

Meeting Minutes City of Oakland

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

DRAFT

Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza

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

Tuesday, September 20, 2005

6:00 PM

Oakland City Hall, 3rd Floor

1
Pledge of Allegiance

A meeting of the Joint Oakland Redevelopment Agency and City Council was

held on the above date. Opening with the Pledge of Allegiance, the meeting

was convened at 6:02 P.M.

2
Roll Call / ORA & Council

ORA\Councilmember Present: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

The Roll Call was modified to note Councilmember Brooks present at 6:04

P.M.

The Roll Call was modified to note Councilmember Reid present at 6:25 P.M

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- Gene Hazzard

- Hector Reyna

- *Darnell Livingston*

- *Dorothy Coleman*

- *Oscar Wright*

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.

There was no action necessary for this item.

5

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

There was no action necessary for this item.

6

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

There was no action necessary for this item.

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on July 19, 2005

A motion was made by Councilmember Nadel, seconded by Vice Mayor

Brunner, to *Approve the Minutes. The motion carried by the following

vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Chang

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Tassafaronga Recreation Center Revitalization - Recognition

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Honoring The Home Depot And Its Volunteers For

Revitalization Efforts At Tassafaronga Recreation Center (05-0683)

A motion was made by Councilmember Nadel, seconded by

Councilmember Quan, that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Chang

[View Report.pdf,](#)

[79440 CMS.pdf](#)

8.2

Subject: Johnette J. Morton - Recognition

From: Office Of Parks and Recreation

Recommendation: Adopt A Resolution Commending Johnette J. Morton For 24 Years Of

Outstanding And Distinguished Service To The City Of Oakland (05-0684)

A motion was made by Councilmember Nadel, seconded by

Councilmember Chang, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Chang

[View Report.pdf,](#)

[79441 CMS.pdf](#)

8.3

Subject: Carfree Day

From: Councilmember Nadel

Recommendation: Adopt A Resolution Proclaiming Thursday, September 22, 2005, As The

City Of Oakland's Second Annual Carfree Day To Encourage Transportation Alternatives To

Driving Alone (05-0689)

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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

[View Report.pdf,](#)

[79442 CMS.pdf](#)

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Reid took a point of personal privilege and requested

that the meeting be adjourned in memory of Cyril Vierra Sr.

Agency/Councilmember Brunner took a point of personal privilege and

requested that the meeting be adjourned in memory of Jonathan Grisham and

Elvera Wiggans.

Agency/Councilmember took a point of personal privilege and requested that

the meeting be adjourned in memory of Yolande Cornelius Watson Giovanni,

Gary Ann Giovanni and Perrymon Fitzroy Ducreay.

Agency/Councilmember Quan and Agency/Councilmember Nadel took a point

of personal privilege and requested that the meeting be adjourned in memory of

Zenobia Embry-Nimmer.

Agency/Councilmember Nadel took a point of personal privilege and requested

that the meeting be adjourned in memory of Zenobia Embry-Nimmer and Willie

Keyes.

10. CONSENT CALENDAR (CC) ITEMS:
10.1-CC

Subject: Declaration of a Local Emergency due to AIDS epidemic

From: Office of the City Attorney

Recommendation: Adopt A Resolution Renewing And Continuing The City Council's

Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis

With Regard To The AIDS Epidemic (05-0669)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- Darnell Livingston

[View Report.pdf,](#)

[79443 CMS.pdf](#)

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 (05-0670)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79444 CMS.pdf](#)

10.3-CC

Subject: Eric Satingin And Ricardo Merced - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Claim Of Eric Satingin, Ricardo Merced And Their Attorney Of

Record, Ross Meltzer, In The Amount Of \$14,500, As A Result Of Bodily Injury Sustained In

An Auto Collision Involving A City Of Oakland Vehicle On June 18, 2004. (Oakland Police

Department) (05-0674)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79445 CMS.pdf](#)

10.4-CC

Subject: Ronald A. Grant - Settlement

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle the Claim Of Ronald A. Grant, In The Amount Of \$36,800, As A

Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Broken City Sewer

Main. (OPW) (05-0675)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf](#),

[79446 CMS.pdf](#)

10.5-CC

Subject: Miriam Valesco - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney T

