



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

Tuesday, May 18, 2010

5:30 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

The Concurrent Meeting of the Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 5:44 p.m.

2 Roll Call / ORA & Council

COUNCIL MEMBERS: Patricia Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Jean Quan, Dist. 4; Ignacio De La Fuente, Dist. 5; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Rebecca Kaplan, At-Large, and President Jane Brunner, Dist. 1

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individuals spoke on the item:

- Gene Hazzard
- Oscar Wright

- 4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council
Acknowledgements/Announcements):

Agency/Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Lena Horne.

Agency/Councilmembers Reid, Brooks and De Le Fuente took a point of personal privilege and requested that the meeting be adjourned in memory of Genevieve LeBlanc

Agency/Councilmember Kernighan took a point of personal privilege and requested that the meeting be adjourned in memory of Patricia Mooney

Agency/Councilmembers Brooks and Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Dale Hurley

Agency/Councilmember Quan took a point of personal privilege and requested that the meeting be adjourned in memory of Marge Saunders and Jim Slater

- 4.1 Subject: Eastside Arts Alliance
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Recognizing Eastside Arts Alliance And The 10th Anniversary Of The Malcolm X Jazz Festival
[09-1428](#)

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

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

Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Kaplan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-4.1 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 relates to a purely ceremonial or commendatory action.

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S-4.2 Subject: Declaring May 21, 2010 "Dallas Braden Day"
From: Councilmember Brooks
Recommendation: Adopt A Resolution Honoring Oakland Athletics' Pitcher Dallas Braden Who Pitched A Perfect Game On May 9, 2010 At The Oakland-Alameda County Coliseum And Became The 19th Pitcher In 134 Years History Of Major League Baseball To Achieve This Feat, And Declaring May 21, 2010 As "Dallas Braden Day"
[09-1480](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Brunner to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-4.2 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 relates to a purely ceremonial or commendatory action.

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5 APPROVAL OF THE DRAFT MINUTES FROM THE CONCURRENT MEETINGS OF THE MARCH 16, 2010, APRIL 20, 2010, AND MAY 4, 2010

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

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

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

Councilmember Brooks registered a no vote on item 7.5 on the Consent Calendar.

7. CONSENT CALENDAR (CC) ITEMS:

7.1-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
[09-1430](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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7.2-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
[09-1431](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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7.3-CC Subject: Anthony Para - 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 Anthony Para, In The Amount Of \$6,890.33, As A Result
Of Property Damage Sustained In An Automobile Collision On October 11, 2009 (Public
Works Agency)
[09-1432](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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7.4-CC Subject: Douglas Bushey - 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 Douglas Bushey v. City Of Oakland, Alameda County Superior Court Case Number RG07-335507, In The Amount Of \$500,000.00 As A Result Of An Alleged Dangerous Condition Of Public Property That Caused A Bicycle Accident At Piedmont Avenue And MacArthur Boulevard On August 24, 2006 (Public Works Agency)
[09-1455](#)

This Matter was Adopted on the Consent Agenda.

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

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7.5-CC Subject: Consuelo Sopolario - 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 Consuelo Sopolario, Et Al. v. City Of Oakland, et al., Alameda County Superior Court Numbers. RG09429683 And RG09430020, Our File Numbers. 26639 And 26639B, In The Amount Of \$500,000.00 (Public Works Agency)
[09-1456](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

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

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7.6-CC Subject: Michael Musick - 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 Michael Musick, et al. v. City Of Oakland, et al., Alameda County Superior Court Number RG08-388364, Our File Number 26348, In The Amount Of \$21,500.00 (Police Department)
[09-1459](#)

This Matter was Adopted on the Consent Agenda.

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

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7.7-CC Subject: Maria Moreira - 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 Maria Moreira v. City Of Oakland, Alameda County
Superior Court Number RG09-443833, City Attorney File Number 26863 In The Amount Of
\$15,000.00 (Public Works Agency)
[09-1460](#)

This Matter was Adopted on the Consent Agenda.

