted By The Voters On November 7, 1996 (Measure K) As Amended To, Among Other Things, Set Aside Three And One-Half Percent (3.5%) Of The Actual Unrestricted General Purpose Fund City Revenue For Programs For Children And Youth And (3) Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With Applicable Legal Requirements (TITLE CHANGE) 09-0103-1

Not Adopted

Councilmember Kerninghan made a motion seconded by Councilmember Nadel to adopt Option D-2 as presented at the March 17, 2009 Council meeting and amended to set aside Three Percent (3.0%) of the actual unrestricted general purpose fund (Fund 1010) for programs for children and youth.

Upon call of the roll on the motion, the motion passed: Ayes: Councilmembers Kaplan, Kernighan, Nadel, Quan, Reid, President Brunner-6; Noes: Councilmembers Brooks, De La Fuente-2

The following individual(s) spoke on this item:

- Carolyn Norr
- Kim Miyoshi
- Gary Owens
- Chiona Moore
- Johnny Sheridan
- Greg Cluster
- Aracely Beltran
- Lisa Hire
- Adam Nunez
- Rovalitta Mickens
- David SIlver
- Kimberly Turner
- Amana Harris
- Helen Hutchinson
- Casandra Len
- Donya Saunders
- Hanson Nguyen
- Rebecca Hawley-Cooper
- Ralph Cooke
- Sofia Ortega

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- Leah Fortin
- Jed Silver
- Aurora Lopez
- Jimmie Woods
- Allyn Hall
- Brenda Paz
- Cristwell Muhammed
- Destiny Muhammed
- Anna Bach
- Ana Montanez
- Anyiko Nkululeko
- Willie Churchill
- Judy Glenn
- Judith SIms
- Lisa Pham
- Jenny Lu
- Anyka Barber
- Donjelica Eap
- Gary Sirbu
- Maribel Rodriguez
- Michael Fried
- Nhi Chau
- Viviana Rodriguez
- Diyana Crawford
- Chris Milburn
- Jacky Tran
- An Nguyen
- Virginia Atienza
- Amy Lee
- Sanjiv Handa



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17

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 Passses 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

Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/21/2009

The following individual spoke on this item:

Sanjiv Handa
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The Roll Call was modified to note Councilmember Quan absent at 10:45 PM



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Council

18

Subject: American Recovery And Reinvestment Act Grants Progress

From: Council President Jane Brunner

Recommendation: Receive A Status Report On The City's Progress In Preparing Projects For Funding And Identifying And Applying For Grants From The American Recovery And Reinvestment Act Of 2009

09-0187 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 Absent: 1 - Councilmember Quan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La
Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember
Nadel, Councilmember Reid and President of the Council Brunner
Council received and filed the report and directed staff to place a standing
"action item" regarding the stimulus package on each of the Committee and
Council agendas.

Staff was also directed to: 1) Coordinate with Caltrans or any other Disadvantaged Business Enterprise (DBE) certifying agency on a workshop for our local contractors so they are prepared to do the work affiliated with the stimulus package; and 2) Update the website so the public is aware of the grants applied for, status, outcomes, job availability, etc.

The following individual spoke on this item:

Sanjiv Handa
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Subject: T.Y. Lin International - Contract Amendment No. 3

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Waiving The Request For Proposal/Request For Qualification Competitive Selection Process Requirements And Authorizing Amendment No. 3 To The Professional Services Contract With T.Y. Lin International/Earthtech, Joint Venture For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work And The Contract Amount By Six Hundred Eighty Thousand Dollars (\$680,000.00) For A Total Contract Amount Not To Exceed One Million Nine Hundred Eighty Thousand Two Hundred Forty-Four Dollars (\$1,980,244.00)

09-0088

Play Video

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Quan

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember

Nadel, Councilmember Reid and President of the Council Brunner

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The Roll Call was modified to note Councilmember Quan present at 10:55 PM



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20

Subject: Central City East And Coliseum Project Areas Security

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing A Professional Services Agreement For An Amount Not To Exceed \$180,000 With International Services Incorporated Or DTM Corporation To Provide Armed Security Patrol Services In The Central City East And Coliseum Redevelopment Areas, And Allocating A Contract Compliance Fee To The City Under The Cooperation Agreement In The Amount Of 3% Of The Contract Amount 07-1778-1

Play Video

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Kernighan ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember De La Fuente, Councilmember Kaplan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council Brunner Council approved staff recommendations on the armed security contract, but directed that the execution and negotiation of the contract be held in abeyance until April 21, 2009 so that staff can investigate the feasibility of: 1) Providing 4 teams of walking officers to patrol specific corridors; 2) Utilizing the wagon at the Eastmont substation to transport suspects; 3) Utilizing a pool of officers assigned to the area; and 4) Allocating the \$180,000 for OPD overtime for the armed guard services with PAC approval