Compromise And Settle The Claim Of Miriam Valesco, In The Amount Of Six Thousand

Thirty Eight Dollars And No Cents (\$6,038.00), As A Result Of Damage To Her Sanitary

Sewer Lateral Caused By Tree Roots From A City Tree (OPW) (05-0676)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79447 CMS.pdf](#)

10.6-CC

Subject: Irwin Eskanos And Jeff Schwartz - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Claim Of Irwin Eskanos And Jeff Schwartz DBA Leamington

Property, In The Amount Of \$18,225.00, As A Result Of Property Damage Sustained Due To

A Sewer Flood Caused By A Clogged City Sewer Main And Damage To Sewer Lateral Caused

By A City Tree. (OPW) (05-0677)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79448 CMS.pdf](#)

10.7-CC

Subject: Elliott Flowers - Settlement

From: Office of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Case of Elliott Flowers V. City Of Oakland, Et Al., United States

District Court, Northern District Of California Case No. C-04-3521-WHA In the Amount Of

\$17,500.00 As A Result Of An Arrest On March 27, 2003 (Oakland Police Department -

Excessive Force) (05-0673)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79449 CMS.pdf](#)

10.8-CC

Subject: Kevin Brown - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Claim Of Kevin Brown, In An Amount \$98,154.00, As A Result

Of Property Damage Sustained Due To A Sewer Flood Caused By A Clogged City Sewer Main

(OPW) (05-0690)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79450 CMS.pdf](#)

10.9-CC

Subject: David Gray - Settlement

From: Office of The City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Case Of David Gray V. City Of Oakland, Et Al., Alameda County

Superior Court Case No. RG04176348, Our File No. 23782, In the Amount Of \$36,500.00 This

Case Involves A Dog Bite (Oakland Police Department) (05-0672)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79451 CMS.pdf](#)

10.10CC

Subject: James Kyle - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle The Case Of James Kyle V. City Of Oakland, Alameda Superior Court

Case No. 2002 060357, Our File No. 22151, In The Amounts Of \$240,000 And \$100,000 This

Case Involves An Alleged Dangerous Condition Of Public Property (Public Works Agency)

(05-0679)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Noes: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79452 CMS.pdf](#)

10.11-CC

Subject: Port Local 10 - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To

Compromise And Settle Claims Of Three (3) Of The Remaining Seventeen (17) Plaintiffs In

The Matters Of Port Local 10 Warehouse And Longshoremen Et Al. V. City Of Oakland, Et

Al., United States District Court Case No. C03-2962 TEH (JL), Our File No. X01958 And Sri

Louise Coles Et Al. V. City Of Oakland Et Al., United States District Court Case No.

C03-2961 TEH, Our File No. 23333, For A Sum Not To Exceed A Total Of Five Hundred

Ninety-Two Thousand Five Hundred Dollars And No Cents (\$592,000.00). One Check In The

Amount Of Five Hundred Thousand Dollars And No Cents (\$500,000.00) Is To Be Issued As

Payment To Willow Rosenthal And James B. Chanin, Her Attorney. One Check In The

Amount Of Eighty-Five Thousands Dollars And No Cents (\$85,000) Is To Be As Payment To

John Nishinaga And James B. Chanin, His Attorney. One Check In The Amount Of Seven

Thousand Five Hundred Dollars And No Cents (\$7,500.00) Is To Be Issued As Payment To

Cliff Close And James B. Chanin, His Attorney. These Matters Arise From The April 7, 2003

Port Of Oakland Police Action (Excessive Force/Civil Rights Violation) (05-0678)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf](#),

10.12-CC

Subject: Motorized Scooters / Motorized "Pocket Bikes"

From: Oakland Police Department

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Adding

Chapter 10.17 To The Oakland Municipal Code Requiring Sellers Of Motorized Scooters And

Motorized "Pocket Bikes" To Advise Consumers Of The State And Local Laws Regulating The

Operation Of The Devices Within The City Of Oakland (05-0525)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[12697 CMS.pdf](#)

10.13-CC

Subject: 51st Street And Telegraph Avenue Property Surplus

From: Community and Economic Development Agency

Recommendation: Approve The Final Passage (Second Reading) Of A City Ordinance

Authorizing The City Administrator To Enter Into A Purchase And Sale Agreement To Sell To

