

DRAFT



City of Oakland Meeting Minutes

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

*Special Concurrent Meeting of the Oakland Redevelopment

Agency/City Council

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

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

Tuesday, June 16, 2009

3:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 3:12 PM.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individuals spoke under Open Forum:

- Christine Saed
- Mustafa Abdu Ali
- Elaine Montgomery
- Denise Lillian
- Sanjiv Handa
- Patrick Camacho
- Felipe Cuevas
- Tim Glasper
- Al Marshall

4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

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*Councilmember Brooks requested to register a No vote on Item 10.3 CC.
Councilmember Brunner requested to register a No vote on Item 10.7 CC and to speak on item 10.17 CC.*

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

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There was no action necessary for this item

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

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There was no action necessary for this item

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on June 2, 2009

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

There were no ceremonial presentations on the agenda

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Ricardo Youngblood, Myra Woods and Drew James Mitchell.

Agency/Councilmember Kaplan took a point of personal privilege and requested that the meeting be adjourned in memory of Steven Tyrone Johns

10. CONSENT CALENDAR (CC) ITEMS:

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10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
 With Regard To The AIDS Epidemic
 [09-0504](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.2-CC Subject: Medical Cannabis Health Emergency
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
 Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The
 City Of Oakland
 [09-0505](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.3-CC Subject: Municipal Identification Cards
From: Vice Mayor Ignacio De La Fuente
Recommendation: Adopt An Ordinance Amending Chapter 2.34, Title 2, Of The Oakland
Municipal Code Authorizing A Municipal Identification Card Program To Provide For The
Issuance Of Municipal Identification Cards To Residents Of The City Of Oakland For The
Purposes Of Improving Public Safety, Increasing Civic Participation, And Supporting Local
Commerce
[09-0321](#)

A motion was made by Pro-Tem Reid, seconded by Vice Mayor De La Fuente, that this matter be Approved for Final Passage. The motion carried by the following vote:

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

The following individual spoke on this item:

- Sanjiv Handa

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10.4-CC Subject: Real Property Sale - 4689 And 4683 Benevides Avenue
From: Community and Economic Development Agency
Recommendation Adopt An Ordinance Authorizing The City Administrator To Negotiate And
Execute A Purchase And Sale Agreement To Sell Approximately Two Thousand (2,000) Square
Feet Of City-Owned Surplus Real Property Located Along The Westerly Edge Of Dimond Park
Adjacent To 4689 And 4683 Benevides Avenue To Shay And Olivia Harting, The Adjoining
Property Owners, For The Total Fair Market Value Of Forty-Five Thousand Dollars
(\$45,000.00)
[09-0358](#)

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

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

The following individual spoke on this item:

- Carole Cordray

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S-10.5-CC Subject: Planning Code Amendments-Chapter 17.10
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance, Recommended By The City Planning Commission, To
(A) Amend The Use Classifications In Chapter 17.10 Of The City Of Oakland Planning Code
And Make Other Related Changes Throughout The Planning Code; And (B) Revise The
Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations
To Conform To The Planning Code Amendments
[09-0390](#)

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

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

The following individual spoke on this item:

- *Sanjiv Handa*

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10.6-CC Subject: 2009-2010 Tax And Revenue Anticipation Notes
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Providing For The Borrowing Of Funds For Fiscal Year
2009-2010 In An Amount Not To Exceed \$185,000,000 And The Issuance And Sale Of
2009-2010 Tax And Revenue Anticipation Notes, Series A And Series B (Federally Taxable)
Therefore And Approving Certain Related Matters (TITLE CHANGE)
[09-0435-1](#)

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

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

The following individual spoke on this item:

- *Sanjiv Handa*

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10.7-CC Subject: Proposed Vacation Of Skyline Circle
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Vacating Skyline Circle To The Abutting Property
Owners Without Cost And Reserving Public Easements For Utilities And Emergency Vehicle
Access
[09-0495](#)

A motion was made by Pro-Tem Reid, seconded by Vice Mayor De La Fuente, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Noes: 1 - Council President Brunner
ORA\Councilmember Ayes: 7 - Councilmember Kaplan, Councilmember
Brooks, Councilmember Kernighan, Councilmember Nadel, Councilmember
Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.8-CC Subject: Renaming A Portion Of 105th Avenue
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Renaming A Two-Block Long Section Of 105th Avenue
East Of Its Intersection With International Boulevard As Walter Hawkins Way
[09-0174](#)

This Matter was Adopted on the Consent Agenda.