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

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7.8-CC Subject: Michael Foster - Settlement Agreement
From: Office of the City Attorney
Recommendation: Resolution Authorizing And Directing The City Attorney To Compromise
And Settle The Case Of Michael Foster v. City Of Oakland, United States District Court Case
Number CV08-1944EDL, Our File Number 26293, In The Amount Of \$40,000.00 (Office Of
Parks And Recreation)
[09-1464](#)

This Matter was Adopted on the Consent Agenda.

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

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7.9-CC Subject: Create The Department Of Engineering And Construction
From: Public Works Agency
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal
Code, Entitled, "City Agencies, Departments And Offices", Which Established The
Organizational Structure Of The City Under The City Administrator's Jurisdiction In
Accordance With The Requirements Of City Charter Section 600, To Transfer The Department
Of Engineering And Construction From The Communtiy And Economic Development Agency
To The Public Works Agency
[09-1381](#)

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

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

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7.10-CC Subject: Amending O.M.C 9.08.080 - Immoral Dress
From: Councilmember Kaplan
Recommendation: Adopt An Ordinance Amending Section 9.08.080 Of The Oakland
Municipal Code To Delete The Language That Makes It Unlawful To Dress In Attire Of A
Person Of The Opposite Sex
[09-1301](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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7.11-CC Subject: Fee Charge Associated With False Alarm Services
From: Oakland Police Department
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending Oakland Municipal Code (OMC) Chapter 8.02, Burglar Alarm
Systems, To Modify Alarm Company Responsibilities; And
[09-1223](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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2) An Ordinance Amending Ordinance No. 12809 (Master Fee Schedule) To Create A Fee
Associated With Failure To Report Discounted Alarm Users
[09-1223-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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7.12-CC Subject: Local Jobs For America Act
From: Councilmember Desley Brooks
Recommendation: Adopt A City Resolution In Support Of The Local Jobs For America Act,
House Resolution Number 4812, Which Will Help Create One Million Public And Private Jobs
In Local Communities, Including In The City Of Oakland
[09-1357](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.13-CC Subject: Sanitary Sewer Easement Located At 5520 Masonic Avenue
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Summarily Vacating An Unused Sanitary Sewer
Easement Located At 5520 Masonic Avenue To The Property Owner Joshua Hannah And
Denise Yamamoto
[09-1366](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.14-CC Subject: Stormwater Drainage Easement Located At 187 Chadbourne Way
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Approving The Realignment Of An
Existing Stormwater Drainage Easement Located At 187 Chadbourne Way
[09-1368](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.15-CC Subject: Conditional And Revocable Permit
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Montgomery Realty Investors I LLC A
Conditional And Revocable Permit To Allow Existing Portions Of A Building Located At 902
Center Street To Encroach Into The Public Right-Of-Way Along Center Street And 9th Street
[09-1369](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.16-CC Subject: On-Call Citywide Emergency Roadway Repairs
From: Community And Economic Development Committee Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Beliveau
Engineering Contractors, Inc. For On-Call Citywide Emergency Roadway Repairs (Project
Number C369910) In The Amount Of Three Hundred Ninety-Three Thousand Three Hundred
Fifty-Eight Dollars (\$393,358.00) Over A Twelve-month Term
[09-1370](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.17-CC Subject: Civicorps Schools - Recycling And Related Services
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving The Advertising And Competitive Request
For Proposal/Qualification Selection Requirement And Awarding A Three-Year Agreement
For An Amount Not-To-Exceed Two Hundred Ten Thousand Dollars (\$210,000.00) To
Civicorps Schools To Provide Recycling And Related Services
[09-1364](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Kernighan,
Councilmember Nadel, Councilmember Quan, President of the Council Reid
and Councilmember Brunner
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S-7.18-CC Subject: State Transportation Development Act
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Fifteen Thousand Dollars (\$415,000.00) In Fiscal Year 2010-2011 State Transportation Development Act Article 3 Funds As Follows: (1) Ardley Avenue/16th Avenue Bikeway (MacArthur Boulevard To Embarcadero), Ninety Thousand Dollars (\$90,000.00); (2) Bicycle Detection At Actuated Traffic Signals, One Hundred Thousand Dollars (\$100,000.00); (3) Castlemont Stairs Rehabilitation (MacArthur Boulevard To Thermal Street), One Hundred Thousand Dollars (\$100,000.00); (4) CityRacks VIII Bicycle Parking Project, Seventy-Five Thousand Dollars (\$75,000.00); And (5) School Safety Improvements At Various Locations, Fifty Thousand Dollars (\$50,000.00)
[09-1394](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.19-CC Subject: Lion Creek Crossings Phase IV
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting The Oakland Housing Authority A Revocable And Conditional Permit To Allow Entry Stairs And An Undersidewalk Electrical Transformer And Vault For The Lion Creek Crossings Phase Iv Affordable Housing Project At 814 69th Avenue To Encroach Into The Public Right-Of-Way Along 69th Avenue And 70th Avenue
[09-1393](#)