5110 Telegraph LLC., The Adjoining Property Owners, Approximately 4,600 Square Feet Of

City Owned Surplus Real Properties (Portions Of Assessor Parcel Number (s):

014-1226-008-00, 014-1226-009-01, 014-1226-007-02, 014-1226-006-02, 014-1226-005-02,

014-1226-004-03, 014-1226-003-03) Located At 51st Street And Telegraph Avenue For The

Fair Market Value Of \$246,000; Appropriating The Proceeds Of The Sale Into The Real Estate

Surplus Property Project (05-0465)

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

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[12698 CMS.pdf](#)

10.14-CC

Subject: Grizzly Peak Boulevard

From: Community and Economic Development Agency

Recommendation: Approve The Final Passage (Second Reading) Of A City Ordinance

Authorizing The City Administrator To Enter Into A Purchase And Sales Agreement To Sell

To Brennan Mulligan And Yeung Tsui, The Adjoining Property Owners, Approximately 1,360

Square Feet Of City Owned Surplus Real Property Located At Grizzly Peak Boulevard (APN#

048H-7510-002-00) For The Fair Market Value Of \$1,360.00 (05-0363)

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

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[12699 CMS.pdf](#)

10.15-CC

Subject: Purchase Agreement with William T. Neill

From: Community Economic and Development Agency

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing

The City Administrator To Enter Into A Purchase And Sale Agreement With William T. Neill,

The Adjoining Property Owner, To Purchase Approximately 4,500 Square Feet Of City Owned

Surplus Real Property Located At 51st Street Between Manila And Coronado Avenue For The

Fair Market Value Of \$4,500 (05-0333)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[12700 CMS.pdf](#)

10.16-CC

Subject: Reduction of Commercial Truck Activity - West Oakland

From: Councilmember Nadel

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending

Sections 10.52.070 And 10.52.120 Of The Oakland Municipal Code To Modify Existing Local

And Through Truck Routes In West Oakland (05-0291)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[12701 CMS.pdf](#)

10.17-CC

Subject: Animal Control And Shelter Manager Classification

From: Finance And Management Agency

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending

The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add the

Classification Of Director Of Animal Services (05-0553)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Carol Maddox*

- *Martha Cline*

- *Williw Liroff*

[View Report.pdf,](#)

[12702 CMS.pdf](#)

10.18-CC

Subject: International Association of Firefighters - Settlement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Fixing The City's Contribution Under The Public

Employer's Medical And Hospital Care Act, Only With Respect To Sworn Fire Unit Employees

Who Belong To The Public Employees' Retirement System, And Fixing The City's

Contribution For Employees And Annuitants At Different Amounts; And Rescinding

Resolution No. 79336 And Resolution No. 66402 Of The Same Title (05-0696)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79454 CMS.pdf](#)

S-10.19-C

C

Subject: Measure B Amendment Endorsement

From: Public Works Agency

Recommendation: Adopt A Resolution Endorsing Amendment Of The 1986 Measure B

Alameda County Transportation Expenditure Plan To Reprogram Funds Earmarked For The

Route 238 Hayward By-Pass Project To Four Alternative Projects In Central County That

Address Traffic Congestion In The Hayward Bypass Corridor (05-0626)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79455 CMS.pdf](#)

S-10.20-C

C

Subject: Macias, Gini And Company - Contract

From: Finance And Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Enter Into A Contract

With Macias, Gini & Company, LLP Audit Services For Fiscal Year Ending June 30, 2005

(05-0647)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa

[View Report.pdf,](#)

[2005-0053 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Enact A One-Year Extension With

Macias, Gini & Company, LLP To Provide Audit Services For Fiscal Year Ending June 30,

2005 In The Amount Not To Exceed \$665,400 (05-0647-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79456 CMS.pdf](#)

S-10.21-C

C

Subject: New Market Tax Credits

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Redevelopment Agency To Apply For An

Allocation Of New Market Tax Credits As A Strong Affiliate Oakland Renaissance NMTC,

Inc.; and (05-0656)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[2005-0054 CMS.pdf](#)

