



# 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/Joint Powers Financing Authority Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

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Tuesday, June 01, 2010

5:30 PM

Oakland City Hall, 3rd Floor

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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 5:35 pm.*

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

*The following individuals spoke under Open Forum:*

- Sanjiv Handa
- Mike Neldam
- Barbara Tangeri
- Gene Hazzard

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

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4.1 Subject: Oakland Mother Of The Year 2010 - Barbara Newcombe  
From: Council Member Nadel  
Recommendation: Adopt A Resolution Recognizing And Honoring Barbara Newcombe As  
Recipient Of The 2010 Oakland "Mother Of The Year"  
[09-1479](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
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S-4.2 Subject: Honorarium - Dominguita Velasco  
From: Councilmember De La Fuente  
Recommendation: Adopt A Resolution In Recognition Of Dominguita Velasco's 109th  
Birthday And Her 90 Years Of Community Activism In The City Of Oakland  
[09-1504](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
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5 APPROVAL OF THE DRAFT MINUTES FROM THE SPECIAL AND CONCURRENT MEETINGS OF THE APRIL 29, 2010 AND MAY 18, 2010

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

- 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):

**\*Approve with the following amendments**

**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  
[09-1488](#)

**This Matter was Adopted on the Consent Agenda.**

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

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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  
[09-1489](#)

**This Matter was Adopted on the Consent Agenda.**

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

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7.3-CC Subject: Quan's Pay-Go Funds  
From: Vice Mayor Jean Quan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$5,527.60 From  
Councilmember Jean Quan's Pay-Go Funds To The Laurel District Association For The  
Design, Fabrication And Installation Of Thirty-Five Street Banners  
[09-1502](#)

**This Matter was Adopted on the Consent Agenda.**

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

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7.4 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](#)

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

*At the request of Councilmember Quan seconded by Councilmember  
Councilmember De La Fuente, this item will be heard at the next regular city  
council meeting as a Non-Consent item.*

*The following individual spoke on this item:*

- Donn Harris
- Gene Hazzard
- James Bryant
- David Cartwright
- Annie Freitas
- Tasion Kwamalete
- Chelsea Keck
- Letton Gibson
- Sanjiv Handa

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7.5-CC 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](#)

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

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.6-CC Subject: Darrell Curry V. City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Darrell Curry V. City Of Oakland, Et Al., United States  
District Court Number C-08-03695-SBA, Our File Number 26357, In The Amount Of \$40,000  
(Oakland Police Department - Excessive Force)  
[09-1503](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.7 Subject: OFCY Committee Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Nina Horne As A Member Of The  
Children's Fund Planning And Oversight Board  
[09-1404](#)

**\*Withdrawn with No New Date**

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.8-CC      Subject:    Violence Prevention And Public Safety Committee Appointment  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing Nicole R. Lee As A Member Of The  
Violence Prevention And Public Safety Committee  
[09-1407](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.9-CC      Subject:    Wildfire Prevention Appointment  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Dinah Fischbach Benson As A Member Of  
The Wildfire Prevention Assessment District Advisory Board  
[09-1408](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.10        Subject:    Budget Advisory Committee  
From:        Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Kenneth  
Benson, Michael Killian And Sherbeam Wright As Members Of The Budget Advisory  
Committee  
[09-1409](#)

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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7.11-CC Subject: Youth Advisory Commission - District 6 Appointment  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Appointing Olivia Lucas As The District 6  
Representative To The Youth Advisory Commission  
[09-1322](#)

**This Matter was Adopted on the Consent Agenda.**

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

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7.12-CC Subject: Cultural Affairs Commission Appointment  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Georgia Fraizer As A Member Of The  
Cultural Affairs Commission  
[09-1410](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa

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7.13-CC Subject: Parks and Recreation Advisory Commission  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Ellen Wu As A Member Of The Parks And  
Recreation Advisory Commission  
[09-1411](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa

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~~7.14~~ ~~Subject: Honorarium Dominguita Velasco~~  
~~From: Councilmember De La Fuente~~  
~~Recommendation: Adopt A Resolution In Recognition Of Dominguita Velasco's 109th~~  
~~Birthday And Her 90 Years Of Community Activism In The City Of Oakland~~  
~~[09-1504](#)~~

**No Action Taken**

*This item was moved to item 4.2 on this agenda*

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~~7.15~~ ~~Subject: Tui Ko V. City Of Oakland~~  
~~From: Office Of The City Attorney~~  
~~Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To~~  
~~Compromise And Settle The Claim Of Tui Ko, In The Amount Of \$5,358.09, As A Result Of~~  
~~Property Damage Sustained In An Automobile Collision On December 09, 2009 (Public Works~~  
~~Agency)~~  
~~[09-1505](#)~~

**No Action Taken**

*This item was withdrawn from this agenda and no new return date has been specified*

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7.16-CC Subject: Allstate Insurance, Jose Martinez V. City Of Oakland  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Claim Of Allstate Insurance As Subrogee For Jose Martinez, In  
The Amount Of \$14,005.00, As A Result Of Property Damage Sustained In An Automobile  
Collision On May 30, 2009 (Oakland Police Department)  
[09-1506](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember  
Kaplan, Councilmember De La Fuente, President of the Council Brunner,  
Councilmember Quan, Councilmember Nadel, Councilmember Brooks and  
Councilmember Reid  
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7.17-CC Subject: Civil Service Board Appointments  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Appointing Alex Drexel As Member Of The Civil  
Service Board  
[09-1507](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember  
Kaplan, Councilmember De La Fuente, President of the Council Brunner,  
Councilmember Quan, Councilmember Nadel, Councilmember Brooks and  
Councilmember Reid  
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7.18-CC Subject: Measure Z Appointment - Dhar Mann  
From: Councilmember Brooks  
Recommendation: Adopt A Resolution Appointing Dhar Mann As A Member Of The Measure  
Z Community Oversight Committee, To Oversee The Implementation Of The Oakland  
Cannabis Regulation And Revenue Ordinance  
[09-1275](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa  
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S-7.19-CC Subject: Proposition 84 - Safe Drinking Water  
From: Community And Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Proposition 84: Safe Drinking Water, Water Quality And Supply, Flood Control, River And Coastal Protection Bond Act - Nature Education Facilities Program Grant Funds In An Amount Up To Fourteen Million Dollars (\$14,000,000.00), Seven Million Dollars (\$7,000,000.00) Each, For The Lake Merritt Rotary Nature Center Expansion And The Dunsmuir Hellman Estate Park Nature Education Center Improvement Projects  
[09-1414](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
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S-7.20-CC Subject: 2009-2010 Third Quarter Review  
From: The Budget Office  
Recommendation: Receive A Report On Fiscal Year 2009-2010 Third Quarter Revenue And Expenditure Results And Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Landscape & Lighting Assessment District Fund (2310), Equipment Fund (4100) And Facilities Fund (4400); Overtime Analysis For The General Purpose Fund (1010) And All Funds; And Status Of Implementing The Fiscal Year 2009-2010 Budget Measures  
[09-1355](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
*The following individual spoke on this item:*  
- *Sanjiv Handa*  
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S-7.21-CC Subject: Telecommunication Land Use Program  
From: Community And Economic Development Agency  
Recommendation: Receive An Informational Report On The City Of Oakland  
Telecommunication Land Use Program Which Allows The Telecommunication Industry To  
Lease City And Redevelopment Agency-Owned Real Estate To Enhance Telecommunication  
Services To Their Customers  
[09-1420](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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S-7.22-CC Subject: Sewer Service Charge  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute  
Amendment Number 2 To The Sewer Service Charges, Billing And Collection Agreement Of  
December 12, 1997, By And Between East Bay Municipal Utility District (EBMUD) And The  
City Of Oakland For A Term Of Three Years From July 1, 2010 To July 1, 2013  
[09-1421](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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S-7.23-CC Subject: Senior Citizen Alarm Permit  
From: Oakland Police Department  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12948 C.M.S. (Master Fee Schedule) To Reflect The Fee Changes Associated With Low Income Senior Citizen Alarm Permit Discount  
[09-1452](#)