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

The following individuals spoke on this item:

- Nicholas Balas
- Cseneca Parker
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10.9-CC Subject: Municipal Code Amendment-Chapter 13.08
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending Chapter 13.08 Of The Oakland Municipal
Code To Require The Installation Of Sewage Overflow Devices On Privately Maintained Sewer
Laterals
[09-0275](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 7/7/2009**

The following individual spoke on this item:

- Sanjiv Handa
- Ora Lee Brown
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10.10-CC Subject: Civic Bay Friendly Landscaping
 From: Public Works Agency And Councilmember Quan
 Recommendation: Adopt An Ordinance Amending Chapter 15.35 Of The Oakland Municipal Code, "Green Building Requirements For City Building Projects And Traditional Public Works Projects", To Add Civic Bay-Friendly Landscaping Requirements For All City Of Oakland, Redevelopment Agency And Public-Private Partnership Projects That Include Landscaping
[09-0352](#)

This Matter was Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on July 7, 2009 on the Consent Agenda.

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

The following individual spoke on this item:

- Sanjiv Handa

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10.11-CC Subject: Revocable And Conditional Permit - 1940 Union Street
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting Union 21 Partners LLC A Revocable And Conditional Permit For A Building At 1940 Union Street To Allow An Existing Foundation To Encroach Under The Public Sidewalk Along 21st Street And Union Street
[09-0405](#)

This Matter was Adopted on the Consent Agenda.

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

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10.12-CC Subject: Revocable And Conditional Permit - 100 Grand Avenue
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting Essex Portfolio L.P. A Revocable And Conditional Permit For A New Building At 100 Grand Avenue To Allow Concrete Vaults And Electrical Transformers And Vaults To Encroach Under The Public Sidewalk Along 23rd Street And An Entrance Canopy To Encroach Over The Public Sidewalk On Grand Avenue
[09-0408](#)

This Matter was Adopted on the Consent Agenda.

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

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10.13-CC Subject: Seized Property Tax Funds
 From: Finance and Management Agency
 Recommendation: Adopt A Resolution Finding Severe Fiscal Hardship Will Exist If Additional
City Property Tax Funds Are Seized And Additional Unfunded Mandates Are Adopted By The
State Of California
[09-0460](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:
- Sanjiv Handa
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10.14-CC Subject: Project Area Committees One-Year Extension
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The
Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2010; And
[09-0437](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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2) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The
Central City East Redevelopment Project To July 29, 2010
[09-0437-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:
- Sanjiv Handa
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10.15-CC Subject: Linked Banking Services
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Certifying Banks That Have Met Their 2008 Fair Share
Goals Pursuant To The City's Linked Banking Services Ordinance
[09-0438](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.16-CC Subject: Property Sale - 453 Ashton Avenue & 2656 And 2660 98th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing 1) The Sale At No Cost Of One City-Owned Single Family Dwelling At 453 Ashton Avenue And Two City-Owned Parcels At 2656 And 2660 98th Avenue To The Rotary Club Of Oakland, Inc., For The Development Of Affordable Housing By The Peralta Community College District Under The City/Peralta/Rotary House Project, And 2) The Allocation Of \$10,000 From The Proceeds Of Each Sale To The Laney College Tool Fund
[09-0334](#)