This Matter was Adopted on the Consent Agenda.

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

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7-20

S-7.21-CC Subject: Civil Service Board - Annual Report
From: Department Of Human Resource Management
Recommendation: Receive The Annual Informational Report On Civil Service Board
[09-1257](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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S-7.22-CC Subject: Wireless Broadband Feasibility
From: Department Of Information Technology
Recommendation: Receive An Informational Report Regarding The Findings Of The Wireless Broadband Feasibility Study Conducted By The Consultant Tellus Venture Associates
[09-1214](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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S-7.23-CC Subject: As-Needed Real Estate Appraisal Services
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Alfred L.Watts And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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2) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Associated Right Of Way Services, Inc. For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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3) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Burchard & Rinehart For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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4) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Certified General Appraisal Services For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-3](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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5) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Hodges Lacey & Associates, LLC For As-Needed Real Estate Appraisal Services Over A Period Of Three Years
[09-1353-4](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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6) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Donna Desmond Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-5](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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7) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Sandra L. Pike And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-6](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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8) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Sanli Pastore & Hill, Inc. For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-7](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[82758 CMS.pdf](#)

9) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Forty-Five Thousand Dollars (\$45,000.00) Annually With Margaretta J. Darnall For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-8](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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10) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00) Annually With J.W. Tom And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-9](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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11) Resolution Authorizing The City Administrator Or His Designee To Enter Into A Professional Services I Contract In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00) Annually With Yovino -Young Incorporated For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-10](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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12) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Alfred L. Watts And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-11](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0057 CMS.pdf](#)

13) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Associated Right Of Way Services, Inc. For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-12](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0058 CMS.pdf](#)

14) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Burchard & Rinehart For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-13](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0059 CMS.pdf](#)

15) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Certified General Appraisal Services For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-14](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0060 CMS.pdf](#)

16) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Hodges Lacey & Associates, LLC For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-15](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0061 CMS.pdf](#)

17) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Donna Desmond Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-16](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0062 CMS.pdf](#)

This Matter was Adopted on the Consent Agenda.

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

18) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Sandra L. Pike And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-17](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0063 CMS.pdf](#)

19) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Twenty-Five Thousand Dollars (\$25,000.00) Annually With Sanli Pastore & Hill, Inc. For As-Needed Real Estate Appraisal Services Over A Period Of Three Years
[09-1353-18](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0064 CMS.pdf](#)

20) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed Forty-Five Thousand Dollars (\$45,000.00) Annually With Margaretta J. Darnall For As-Needed Real Estate Appraisal Services Over A Period Of Three Years;
[09-1353-19](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0065 CMS.pdf](#)

21)An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00) Annually With J.W. Tom And Associates For As-Needed Real Estate Appraisal Services Over A Period Of Three Years; And
[09-1353-20](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0066 CMS.pdf](#)

22) An Agency Resolution Authorizing The Agency Administrator Or His Designee To Enter Into A Professional Services Contract In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00) Annually With Yovino-Young Incorporated For As-Needed Real Estate Appraisal Services Over A Period Of Three Years
[09-1353-21](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0067 CMS.pdf](#)

S-7.24-CC Subject: Sales And Use Tax Records- Amending Reso No. 68566
From: Finance And Management Agency
Recommendation: Adopt A Resolution Amending Resolution Number 65866 C.M.S.,
Authorizing And To Update And Expand The List Of Designated City Officials To Include The
City Administrator, Director Of Community And Economic Development Agency, Budget
Director, Principal Financial Analyst, Financial Analyst, Finance Director, Revenue And Tax
Administrator, City Administrator Analyst, Revenue Audit Supervisor, Revenue Operations
Supervisor, Revenue Collection Supervisor, Tax Auditor III, Tax Auditor II, Tax Enforcement
Officer II, Tax Representative II, Collection Officer, And Revenue Assistant And A Consultant
Authority To Examine Sale And Use Tax Records For The City Of Oakland From The Board
Of Equalization Pursuant To Government Code Section 7056 [TITLE CHANGE]
[09-1354](#)

This Matter was Adopted on the Consent Agenda.