**This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 15, 2010 on the Consent Agenda.**

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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S-7.24-CC Subject: Status Of Grants From ARRA  
From: Office Of The City Administrator  
Recommendation: Receive An Informational Report On The Status Of Grants From The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") Including Grant Award Periods, Managing Departments, And Jobs Generated  
[09-1454](#)

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

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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S-7.25-CC Subject: The California Housing Finance Agency-Help Loan Program  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Up To \$230,000 In Low And Moderate Income Housing Funds To The City Under The Cooperation Agreement To Fund The Repayment Of A Loan From The California Housing Finance Agency Housing Enabled By Local Partnership Program

[09-1416](#)

**This Matter was Adopted on the Consent Agenda.**

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

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2) A City Of Oakland Resolution Accepting And Appropriating A Contribution Of Up To \$230,000 From The Redevelopment Agency Under The Cooperation Agreement To Fund The Repayment Of A Loan From The California Housing Finance Agency Housing Enabled By Local Partnership Program

[09-1416-1](#)

**This Matter was Adopted on the Consent Agenda.**

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

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S-7.26-CC Subject: Oakland's Permanent Access To Housing (PATH)  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing: (1) An Agreement With The Oakland Housing Authority (OHA) To Accept Housing Subsidy Funding In An Amount Up To \$925,000 To Implement The Oakland Path Re-Housing Initiative (OPRI) For The Period Of June 1, 2010 Through June 30, 2011; And (2) An Amendment To An Existing \$1,903,850 Grant Agreement With Abode Services, Inc To Add Up To \$820,000 In OHA Funding For The OPRI Program, For A Total Contract Amount \$2,723,850; And (3) An Amendment To An Existing \$308,450 Grant Agreement With First Place For Youth Inc To Add Up To \$105,000 In OHA Funding For The OPRI Program, For A Total Contract Amount Of \$413,450; And (4) The Allocation Of Funds In An Amount Up To \$133,000 To Satisfy Match Requirements For The Families In Transition (FIT) Program Grant Funded Under HUD's Supportive Housing Program (SHP) For The Period Of March 1, 2010 To February 28, 2011; And (5) The Allocation Of Funds In An Amount Up To \$50,000 To Satisfy Match Requirements For The Matilda Cleveland Transitional Housing Program (MC-THP) Grant Funded Under SHP For The Period Of October 1, 2010 To September 30, 2011; And (6) The Allocation Of Funds In An Amount Up To \$250,000 To Satisfy Match Requirements For The Homeless Families Support Network (HFSN) Program Grant Funded Under SHP For The Period Of March 1, 2010 To February 28, 2011 [TITLE CHANGE]  
[09-1359](#)

**This Matter was Adopted on the Consent Agenda.**

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

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S-7.27-CC Subject: Goat Grazing Services  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution: 1) Authorizing The City Administrator To Select A Vendor and Award A Contract For The Provision Of Goat Grazing Services In The City Of Oakland For The Period Of May 31, 2010 Through May 30, 2014 In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) For The Four Year Period, And 2) Waiving The Advertising And The Fixed, Sealed Bid, Price-Based Bid Process, And 3) Authorizing The City Administrator To Use The Request For Proposal/Qualifications Process To Select The Vendor For The Work  
[09-1390](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- Sanjiv Handa

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S-7.28-CC Subject: High School Community Collaborative  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate A Grant From The California Emergency Management Agency (CAL-EMA) In The Amount Of Three Hundred Eighty Two Thousand Six Hundred Nine Dollars (\$382,639) To Be Used For The High School Career Pathway And Community Collaborative At Fremont High School And Castlemont High School, Which Provides Job, College and Career Counseling And Other Services To Reduce Violence And Gang Activity  
[09-1441](#)