**This Matter was Approved on Introduction for Final Passage to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on July 7, 2009 on the Consent Agenda.**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.17-CC Subject: Oakland Fund For Children & Youth - Evaluation Services Agreement
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Execute An Agreement With See Change, Inc. In An Amount Not To Exceed \$250,000 For Fifteen Months, And To Negotiate And Execute An Agreement With Public Profit, LLC In An Amount Not To Exceed \$75,000 For Fifteen Months, Both For Professional Services To Evaluate The Oakland Fund For Children And Youth For The Period Of July 1, 2009 Through September 30, 2010, With An Option To Renew Each Agreement For Two Additional One-Year Terms In The Same Amounts For A Total Contract Amount Not To Exceed \$750,000 For See Change, Inc, And A Total Contract Amount Not To Exceed \$225,000 For Public Profit, LLC
[09-0222](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council amended the resolution to include the following direction: staff will come back with a draft midyear evaluation report in February 2010 and a final report in September 2010

The following individual spoke on this item:

- Sanjiv Handa

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10.18-CC Subject: Managed Health Network Contract Extension
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Exercise The Option To Extend For An Additional Term, The Period Of July 1, 2009 Through December 31, 2010, The Contract With Managed Health Network (MHN) To Continue Providing Psychological Counseling Services For Sworn Members Of The Police Department And Their Dependents, In The Amount Of One Hundred Five Thousand (\$105,000), And Increasing The Total Contract Amount From One Hundred Five Thousand (\$105,000) To Two Hundred Ten Thousand (\$210,000)
[09-0404](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.19-CC Subject: Support Of Senate Bill 415
 From: Office of the City Attorney
 Recommendation: Adopt A Resolution To Support Senate Bill 415 Legislation Expanding
 Possibility For Local Officials To Request Extension Of Review Period For Liquor License
 Applications (For Transfers Or New Licenses) At State Department Of Alcohol Beverage
 Control (ABC)
 [09-0458](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- Sanjiv Handa
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10.20-CC Subject: Support Of Assembly Bill 1364
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Declaring Council Support For Assembly Bill No. 1364,
 Which, With Consent Of Grant Recipients, Would Permit State Agencies Disbursing State Bond
 Funds To Renegotiate Grant Deadlines And Timetables, Or To Invalidate Such Grants, When
 Grant Deadlines And Timetables Are Affected By The Suspension Of Programs By The Pooled
 Money Investment Board
 [09-0469](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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10.21-CC Subject: Support Of Assembly Bill 1498
 From: Oakland Police Department
 Recommendation: Adopt A Resolution In Support Of California State Assembly Bill # 1498
 (Deleon), Which Expands The List Of Misdemeanor Offenses For Which A Person May Not
 Possess A Firearm For Ten (10) Years, Including Misdemeanors Committed In The Furtherance
 Of Criminal Street Gang Activity, In The State Of California
 [09-0479](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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Passed The Consent Agenda

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

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

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:
- Sanjiv Handa

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

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

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216

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There was no action necessary for this item

14. Consideration of items with statutory Public Hearing Requirements (DUE TO NOTICING REQUIREMENTS PUBLIC HEARINGS WILL BE HEARD NO EARLIER THAN 7 PM.):

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14.1 Subject: Public Hearing - Transient Occupancy Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or

[09-0076](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 9:17 p.m.

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

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or

[09-0076-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code

[09-0076-2](#)

Not Adopted

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14.2 Subject: Delinquent Mandatory Garbage Fees - Public Hearing
From: Finance and Management Agency
Recommendations: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For
October/ November/December 2008, Monthly Accounts And January/February/March 2009,
Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs
Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The
Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To
Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And
Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-0077](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was
opened at 9:18 p.m.*

*Agency/Councilmember Kaplan 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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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of
The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage
Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment
Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And
Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax
Collector For Collection; Or
[09-0077-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent
Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment
Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code
[09-0077-2](#)

Not Adopted

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14.3 Subject: Delinquent Business Taxes - Public Hearing
 From: Finance and Management Agency
 Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business
 Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or
[09-0078](#)

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

Votes: ORA\Councilmember Recused: 1 - Councilmember Kaplan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 9:18 p.m.

Agency/Councilmember Quan 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, Kernighan, Nadel, Reid, Quan, and President of the Council Brunner -7; Recused: Agency/Concilmember: Kaplan-1
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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-0078-1](#)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The Confirming Of The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code
[09-0078-2](#)

Not Adopted

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14.4 From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-0079](#)

A motion was made by Vice Mayor De La Fuente, seconded by Pro-Tem Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 9:20 p.m.