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

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[82762 CMS.pdf](#)

S-7.25-CC Subject: Insurance Claim Recoveries
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The Appropriation And Expenditure Of
Insurance Claim Recoveries For The Repair Or Replacement Of Damaged City Assets
[09-1401](#)

This Matter was Adopted on the Consent Agenda.

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

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[82763 CMS.pdf](#)

S-7.26-CC Subject: HUD Economic Development Initiative
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City To Apply For, Accept, And Appropriate Grant Funds In An Amount Not To Exceed \$328,300 From The U.S. Department Of Housing And Urban Development Economic Development Initiative - Special Projects Grant Program For The Unity Council's Fruitvale Transit Village Phase 2 Residential Project At The Blocks Bounded By 35th And 37th Avenues, East 12th Street And The BART Tracks
[09-1389](#)

This Matter was Adopted on the Consent Agenda.

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

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[82764 CMS.pdf](#)

S-7.27-CC Subject: Demolition Of 18 Buildings
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Dispensing With Advertising And Authorizing An Alternative Competitive Bidding Process For The Contract For Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex, According To Plans And Specifications For The Oak Knoll Demolition Project, And Authorizing The City Administrator To Award The Contract To The Lowest Responsive, Responsible Bidder Without Returning To The City Council In An Amount Not-To-Exceed The Engineer's Estimate Of \$180,000 For Said Demolition Work; And 2) Authorizing The City Administrator To Accept And Appropriate A Contribution Of Oak Knoll Redevelopment Funds Under The Cooperation Agreement In An Amount Not-To-Exceed \$235,830 For All Costs Associated With The Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex; And

[09-1392](#)

This Matter was Adopted on the Consent Agenda.

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

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2) An Agency Resolution Authorizing The Contribution And Allocation Of Oak Knoll Redevelopment Area Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not-To-Exceed \$235,830 For All Costs Associated With The Demolition Of 18 Buildings Located At 4000-4009 Barcelona Street And 9020-9036 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex
[09-1392-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
[2010-0068 CMS.pdf](#)

S-7.28-CC Subject: California State Preschool Expansion Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate The California State Preschool Expansion Grant From The California Department Of Education In An Estimated Amount Of \$1,073,929 For Program Year 2010-2011, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$123,609 To Fund Child Development And Family Literacy Services In Accord With Said Grants
[09-1360](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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[82766 CMS.pdf](#)

S-7.29-CC Subject: Child Care Food Program (CCFP) Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The Child Care Food Program (CCFP) Grant From The California Department Of Education In An Estimated Amount Of Three Hundred Seventy Five Thousand Dollars (\$375,000) To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start Program For Program Year 2010-2011
[09-1361](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner
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[82767 CMS.pdf](#)

S-7.30-CC Subject: Even Start Family Literacy Program Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate The Even Start Family Literacy Grant For Program Year 2010-2011 From The State Of California Department Of Education In The Amount Of One Hundred Twenty Thousand, Seven Hundred Fifty Dollars (\$120,750) For The City Of Oakland San Antonio Even Start Program
[09-1362](#)

This Matter was Adopted on the Consent Agenda.

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

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[82768 CMS.pdf](#)

S-7.31-CC Subject: Fund Child Development Services
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, And Early Head Start Training And Technical Assistance Grants For Program Year 2010-2011 From The U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF) In The Estimated Amount Of \$15,178,517, And Authorizing A Grant Agreement With The Unity Council For The Estimated Amount Of \$4,844,421 To Fund Child Development Services In Accord With Said Grants
[09-1363](#)

This Matter was Adopted on the Consent Agenda.