2) A Resolution Authorizing The City Of Oakland To Apply For An Allocation Of New Market

Tax Credits As A Strong Affiliate Of Oakland Renaissance NMTC, Inc. (05-0656-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79457 CMS.pdf](#)

S-10.22-C

C

Subject: Traffic Stop Signs And Parking Meter Zone For 19th Street And Thomas L. Berkley

Way

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Installation Of Traffic Stop Signs And A Traffic Signal For A

New Street Connecting 19th Street, William Street, And Thomas L. Berkley Way For The

Uptown Oakland Project; And (05-0562)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf](#),

[79458 CMS.pdf](#)

2) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal

Code Chapter 10.36 And Adding A Metered Parking Zone Along A New Street Connecting

19th Street, William Street, And Thomas L. Berkley Way For The Uptown Oakland Mixed Use

Redevelopment Project (05-0562-1)

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

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf](#)

S-10.23-C

C

Subject: Underground Encroachments

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment

Permit To Install A Below-Sidewalk Temporary Soil Shoring System In William Street, 19th

Street, San Pablo Avenue, Telegraph Avenue, And Thomas L. Berkley Way For The Uptown

Oakland Mixed Use Redevelopment Project; and (05-0561)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79459 CMS.pdf](#)

2) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment

Permit To Install And Maintain Custom Roadway Pavement In William Street For The Uptown

Oakland Mixed Use Redevelopment Project; And (05-0561-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[79460 CMS.pdf](#)

3) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment

Permit To Install Below-Sidewalk Electrical Transformers, Vaults, And Power Distribution

Cabling In William Street, 19th Street, Thomas L. Berkley Way, San Pablo Avenue, And

Telegraph Avenue For The Uptown Oakland Mixed Use Redevelopment Project (05-0561-2)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[79461 CMS.pdf](#)

S-10.24-C

C

Subject: Rescinding Resolution Number 78803

From: Cultural Arts and Marketing Division

Recommendation: Adopt A Resolution Rescinding Resolution Number 78803 C.M.S

Authorizing The City's Participation In The Arts Loan Fund Managed By The Northern

California Grantmakers (05-0639)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79462 CMS.pdf](#)

S-10.25-C

C

Subject: Cultural Arts Loan Program

From: Cultural Arts Department

Recommendation: Adopt An Agency Resolution (1) Rescinding Resolution Number 94-43

C.M.S, And Terminating The Cultural Arts Revolving Loan Program, And (2) Authorizing The

Agency's Participation In The Arts Loan Fund Managed By The Northern California

Grantmakers (05-0638)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf](#),

[2005-0055 CMS.pdf](#)

S-10.26CC

-CC

Subject: Library Services And Construction Act Grant

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The

City Of Oakland, To Apply For, Accept And Appropriate A Grant In The Amount Of \$31,439

From The California State Library, Library Services And Construction Act (LSTA) To Support

The Public Library Staff Education Program For Fiscal Year 2005-2006 (05-0662)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79463 CMS.pdf](#)

S-10.27-C

C

Subject: Digital Resources Grant

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The

City Of Oakland, To Apply For, Accept And Appropriate A Grant In The Amount Of \$6,000

From The California State Library, Library Services And Construction Act (LSTA) For The

Local History Digital Resources Program For Fiscal Year 2005-2006 (05-0664)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

- *Glenda Fae Hammonds*

[View Report pdf,](#)

[79464 CMS.pdf](#)

S-10.28-C

C

Subject: PASS! After School Program

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The

City Of Oakland, To Apply For, Accept And Appropriate A Grant In The Amount Of \$10,000

From The East Bay Community Foundation (EBFC) To Support The Library's PASS!