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
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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[09-0079-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code
[09-0079-2](#)

Not Adopted

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14.5 Subject: 2009-2010 Emergency Medical Services Tax
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Emergency
 Medical Services In Accordance With The Emergency Medical Services Retention Act Of 1997
 (Measure M)
 [09-0328](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
*Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was
opened at 9:21 p.m.*

*Agency/Councilmember Quan 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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[12942 CMS.pdf](#)*

14.6 Subject: 2009-2010 Paramedic Emergency Services Tax
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Paramedic
 Emergency Services In Accordance With The Paramedic Services Act Of 1997 (Measure N)
 [09-0329](#)

**A motion was made by Vice Mayor De La Fuente, seconded by
Councilmember Quan, that this matter be Approved for Final Passage.
The motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
*Upon the reading of Item 14.6 by the City Clerk, the Public Hearing was
opened at 9:22 p.m.*

*Agency/Councilmember De La Fuente made a motion, seconded by
Agency/Councilmember Quan, to close the Public Hearing, and hearing no
objections, the motion passed by Ayes: Agency/Councilmember: Brooks, De La
Fuente, Kaplan, Kernighan, Nadel, Reid, Quan, and President of the Council
Brunner -8
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14.7 Subject: 2009-2010 Library Services Tax
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Library Services
 In Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure
 Q)
 [09-0330](#)

A motion was made by Councilmember Quan, seconded by Pro-Tem Reid, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was opened at 9:23 p.m.

Agency/Councilmember Quan 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
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[12944 CMS.pdf](#)

14.8 Subject: 2009-2010 Preliminary Report For The Wildfire Prevention District
 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 2009-2010 And Levying Of The Assessments
 [09-0345-1](#)
 [Play Video](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.8 by the City Clerk, the Public Hearing was opened at 9:24 p.m.

Agency/Councilmember Quan 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
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14.9 Subject: 2009-2010 Preliminary Report - Landscaping & Lighting District
From: Budget Office
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Ordering Improvement to The City Of Oakland Landscape And Lighting Assessment District
And Confirming The Levying Of The Assessments And Directing The Fiscal Year 2009-2010
Assessment To Be Turned Over To The County Auditor For Billing And Collection

[09-0346-1](#)

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A motion was made by Pro-Tem Reid, seconded by Vice Mayor De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Upon the reading of Item 14.9 by the City Clerk, the Public Hearing was opened at 9:25 p.m.

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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14.10 Subject: 2009-2010 Violence Prevention And Public Safety Tax
 From: Budget Office
 Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance
 Authorizing A Fiscal Year 2009-2010 Increase To A Special Tax Imposed For Violence
 Prevention And Public Safety Services In Accordance With The Violence Prevention And Public
 Safety Act of 2004 (Measure Y)
[09-0347](#)

**A motion was made by Councilmember Kaplan, seconded by
Councilmember Quan, that this matter be Approved for Final Passage.
The motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
*Upon the reading of Item 14.10 by the City Clerk, the Public Hearing was
opened at 9:26 p.m.*

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

15 Subject: 2009-2011 Budget Discussion
 From: Budget Office
 Recommendation: Continuation Of Discussion And Action On The Fiscal Year 2009-2011
 Proposed Policy Budget For The City Of Oakland (Including The 2009-2011 Capital
 Improvement Program) And Fiscal Year 2009-2011 Proposed Budget For The Oakland
 Redevelopment Agency
[09-0449](#)
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A Resolution Authorizing The Fiscal Year 2009-2011 Biennial Budget As the Financial Plan For Conducting The Affairs Of The City Of Oakland And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget

[09-0449-1](#)

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A Resolution Establishing An Appropriations Limit For Fiscal Year 2009-2010 Pursuant To Article XIII B Of The California Constitution

[09-0449-2](#)

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An Agency Resolution Authorizing The Fiscal Years 2009-2011 Biennial Budget As The Financial Plan For Conducting The Affairs Of The Redevelopment Agency Of The City Of Oakland And Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget

[09-0449-3](#)

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Council directed the City Administrator on June 16th or shortly thereafter to send lay off notices for all positions included in the Mayor's budget that are not otherwise mentioned in any of the Council proposals and no Neighborhood Service Coordinators. Staff was also directed to not send lay off notices for the Parks & Recreation positions and to leave the positions at the recreation centers as part time positions.