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

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[82769 CMS.pdf](#)

S-7.32-CC Subject: Northern California Regional Intelligence
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To: 1) Enter Into A County Of San Mateo Agreement Under Which The City Of Oakland Will Provide Its Police Personnel In Exchange For Supplemental Grant Funding In Connection With The Northern California Regional Intelligence Center (NCRIC) Operation And The Fiscal Year 2009 And Fiscal Year 2010 Urban Areas Security Initiative Grant (UASI) Allocation, Which Is A Federal, State And 1 Local Public Safety Effort That Involves The Intake, Analysis, Fusion, Synthesis, And Appropriate Dissemination Of Criminal And Homeland Security Intelligence In The Greater San Francisco Bay Area And The Northern Coastal Counties Of California; And 2) Accept And Appropriate UASI Grant Allocations Of \$220,922 For The Federal Fiscal Year 2009 For Reimbursement Of Salaries And Benefits Paid To Oakland Police Department Staff That Is Assigned As A Liaison Officer Per The County Of San Mateo NCRIC Agreement
[09-1314](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.33-CC Subject: Homeland Security Grant Program
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Fifty Thousand Dollars (\$50,000) For Federal Fiscal Year 2009 Community Emergency Response Team (CERT) Grant From The State Of California Homeland Security Grant Program To The City Of Oakland, Office Of Emergency Services (OES), Communities Of Oakland Respond To Emergencies (CORE) Program
[09-1315](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.34-CC Subject Homeland Security Grant 2009 - Firefighter Staffing
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Accept A Grant From Department Of Homeland Security 2009 Assistance To Firefighter's Staffing For Adequate Fire And Emergency Response Program In The Amount Of \$921,735 To Fund The Salary And Benefits For Three Firefighter Trainee Positions For A Two Year Period And 2) Rehire Three (3) Firefighter Trainees That Were Laid Off In May 2009
[09-1347](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.35-CC Subject: Overtime Costs For Peace Officers
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds, For The Period Of May 1, 2010 Through September 8, 2010 In An Amount Not-To-Exceed Fifteen Thousand Dollars (\$15,000) In Federal Funds From The United States Department Of Agriculture (USDA), Office Of Inspector General To The Oakland Police Department (OPD) In Overtime Costs For Peace Officers, And Fifteen Thousand Dollars (\$15,000) For Surveillance Equipment, For Assisting In A Joint Investigation Into Food Stamp And EBT (Electronic Benefit Transfers) Fraud Within The City Of Oakland
[09-1348](#)

This Matter was Adopted on the Consent Agenda.

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

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[82773 CMS.pdf](#)

S-7.36-CC Subject: Tax Cannabis Act Of 2010
From: City Administrator Office
Recommendation: Adopt A Resolution Supporting The 2010 California Initiative Measure
09-0024, Entitled, Regulate, Control And Tax Cannabis, Which Would Legalize And Regulate
Cannabis (Marijuana) (TITLE CHANGE)
[09-1235](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.37-CC Subject: Assembly Bill 2492
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Supporting Assembly Bill 2492, An Act To Amend
Sections 62, 64, And 65.1 Of, And To Add Sections 64.1 And 64.5 To, The Revenue And
Taxation Code, Relating To Taxation Which Would Change The Requirements For
Reassessment Of The Value Of Commercial Properties.
[09-1427](#)

This Matter was Adopted on the Consent Agenda.

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

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S-7.38-CC Subject: Senate Bill 1275
From: Councilmember Kaplan
Recommendation: Adopt A Resolution Supporting Senate Bill 1275, Requiring A Loan
Servicer To Provide An Application For A Loan Modification To A Homeowner, And
Determine Eligibility For A Modification Or Other Alternative To Foreclosure For Those Who
Complete The Application, Prior To Filing Of A Notice Of Default.
[09-1426](#)

This Matter was Adopted on the Consent Agenda.

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

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Passed The Consent Agenda

A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, 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 - Vice Mayor Brooks, President Pro Tempore De La Fuente, Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, President of the Council Reid and Councilmember Brunner

- 8 Oral Report of Final Decisions Made During Closed Session & Disclosure of Non-Confidential closed session discussions

A motion was made by President Pro Tempore De La Fuente, seconded by Vice Mayor Brooks, to *Approve as Submitted the report of the City Attorney of 2 final decisions made during Closed Session. The motion carried by the following vote:

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

The time was noted as 6:07pm and in accordance for Council's Rules of Procedures, Resolution 82520 C.M.S. Council Recessed for 23 minutes or until 6:30 p.m.