After-School Homework Program In Fiscal Year 2005-2006 (05-0663)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79465 CMS.pdf](#)

S-10.29-C

C

Subject: Raise A Reader Pilot Project

From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The

City Of Oakland, To Apply For, Accept And Appropriate A Grant In The Amount Of \$10,000

From The Trio Foundation For The Raising A Reader Pilot Project For Fiscal Year 2005-2006

(05-0661)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79466 CMS.pdf](#)

S-10.30-C

C

Subject: All Star Fire Equipment - Agreement

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A

Term Agreement With All Star Fire Equipment For The Purchase Of Firefighter Protective

Clothing (Turnouts) In An Amount Not To Exceed Three Hundred Ninety Thousand Dollars

(\$390,000.00) For The Period October 14, 2005 Through October 13, 2008, and Authorizing

Waiver Of The Competitive Bidding Requirements (05-0646)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79467 CMS.pdf](#)

S-10.31-C

C

Subject: Concentra Medical Centers - Contract

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A

Contract With Concentra Medical Centers To Perform Physical Fitness Assessments And

Health Testing Services To City Of Oakland's Firefighting Personnel For The Period October 1,

2005 Through August 31, 2007 In An Amount That Shall Not Exceed Four Hundred Ninety

Thousand Dollars (\$490,000.00), With An Optional Two Year Extension, One Year At A

Time, In An Amount That Shall Not Exceed Two Hundred Forty Five Thousand Dollars

(\$245,000.00) Per Year (05-0645)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf](#),

Passed The Consent Agenda

A motion was made by Councilmember Quan, seconded by

Councilmember Nadel, including all the preceding items marked as having

been adopted on the Consent Agenda. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

11

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

Closed Session

A motion was made by Councilmember Brooks, seconded by

Councilmember Chang, to *Received and Filed. The motion carried by the

following vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa

12

A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the
Sunshine Ordinance

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, to *Received and Filed. The motion carried by the

following vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

THEREAFTER:

13

Reconsideration of Ordinances pursuant to Charter Section 216

There was no action necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Brookpark Tree Removal

From: Public Works Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt Of A Resolution

Denying The Appeal Filed By Robert Bobb Against The Decision Of The Public Works

Agency Approving The Issuance Of Tree Removal Permit DR02-123 For Brookpark Road, An

Undeveloped Lot, APN 085-0105-040-00, In Order To Build A New Home (05-0420)

***Withdrawn with No New Date**

[View Report.pdf](#)

14.2

Subject: Tree Removal Permit DR05-083

From: Public Works Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution

Denying The Appeal Filed By Carol Wolman-Clapsadle Against The Decision Of The Public

Works Agency Approving The Issuance Of Tree Removal Permit DR05-083 For 400 40th

Street (05-0686)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Reid, that this matter be Adopted as Amended to deny the appeal and

approve the Tree Removal Permit under the following conditions; (1) A

minimum of 6 of trees currently on-site must be 36 inch box-sized trees, (2)

the applicant must plant street trees on their side of Shafter, from 40th to

41st Street, and on their side of 41st Street, (3) the applicant must offer to

plant street trees along the side of 41st Street opposite their project, (4) the

applicant must relocate the lady palm, as the applicant has offered; and (5)

the applicant must try to preserve as many of the Silk Oak trees as

possible.

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was

opened at 7:06 P.M.

Agency/Councilmember Nadel 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,

Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council

De La Fuente -8

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

- *David Thorne*

- *Jeff Greenwald*

- *Brian Fenske*

- *Jacob Clapsadle*

- *Hillary Curtis*

The following individual(s) spoke in favor of this item:

- Patrick Ellwood

- *Jason Gardner*

- *Robert Clapsadle*

- *Carol Wolman*

[View Report.pdf,](#)

[79469 CMS.pdf](#)

14.3

Subject: Delinquent Business Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct a Public Hearing regarding the assessment of liens for delinquent

business taxes and upon conclusion adopt one of the following pieces of legislation:

1) Adopt 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

(05-0680)

A motion was made by Councilmember Reid, seconded by Councilmember

Quan, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was

opened 7:36 PM

Agency/Councilmember Brunner 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,

Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council

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

- Sanjiv Handa

[View Report.pdf,](#)

[79470 CMS.pdf](#)

2) Adopt A Resolution Overruling Protests And Accepting And Confirming Reports Of The

City Administrator On The 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 Tax Collector For Collection; or

(05-0680-1)

Not Adopted

3) Adopt A Resolution Continuing Hearing On Reports Of The City Administrator On The

Delinquent Business Taxes, And 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 (05-0680-2)

Not Adopted

14.4

Subject: Delinquent Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding Delinquent Mandatory Garbage Fees

For January/February/March 2005 Monthly Accounts And April/May/June 2005, Quarterly

Accounts And Upon Conclusion Adopt One Of The Following Resolutions:

1) Adopt 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, Administrative Charges, And Assessment Charges, As Necessary -

Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien

And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; or

(05-0681)

A motion was made by Councilmember Reid, seconded by Councilmember

Chang, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was

opened 7:39 P.M.