The following individual(s) spoke under this item:

- Al Marshall
- Donnell Satterfield
- Daniel Preciado
- Brad Walters
- Tom Manley
- Dwight McElroy
- Jeff Levin
- Andre Spearman
- Randall Matthews
- Judi Bank
- Lisa Hire
- Mandy Bratt
- Cathy Cade
- Ann Daniels
- Shombe McCorkle
- Patrick Camacho
- Clarence Fischer
- Sanjiv Handa
- Gen Katz
- Ronile Lahti
- Evan Zubritsky
- Ken Katz
- Trung Nguyen
- Carl Chan
- Chandra Garsson
- Eugene Smith
- Kathleen Hargan
- Earnest Turner
- Andy Blackwwod

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-
- *Greg McConnell*
 - *Roy Chan*
 - *Victoria Rocha*
 - *Thomas Washington*
 - *Susan Montauk*
 - *Barbara Werum*
 - *Keneda Gibson*
 - *Sarah Connick*
 - *Maria Teresa Salazar*
 - *Henry Barnes III*
 - *Isaac Simons*
 - *Pat Gelb*
 - *Rachel Richman*
 - *Simuel Ramey*
 - *Jack Davis*
 - *TeJeana Reagan*
 - *Aeeshah Clotteg*
 - *Steve Lowe*
 - *Carolyn Rae Mixon*
 - *Oliver Irby*
 - *Sandra Beal*
 - *Lupita Figueiredo*
 - *Delia Rodriguez*
 - *James Mathews*
 - *Susan White*

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16 Subject: General Purpose Fund Clarification
From: The Budget Office
Recommendation: Adopt An Ordinance Amending Ordinance No. 12502 C.M.S. To Clarify General Purpose Fund (GPF) Reserve Requirements; Require A Mayoral Declaration Of Fiscal Emergency And Approval By Council Before The GPF Reserve Can Be Drawn Down; Require That Excess Real Property Transfer Tax Revenues Be Used To Build Up The GPF Reserve, Pay Back Negative Internal Service Fund Balances, Establish Set-Asides For Other Post-Employment Benefits (OPEB) And Police And Fire Retirement System (PFRS) Liabilities, And Fund Capital Improvements Projects; Require That One-Time Revenues Be Used To Repay Negative Fund Balances In Internal Service And Other Funds; And Provide Criteria For Project Carryforwards And Encumbrances In The GPF

[09-0499](#)

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A motion was made by Councilmember Quan, seconded by Councilmember Kernighan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 30, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Noes: 1 - Council President Brunner
ORA\Councilmember Ayes: 6 - Councilmember Kaplan, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council amended the Ordinance to remove the \$30 million dollar threshold as the shortfall projection for declaring the Fiscal Emergency

The following individuals spoke on this item:

- Sanjiv Handa

- Jeff Levin

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17 Subject: Organizational Structure Revision
From: The Budget Office
Recommendation: Adopt An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code, Entitled, "City Agencies, Departments And Offices", To Revise The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of City Charter Section 600, By Transferring The Office Of Personnel Resource Management From The Finance And Management Agency To Become The Department Of Human Resources Management; And Moving The Marketing Division To The Community And Economic Development Agency To Closely Coordinate Its Activities With Other Marketing And Special Events Functions

[09-0500](#)

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A motion was made by Vice Mayor De La Fuente, seconded by Councilmember Kaplan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 30, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council amended the ordinance to remove any reference to "Reconfiguring the Neighborhood Services Coordinators (NSCS), Oaklanders' Assistance Center, And Re-Entry Program as the Public Safety Services Division in the City Administrator's Office"

The following individuals spoke on this item:

- Sanjiv Handa
- Don Link
- Judi Bank
- Nancy Sidebotham

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18 Subject: Master Fee Schedule Amendment
From: The Budget Office
Recommendation: Adopt An Ordinance Amending Ordinance Number 12880 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify And Delete Fees Assessed By The Office Of The City Administrator, Office Of The City Attorney, Department Of Contracting And Purchasing, Fire Services Agency, Oakland Police Department, Oakland Public Library, Office Of Parks And Recreation, Public Works Agency, Department Of Human Services, Community And Economic Development Agency, And The Parking Operations Division Of The Finance And Management Agency
[09-0501](#)
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A motion was made by Councilmember Quan, seconded by Councilmember Nadel, 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 30, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council amended the Master Fee Schedule as follows: Police Services: delete BH-Special Event Fees, Community & Economic Development Agency: delete 18 Lakeshore Merchants Parking Lot (rooftop); Parking Management: delete Peak Hours (10:00 AM -2:00 PM), for selected neighborhoods only;

*The following fees will be brought back for introduction on June 30:
Current On-Street parking meter rate increase \$.50 to \$2.00 per hour city wide and parking fees for Lakeside Park: daily rate \$2.00 for two hours or \$10 all day / weekend rate \$5.00 per day*

Staff was also directed to bring back for discussion at committee the proposed peak hour parking meter fees; the special event fees for the police department

The following individual spoke on this item:

- Sanjiv Handa

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19 Subject: Oakland Municipal Code Amendment - Parking Fines
From: The Budget Office
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010
"Schedule Of Parking Fines" To Increase Parking Fines
[09-0502](#)

A motion was made by Councilmember Quan, seconded by Councilmember Nadel, that this matter be Continued to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 30, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council continued this item to the June 30, 2009 City Council meeting and directed staff to bring back an Ordinance that would reflect the current parking charges, the parking surcharge and the vehicle code adjustments to clearly detail what the parking fines will be

The following individuals spoke on this item:

- Patrick Camacho

- Sanjiv Handa

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20 Subject: Retirement Incentive Program
From: Finance and Management Agency
Recommendation: Receive An Informational Report Presenting The Proposed Local Miscellaneous Employees Classifications To Be Offered The California Public Employees Retirement System (CalPERS) Retirement Incentive Program Of Two Years Additional Service Credit Under California Government Code Section 20903; And Providing Estimated Savings And Costs Associated With The Program As Proposed
[09-0486](#)
[Play Video](#)

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

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

The following individuals spoke on this item:

- Sanjiv Handa

- Rachel Richman

- Jeff Levin

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21 Subject: Chapter 4.16 The Parking Tax - Municipal Code Amendment
From: Finance and Management Agency
Recommendation: Adopt An Ordinance Amending Chapter 4.16 Of The Oakland Municipal
Code To Exempt From The Parking Tax Occupants Who Pay Rent For Occupancy Of Spaces At
Parking Stations Operated Exclusively For Large Diesel Trucks
[09-0206](#)

**A motion was made by Vice Mayor De La Fuente, seconded by
Councilmember Quan, to Approved As Amended On Introduction to the
Concurrent Meeting of the Oakland Redevelopment Agency / City Council,
due back on June 30, 2009. The motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
*Council directed staff to come back in 90 days or less with a re-negotiated lease
with "OMSS" and decided to exempt large diesel trucks from the parking tax for
90 days or until the lease is signed, whichever of the two is sooner*

*Council also directed staff to proceed with collecting the parking fees from the
parking stations around the Port*

The following individuals spoke on this item:

- Sanjiv Handa
- Bill Aboudi
- George Burt
- Dexter Vizenau
- Steve Lowe
- Scott Peterson
- Jay Aboudi

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21.1 Subject: Vehicle Code Parking Fines- Parking Meters & Trucks
From: Budget Office
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Section 10.48.010 "Schedule Of Parking Fines" To Increase California Vehicle Code Parking Fines, And Amending O.M.C. Section 10.36.050 "Parking Meter Indication That Space Is Illegally In Use", To Increase The Parking Meter Hours, And Amending O.M.C. Section 10.48.010 "Schedule Of Parking Fines" To Increase Parking Fines Related To Illegal Truck Parking