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

At 6:30 pm the City Council reconvened with a Quorum present.

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING
REQUIREMENTS:**

9.1 Subject: Major Conditional Use Permit - 6400 Shattuck Avenue
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing To Consider A Major Conditional Use Permit
And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity
And Adopting One Of The Following Two Alternative Resolutions:

1) A Resolution Denying The Appeal (A09-220), Thereby Upholding The Planning
Commission Decision To Approve A Major Conditional Use Permit And Variance At 6400
Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity; Or Alternatively,
[09-1133](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/15/2010**

The following individuals spoke on this item:

- Sanjiv Handa
- Gene Hazzard
- Amy T. Chen
- Sam Herbert
- Erika Esperanza Miranda
- James Sweeney
- Bob Brokl
- Don Link
- Christopher Waters
- Will Gordon
- Robert Bobnar

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2) A Resolution Upholding And Approving The Appeal (Case No. A09-220), Thereby Reversing The Planning Commission Decision And Denying The Major Conditional Use Permit And Variance At 6400 Shattuck Avenue For Alcoholic Beverage Sales Commercial Activity
[09-1133-1](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 6/15/2010**

Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was re-opened at 6:30 p.m.

The following individuals spoke on this item:

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Kernighan, to continue the Public Hearing and upon call of the roll, the motion tied by Ayes: Agency/Councilmember: Brooks, Kernighan, Kaplan, Reid- 4 Noes: De La Fuente, Nadel, Quan, Brunner -4

Pursuant to Rule 29 of the Council's Rules of Procedure, Resolution No. 82580 C.M.S. and City Charter Section 200, which provides that "the Mayor shall have a vote on the Council if the Councilmember are evenly divided", this item is 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 substitute motion.

Rule 29 provides the following regarding the procedure: " Council and public discussion is permitted on the item to be voted on by the Mayor; however, Council members cannot change their vote unless the item has been properly noticed for reconsideration. The Mayor must appear at the Council meeting to cast his vote."

If the Mayor does not cast a tie-breaking vote in favor of the motion, the motion will fail and the Council then will return to the Original Motion to take a vote

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ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

S-10 Subject: Merritt Bakery Loan - Mckinney Griff
From: Office Of The Mayor
Recommendation: Adopt A Resolution Authorizing The City Administrator To Provide A
Loan To Mckinney Griff, Inc., DBA Merritt Bakery & Restaurant ("Merritt Bakery") In The
Amount Of \$150,000 To Preserve Approximately 55 Jobs Maintained At Merritt Bakery, And
Authorizing The City Administrator To Negotiate Loan Terms Without Returning To Council
[TITLE CHANGE]
[09-1377](#)

A motion was made by President Pro Tempore De La Fuente, seconded by Councilmember Quan, that this matter be Adopted with the requirements that 1) Merritt Bakery develop systems to address items 4 through 17 identified in the Iryna Audit and 2) the City of Oakland loan does not jeopardize other Merritt loans. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Quan
ORA\Councilmember Noes: 2 - Councilmember Kernighan and
Councilmember Brunner
ORA\Councilmember Ayes: 5 - Vice Mayor Brooks, President Pro Tempore De
La Fuente, Councilmember Kaplan, Councilmember Nadel and President of the
Council Reid

The following individuals spoke on this item:

- *Fernando Adin Morales*
- *Gene Hazzard*
- *Sanjiv Handa*
- *Denis Mathewson*
- *George Holland*
- *Brian Toy*
- *Jack Davis*
- *Charles Griffis*