The following individual spoke on this item:

- Sanjiv Handa View Report.pdf 2009-0047 CMS.pdf



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21

Subject: Budget Changes
From: The Budget Office

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Balancing Proposal To Address The Fiscal Year 2008-2009 Projected \$8.22 Million Deficit In The General Purpose Fund; And 09-0226 Play Video

A motion was made by Councilmember De La Fuente, seconded by Councilmember Quan, 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

Council amended the exhibit to the Resolution to remove the following items from the additional balancing measures list (Exhibit A): 1) Freeze auto allowance to unrepresented positions (Citywide); 2) Elimination of filled positions (Information Technology); 3) Parking Fee Increases (Parks & Rec); and 4) Reduction in materials and operations and maintenance spending (Library). The pool fees were increased to \$5.00 for daily lap swimming and \$40 for the 10 day swimming pass. The City Administrator was directed to consult with the City Attorney on the implementation of the charge for the 14.0 (FTE) problem solving officers to Measure Y View Report.pdf

View Report.pdf View Supplemental Report.pdf 81889 CMS.pdf

2) 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

Approved As Amended On Introduction to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 4/21/2009

Council amended the Ordinance to increase the pool fees to \$5.00 for daily lap swimming and \$40 for the 10 day swimming pass

The following individuals spoke on this item:

- Jeffrey Levin
- Rachel Richman
- TC Everett
- Sanjiv Handa View Report.pdf



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22 Subject: Wildfire Prevention Assessment Board Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Douglas Wong As A Member Of The

Wildfire Prevention Assessment District Advisory Board

09-0236

A motion was made by Councilmember Quan, 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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23 Subject: Community Policing Advisory Board - Appointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Pat K. Frick, Deborah Taylor, Robert Vaughn, And Josephine Lee As Members Of the Community Policing Advisory Board 09-0237

A motion was made by Councilmember Quan, 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 spoke on this item:

Sanjiv Handa
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24

Subject: 2009 American Recovery And Reinvestment Act Grant

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

1) A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA) Funds Of Approximately Five Million Nine Hundred And Sixty-Eight Thousand Dollars (\$5,968,000.00) For The Purpose Of Street Resurfacing, Curb Ramp Installation, And Sidewalk Repair; And 09-0148

Play Video

A motion was made by Councilmember De La Fuente, 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

The following individual spoke on this item:

Sanjiv Handa
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2) A Resolution Authorizing The Filing Of An Application For Federal American Recovery And Reinvestment Act Of 2009 (ARRA) Funding And Stating The Assurance To Complete The Project

09-0148-1

A motion was made by Councilmember De La Fuente, 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
81893 CMS.pdf



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Subject: COPS Grant For New Officers From: Oakland Police Department

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 U.S. Department Of Justice, Office Of Community Oriented Policing Services (USDOJ/COPS), COPS Hiring Recovery Program (CHRP), To Fund The Entry-Level Salary And Fringe Benefit Costs Of Police Officers For A Thirty-Six (36) Month Period, And Appropriate Said Funds To The Police Department

09-0180 Play Video

> A motion was made by Councilmember Quan, 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

Agency/Councilmember Quan made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 25 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

The following individual spoke on this item:

Sanjiv Handa
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26 Subject: Professional Services Agreement - Dakota Warren

From: Cultural Arts Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And

Execute A Professional Services Agreement With Dakota Warren For Public Art Design, Fabrication And Installation Services For The Fremont Pool Project In An Amount Not To Exceed Sixty Thousand Dollars (\$60,000)

09-0199 Play Video

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

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

Agency/Councilmember Reid made a motion seconded by
Agency/Councilmember De La Fuente to approve an urgency finding pursuant
to Section 2.20.080 E(2) regarding Item 25 that there is a need to take
immediate action which came to the attention of the local body after the agenda
was posted, and that the need to take immediate action is required to avoid a
substantial adverse impact that would occur if the action were deferred to a
subsequent special or regular meeting

The following individual spoke on this item:

- Sanjiv Handa View Report.pdf 81895 CMS.pdf

Continuation of Open Forum

Play Video

The following individual spoke under the Continuation of Open Forum:

- Sanjiv Handa

ADJOURNMENT OF COUNCIL SESSION

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

Play Video

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Corina Bobb, Edwina Leon, Sergeant Ervin Romans, Sergeant Mark Dunakin, Sergeant Daniel Sakai and Officer John Hege at 12:14 AM.

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