[09-0539](#)

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A motion was made by Councilmember Quan, seconded by Councilmember Kaplan, to Approved As Amended On Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 30, 2009. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
Council amended the Ordinance to add the clarification of residential district to the description for Section 10.28.130 and to leave Sunday as one of the holiday days in parking meter zones

The following individual spoke on this item:

- Sanjiv Handa

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S-21.2 Subject: Tax Amnesty Program
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Establishing A Time-Limited Tax Amnesty Program Forgiving Payment Of Penalties And Interest On Penalties Applicable To Under-Reported And Un-Reported Business Taxes, Parking Taxes, Transient Occupancy Taxes, And Utility Users Taxes (TITLE CHANGE)

[09-0477](#)

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A motion was made by Councilmember Quan, seconded by Pro-Tem 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 July 7, 2009. The motion carried by the following vote:

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

The following individual spoke on this item:

- Sanjiv Handa

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21.3 Subject: 2009-2010 Investment Policy
 From: Finance And Management Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Investment Policy For Fiscal Year 2009-2010; And

[09-0492](#)

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

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

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[2009-0068 CMS.pdf](#)

2) A City Resolution Adopting The City Of Oakland's Investment Policy For Fiscal Year 2009-2010

[09-0492-1](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa

[82087 CMS.pdf](#)

21.4 Subject: 2009-2010 Debt Management And Swap Policies
 From: Finance and Management Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Adopting The Oakland Redevelopment Agency's Debt Management Policy And Swap Policy For Fiscal Year 2009-2010; And

[09-0493](#)

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

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

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2) A City Resolution Adopting The City Of Oakland's Debt Management Policy And Swap
Policy For Fiscal Year 2009-2010
[09-0493-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- *Sanjiv Handa*
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21.5 Subject: One Work Place - Business Incentive Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A Business Incentive Agreement With One
Workplace Ferrari, LLC ("OWP"), Requiring OWP To Expand And Maintain Its Business In
The City For A Minimum Period Of Five Years In Exchange For The City's Disbursement To
OWP Of Business Incentive Payments In Amounts Equal To The Percentage Of Sales And Use
Tax Received By The City From OWP's Retail Sales For The Following Periods: (1) For Year
Two Of The Agreement (Fiscal Year 2011-2012), 50% Of The Tax; (2) For Year Three Of The
Agreement (Fiscal Year 2012-2013), 45% Of The Tax; And (3) For Year Four Of The
Agreement (Fiscal Year 2013-2014), 40% Of The Tax.

[09-0407](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember
Brooks, Council President Brunner, Councilmember Kernighan, Councilmember
Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individuals spoke on this item:

- *Sanjiv Handa*
- *Scott Peterson*
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***Special Concurrent Meeting of the
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22

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

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

[09-0247](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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[2009-0070 CMS.pdf](#)

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

[09-0247-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:
- Sanjiv Handa
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23 Subject: City Center Garage West - Loan Prepayment
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Prepayment Of A City Loan
Assumed By The Agency For The Development Of City Center
Garage West In An Amount Not To Exceed \$15.95 Million From
Proceeds Of Its 2009T Central District Subordinated Tax Allocation
Bonds; And
[09-0333](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
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[2009-0071 CMS.pdf](#)

2) A City Resolution Authorizing Acceptance Of An Agency Prepayment Of The Outstanding Balance On A City Loan In An Amount Not To Exceed \$15.95 Million Used To Develop City Center Garage West And Assumed By The Agency
[09-0333-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:
- Sanjiv Handa
[82091 CMS.pdf](#)

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

[09-0188](#)

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24.1 Subject: City Energy Efficiency
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate All Funds Designated For The City Of Oakland Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package") Energy Efficiency And Conservation Block Grant Formula Allocation Estimated At Three Million Nine Hundred Nineteen Thousand Two Hundred Dollars (\$3,919,200.00); And 2) Apply For, Accept And Appropriate Rebates, Grants And Incentives For Related Energy Projects