**This Matter was Adopted on the Consent Agenda.**

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

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S-7.29-CC Subject: Councilmember Travel And Accomodation Expenses  
From: Councilmember Kernighan  
Recommendation: Adopt A Resolution Requiring A Statement In The Agenda Report  
Disclosing Source Of Funding For Councilmember Travel And Accomodation Expenses For  
Which City Council Approval Is Sought; And If City Funds Are To Be Used, The Projected  
Amount Thereof  
[09-1462](#)

**This Matter was Adopted on the Consent Agenda.**

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

*The following individual spoke on this item:*

- *Sanjiv Handa*  
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S-7.30 Subject: Assembly Bill 781 - Bilingual Services  
From: Councilmembers De La Fuente and Kernighan, Vice Mayor Quan  
Recommendation Adopt A Resolution In Opposition Of Assembly Bill 781, As Amended (JEFFERIES), "Bilingual Services" Which Would Effect Statutory Changes Relating To Bilingual Hiring Requirements In Local Agencies  
[09-1487](#)

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

*At the request of Councilmember Brooks seconded by Councilmember Reid this item will be heard at the next regular city council meeting as a Non-Consent item.*

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S-7.31-CC Subject: Senate Bill 1100 And Assembly Bills 1343, 2193,2176 and 2398  
From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:  
1) A Resolution To Support California Senate Bill (SB)1100 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Household Batteries They Sell In California After Their Useful Life  
[09-1445-1](#)

**This Matter was Adopted on the Consent Agenda.**

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

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2) Adopt A Resolution To Support California Assembly Bill (AB)1343 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Architectural Paint They Sell In California After Its Useful Life  
[09-1446](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
[82802 CMS.pdf](#)

3) Adopt A Resolution To Support California Assembly Bill 2139 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose of Household Medical Needles, Household Pesticides, And Household Single-Use Butane Containers They Sell In California After Their Useful Life  
[09-1447](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
[82803 CMS.pdf](#)

4) Adopt A Resolution In Support Of California Assembly Bill (AB) 2176 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Mercury-Containing Lamps They Sell In California After Their Useful Life  
[09-1448](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
[82804 CMS.pdf](#)

5) Adopt A Resolution To Support California Assembly Bill (AB) 2398 Which Will Require Manufacturers To Create, Fund And Operate A Program To Recycle And/Or Dispose Of Carpet They Sell In California After Its Useful Life  
[09-1449](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
[82805 CMS.pdf](#)

**Passed The Consent Agenda**

**A motion was made by President of the Council Brunner, seconded by Councilmember De La Fuente, 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 Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid

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

**A motion was made by Councilmember Reid, seconded by President of the Council Brunner, to \*Approve as Submitted. The motion carried by the following vote:**

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

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

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

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

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9.1           Subject:    Special Tax Imposed For Emergency Medical Services  
              From:        Budget Office  
              Recommendation:  Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
                                  Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax Imposed For Emergency  
                                  Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997  
                                  (Measure M) In Setting June 1, 2010 As The Date For Public Hearing  
                                  [09-1286](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Kaplan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 15, 2010. The motion carried by the following vote:**

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

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened at 7:00 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

*Agency/Councilmember Brooks made a motion, seconded by Agency/Councilmember Kaplan, 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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9.2           Subject:    Paramedic Emergency Services  
              From:       Budget Office  
              Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance  
              Authorizing A Fiscal Year 2010-2011 Increase To A Special Tax Imposed For Paramedic  
              Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N) In  
              Setting June 1, 2010 As The Date For Public Hearing  
              [09-1289](#)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Reid, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 15, 2010. The motion carried by the following vote:**

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

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:13 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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9.3 Subject: Oakland Wildfire Prevention Assessment District - Annual Report  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Confirming The Information In The Annual Report For The City Of Oakland Wildfire  
Prevention Assessment District For Fiscal Year 2010-2011 And Levying Of Assessments  
[09-1290](#)