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S-11 Subject: Clear Channel Billboard Agreement - Ordinance 13003 C.M.S.
From: Office of the City Administrator
Recommendation: Adopt An Ordinance To Amend Ordinance Number 13003 C.M.S.
(Authorizing A Billboard Agreement And Sublease Amendments With Clear Channel Outdoor,
Inc. (Clear Channel) Relating To Three Signs At 165 98th Avenue, Interstate 580 & Ettie
Street, and Oakport & Hassler) Deleting The Requirements That The City Have: (1) Exclusive
Use Of, And An Even (50/50) Split Of Revenue From, A Portion Of The Oakport And Hassler
Sign; And (2) The Right To Use Unsold Advertising Space On All Three Signs, And Providing
Instead That Clear Channel Allow The City To Use Fifty Percent (50%) Of Any Unsold Space
On The Oakport & Hassler Sign
[09-1484](#)

**A motion was made by President of the Council Reid, seconded by
President Pro Tempore De La Fuente, that this matter be Approved On
Introduction and Scheduled for Final Passage to the Concurrent Meeting
of the Oakland Redevelopment Agency / City Council, to be heard at the
June 1, 2010 meeting. The motion carried by the following vote:**

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

The following individual spoke on this item:

- Sanjiv Handa

*Agency/Councilmember Reid made a motion seconded by
Agency/Councilmember Quan to approve an urgency finding pursuant to
Section 2.20.080 E(2) regarding Item S-11 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 relates to a purely
ceremonial or commendatory action.*

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S-12 Subject: 2011-2012 Urban Areas Security Initiative Grant
From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee
To:

- 1) Enter Into A County Of San Mateo Agreement Under Personnel During The Term July 1, 2011 Through June 30, 2012 In Exchange For Supplemental Grant Funding In Connection With The Northern California Regional Intelligence Center (NCRIC) Operation Urban Areas Security Initiative (UASI), Which Is A Federal, State And Local Public Safety Effort That Involves The Intake, Analysis, Fusion, Synthesis, And Appropriate Dissemination Of Criminal And Homeland Security Intelligence In The Greater San Francisco Bay Area And The Northern Coastal Counties Of California; And
- 2) Accept And Appropriate Federal Fiscal Year 2010 UASI Grant Allocations Through The San Mateo County July 1, 2011 - June 30, 2012 Agreement Of Two Hundred Twenty Thousand Nine Hundred Twenty Two Dollars (220,922) For Reimbursement Of Salaries And Benefits Paid To Oakland Police Department Personnel That Are Assigned As Liaison Offer Per The County Of San Mateo NCRIC Agreement

[09-1486](#)

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

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

*The following individual spoke on this item:
- Sanjiv Handa*

Agency/Councilmember Reid made a motion seconded by Agency/Councilmember Quan to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-12 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 relates to a purely ceremonial or commendatory action.

[82778 CMS.pdf](#)

S-13 Subject: City's Long-Term Pension Liabilities
From: Finance and Management Agency
Recommendation: Adopt A Resolution By The City Council Of The City Of Oakland Directing
The City Administrator In Order To Address The City's Pension Funding Needs To (1)
Negotiate With The Police And Fire Retirement Board For A Holiday From Payments To The
System, (2) Form A Financing Team To Facilitate Issuance And Sale Of Pension Obligation
Bonds, (3) Return And Seek City Council Approval By Resolution For The Issuance And Sale
Of The Pension Obligation Bonds, And (4) Enter A Third Supplemental Annuity Deposit
Agreement With The Police And Fire Retirement System
[09-1096](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa

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[82779 CMS.pdf](#)

S-14 Subject: Tax And Revenue Anticipation Notes
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal
Year 2010-2011 In An Amount Not To Exceed \$200,000,000 And The Issuance And Sale Of
2010-2011 Tax And Revenue Anticipation Notes, Therefore And Approving Certain Related
Matters
[09-1413](#)

**A motion was made by President Pro Tempore De La Fuente, seconded by
Councilmember Quan, that this matter be Approved On Introduction and
Scheduled for Final Passage to the Concurrent Meeting of the Oakland
Redevelopment Agency / City Council, to be heard at the June 1, 2010
meeting. The motion carried by the following vote:**

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

The following individual spoke on this item:

- Sanjiv Handa

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

(Meeting shall conclude no later than 12:00 a.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 in memories of Lena Horne, Genevieve La Blanc, Patricia Mooney, Dale Hurley, Marge Sauders, and Jim Slater at 9:23 p.m.

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...

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City Clerk and Clerk of the Council