[09-0475](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- Sanjiv Handa

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24.2 Subject: Street Rehabilitation Funding
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

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

[09-0471](#)

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

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

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2) A Resolution Authorizing The City Administrator Or His Designee To Accept And Appropriate American Recovery And Reinvestment Act Of 2009 (ARRA) Funds Of Approximately One Million Two Hundred And Fifty-Five Thousand Dollars (\$1,255,000.00) For The Purpose Of Street Resurfacing

[09-0471-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- Sanjiv Handa
[82094 CMS.pdf](#)

25

Subject: Two Years Additional Service - Notice Of Intent
From: Finance and Management Agency
Recommendation: Adopt A Resolution Authorizing Two Years Of Additional Service Credit To Specific Local Miscellaneous Employees Classifications Under California Government Code Section 20903; And Public Notice Of Costs Associated With The Program As Proposed
[09-0507](#)

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

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

The following individuals spoke on this item:

- Lyle Oehler
- Edith Landrith-Robertson
- Sanjiv Handa
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26 Subject: Oakland's Parking Violation Fines Comparison
From: Finance and Management Agency
Recommendation: Receive A Follow-Up Report From The Parking Division On Comparison Of
Oakland's Parking Violation Fines With Other Cities
[09-0433](#)

A motion was made by Pro-Tem Reid, seconded by Councilmember Kernighan, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- Sanjiv Handa

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27 Subject: Measure DD Bonds - Allocations And Appropriations
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution (1) Approving The Allocation And Appropriation Of Measure DD Bond Series 2009B Proceeds, (2) Approving The Reallocation Of Measure DD Bond Series 2003A Proceeds, And (3) Authorizing The City Administrator, Or The City Administrator's Designee, To Make Final Adjustments To The Allocations Of Measure DD Series 2003A Bond Proceeds As The City Administrator Deems Necessary For The Timely Completion Of Measure DD Projects
[09-0473](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kaplan, Councilmember Brooks, Council President Brunner, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Pro-Tem Reid and Vice Mayor De La Fuente
The following individual spoke on this item:

- Sanjiv Handa

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28 Subject: Measure DD Series 2009B - Bond Sales
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing And Directing The Sale Of Not To Exceed \$70,000,000 Aggregate Principal Amount Of City Of Oakland General Obligation Bonds (Series 2009B, Measure DD) And Levying An Ad Valorem Tax With Respect Thereto; Approving The Form Of And Authorizing The Execution And Delivery Of A Fiscal Agent Agreement; Approving The Selection Of One Or More Underwriters And The Execution Of Bond Purchase Contract(s) Or A Competitive Sale; Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel And Other Agents; Authorizing Payment Of Costs Of Issuance; And Authorizing Necessary Actions In Connection Therewith

[09-0478](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa

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29 Subject: Parking Division Report
From: Finance and Management Agency
Recommendation: Receive An Informational Report From The Parking Operations Division On Revenue Generating And Service Improvement Efforts

[09-0480](#)

A motion was made by Pro-Tem Reid, seconded by Councilmember Kernighan, that this matter be *Received and Filed. The motion carried by the following vote:

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

The following individual spoke on this item:

- Sanjiv Handa

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30 Subject: CompStat Report
From: Councilmember Larry Reid
Recommendation: Action On A Report From The Oakland Police Department With An Update
On The Implementation Of CompStat Including Current Progress, Phases, Next Steps,
Challenges And A Request For Funding In The Amount Of \$1,715,950
[07-1893-1](#)
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**A motion was made by Vice Mayor De La Fuente, seconded by
Councilmember Quan, that this matter be *Received and Filed. The
motion carried by the following vote:**

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

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 10:30 p.m., unless extended by Majority Vote of the
Council)**

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*There being no further business, and upon the motion duly made, the
Agency/Council adjourned the meeting in memory of Ricardo Youngblood,
Myra Woods, Drew James Michael nd Steven Tyrone Johns at 1:12 AM*

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City Clerk and Clerk of the Council