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

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

*Upon the reading of Item 9.3 by the City Clerk, the Public Hearing was opened at 7:14 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

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

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9.4 Subject: Engineer's Report - LLAD  
From: Budget Office  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution  
Confirming The Information In The Engineer's Report For The City Of Oakland Landscaping  
And Lighting Assessment District For Fiscal Year 2010-2011 And The Levying Of  
Assessments  
[09-1291](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Kaplan  
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember  
De La Fuente, President of the Council Brunner, Councilmember Quan,  
Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
*Upon the reading of Item 9.4 by the City Clerk, the Public Hearing was opened  
at 7:15 p.m.*

*The following individuals spoke on this item:*

*Agency/Councilmember Reid made a motion, seconded by  
Agency/Councilmember ---, 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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[82807 CMS.pdf](#)*

9.5 Subject: Scotlan Memorial Convention Center  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Sublease  
With The City Of Oakland For The George P. Scotlan Memorial Convention Center For A  
Term Of Up To 12 Years For A Total Lease Payment Of \$2,000,000 In Fiscal Year 2009 - 2010  
And \$2,000,000 In Fiscal Year 2010 - 2011;

[09-1388](#)

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

**Votes:** ORA\Councilmember Absent: 1 - President of the Council Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember  
Kaplan, Councilmember De La Fuente, Councilmember Quan, Councilmember  
Nadel, Councilmember Brooks and Councilmember Reid  
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[2010-0070 CMS.pdf](#)

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2) A City Ordinance Authorizing The City Administrator To Enter Into A Sublease With The Redevelopment Agency Of The City Of Oakland For The George P. Scotlan Memorial Convention Center For A Term Of Up To 12 Years For A Total Lease Payment Of \$2,000,000 In Fiscal Year 2009 - 2010 And \$2,000,000 In Fiscal Year 2010 - 2011; And  
[09-1388-1](#)

**A motion was made by Councilmember De La Fuente, seconded by Councilmember Brooks, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 15, 2010. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks and Councilmember Reid  
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3) An Oakland Joint Powers Financing Authority Resolution Approving The City Of Oakland Sublease Of The George P. Scotlan Memorial Convention Center To The Redevelopment Agency Of The City Of Oakland Under The Second Amended And Restated Lease And Sublease Agreement Between The Oakland Joint Posers Authority And The City Of Oakland Dated May 1, 2001  
[09-1388-2](#)

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

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

*Upon the reading of Item 9.5 by the City Clerk, the Public Hearing was opened at 7:16 p.m.*

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

*Agency/Councilmember De La Fuente made a motion, seconded by Agency/Councilmember Reid, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -8  
[2010-0001 JPFA.pdf](#)*

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9.6 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](#)

**Not Adopted**

*Upon the reading of Item 9.6 by the City Clerk, the Public Hearing was opened  
at 7:17 p.m.*

*The following individuals spoke on this item:*

- Ashrious Pannell
- Obrey Labrie
- Geoffrey Pete
- Robert Brokl
- Helen Flowers
- Lindia LaChaux
- David Jaeger
- Aboubakar Keita
- Will Gorden
- Guita Boostani
- Don Link
- Christopher Waters
- Michelle Leicester
- Jamie Harris

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

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2) A Resolution 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](#)

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

**Votes:** ORA\Councilmember Noes: 3 - Councilmember Kaplan, Councilmember Brooks and Councilmember Reid  
ORA\Councilmember Ayes: 5 - Councilmember Kernighan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan and Councilmember Nadel  
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9.7

~~Subject: Design Review For A Telecommunications Facility  
From: Community And Economic Development Agency  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal (A10-055), And Upholding The Planning Commission Decision To Approve A Regular Design Review At 1001 42nd Street To Establish A Mini Telecom Facility (Telecommunication Civic Activity).  
[09-1306](#)~~

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 6/15/2010**  
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**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

10 Subject: Support Of Senate Bill 1205  
From: Vice Mayor Quan  
Recommendation: Adopt A Resolution In Support Of Senate Bill (SB) 1205 (Corbett) Establishing The San Francisco Bay Area Disaster Recovery Planning Council  
[09-1512](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Reid  
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel and Councilmember Brooks  
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[82809 CMS.pdf](#)

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11 Subject: Local 1021 Part-Time Unit - MOU  
From: Department of Personnel and Management  
Recommendation: Adopt A Resolution Approving The Memorandum Of Understanding  
Between The City Of Oakland And The Service Employees International Union, Local 1021  
Part-Time Unit, Representing Employees In Representation Units S11, Covering The Period  
From July 1, 2008 Through June 30, 2011  
[09-1471](#)

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

**Votes:** ORA\Councilmember Absent: 2 - Councilmember Brooks and Councilmember  
Reid  
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember  
Kaplan, Councilmember De La Fuente, President of the Council Brunner,  
Councilmember Quan and Councilmember Nadel  
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~~12~~ ~~-Subject: Manufacturing Medical Cannabis~~  
~~From: Councilmembers Reid and Kaplan~~  
~~Recommendation: Adopt An Interim Ordinance Of The City Of Oakland Adopted As An~~  
~~Urgency Measure Pursuant To California Government Code Section 65858 Making Findings~~  
~~And Establishing A Temporary Moratorium On The Establishment Of Any New Activity Or~~  
~~Facility Cultivating And/Or Manufacturing Medical Cannabis~~  
~~[09-1482](#)~~

**\*Withdrawn with No New Date**  
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S-13      Subject:    Establishing Parking Limitations  
From:        Councilmember Kernighan And Councilmember Nadel  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Establishment Of Three-Hour Parking Limitations From 8:00 A.M. To 6:00 P.M., Monday Through Sunday Except Holidays On The West Side Of Lakeshore Avenue Between Macarthur Boulevard And The 12th Street Dam;

2) Rescinding Resolution Number 47802, Passed April 6, 1967, Which Established A Two-Hour Parking Limitation On The West Side of Lakeshore Avenue Between The 12th Street Dam And East 15th Street Between 8:00 A.M. and Noon, And On The West Side Of Lakeshore Avenue Between El Embarcadero And MacArthur Boulevard Between 8 A.M. and 6 P.M. On Weekdays Except Holidays;

3) Rescinding Resolution No. 62175, Passed May 15, 1984, Which Established A Two-Hour Parking Limitation On The West Side of Lakeshore Avenue Between El Embarcadero and East 18th Street Between 10:00 A.M. and 7:00 P.M. Monday Through Sunday; And

4) Rescinding Resolution Number 63235, Passed July 30, 1985, Which Established A No-Parking Restriction On The West Side Of Lakeshore Avenue Between MacArthur Boulevard And The 12th Street Dam Between Noon And 8:00 P.M. On Weekends And Holidays  
[09-1372](#)

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember Kaplan, Councilmember De La Fuente, President of the Council Brunner, Councilmember Quan, Councilmember Nadel and Councilmember Reid  
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S-14 Subject: Tax And Revenue Anticipation Notes  
From: Finance And Management Agency  
Recommendation: Adopt A Resolution Authorizing The Sale Of 2010-2011 Tax And Revenue  
Anticipation Notes In An Amount Not To Exceed Two-Hundred Million Dollars  
(\$200,000,000); Authorizing The Execution And Delivery Of Related Documents And  
Approving Certain Related Actions  
[09-1483](#)

**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 Absent: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember  
Kaplan, Councilmember De La Fuente, President of the Council Brunner,  
Councilmember Quan, Councilmember Nadel and Councilmember Reid  
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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 at 9:30 p.m.*

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**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY  
COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN  
THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR,  
OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM**

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*City Clerk and Clerk of the Council*