Agency/Councilmember Reid made a motion, seconded by

Agency/Councilmember Kernighan, to close the Public Hearing, and hearing

no objections, the motion passed by Ayes: Agency/Councilmember: Brooks,

Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council

De La Fuente -8

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79471 CMS.pdf](#)

2) Adopt 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, Administrative

Charges, As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And

Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County

Tax Collector For Collection; or (05-0681-1)

Not Adopted

3) Adopt A Resolution Continuing Hearing On Reports Of The City Administrator On The

Delinquent Garbage Services Fees And Confirming Of The Recordation Of Liens,

Administrative Charges, And Assessment Charges, As Necessary - Pursuant To Chapter 8.28

Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges

To Be Turned Over To The Alameda County Tax Collector For Collections (05-0681-2)

Not Adopted

14.5

Subject: Delinquent Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following

Resolutions:

1) Adopt 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, Administrative Charges, And Assessment Charges, As

Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The

Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; or (05-0682)

A motion was made by Councilmember Reid, seconded by Councilmember

Quan, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was

opened at 7:43 P.M.

Agency/Councilmember Reid 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,

Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council

De La Fuente -8

[View Report.pdf,](#)

[79472 CMS.pdf](#)

2) Adopt A Resolution Overruling Protests And Objections And Accepting And Confirming

Reports Of The City Administrator On The Cost Incurred By The City Of Oakland For

Delinquent Real Property Transfer Taxes, And Authorizing The Recordation Of Liens,

Administrative Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal

Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The

County Tax Collector For Collection; or (05-0682-1)

Not Adopted

3) Adopt A Resolution Continuing Hearing On Reports Of The City Administrator On The

Delinquent Real Property Transfer Taxes And Confirming Of The Recordation Of Liens,

Administrative Charges, And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of

The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To

Be Turned Over To The Alameda County Tax Collector For Collections (05-0682-2)

Not Adopted

14.6

Subject: Delinquent Transient Occupancy Taxes - Public Hearing

From: Finance And Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following

Resolutions:

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, Administrative Charges, And Assessment Charges As Necessary

Pursuant To Title 4, Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice

Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or

(05-0691)

A motion was made by Councilmember Nadel, seconded by

Councilmember Quan, that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.6 by the City Clerk, the Public Hearing was

opened at 7:43 P.M.

Agency/Councilmember Nadel 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,

Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council

De La Fuente -8

[View Report.pdf,](#)

[79473 CMS.pdf](#)

2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City

Administrator On The Delinquent Transient Occupancy Taxes And Confirming The

Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary

Pursuant To Title 4, Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice

Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; Or (05-0691-1)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent

Transient Occupancy Taxes And Confirming The Recordation Of Liens, Administrative

Charges And Assessment Charges As Necessary Pursuant To Title 4, Chapter 4.24 Of The

Oakland Municipal Code (05-0691-2)

Not Adopted

At this time, Items 15.1 and 15.2 were taken out of order and heard prior to

Item 14.7

AT 8:35 P.M., PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE,

RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER REID

PRESIDED AS PRESIDENT PRO TEMPORE.

14.7

Subject: Annual Performance and Evaluation Report

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Take Action On A Report

Presenting The Review Of Oakland's Consolidated Annual Performance And Evaluation

Report (CAPER) For Community Development Block Grant, Home, Housing Opportunities

For People With AIDS And Emergency Shelter Grant Programs Performance For The Year

2004-2005 (05-0466-1)

A motion was made by Vice Mayor Brunner, seconded by President of the

Council De La Fuente, that this matter be Approved the recommendations

of the September 13, 2005 Community and Economic Development

Committee and directed staff to return to the October 25, 2005 Community

and Economic Development Committee meeting with a follow-up report

including the actual budget vs. expenditures and status and

recommendations for each program. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was

opened

9:40 P.M.

Agency/Councilmember Brunner 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, Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the

Council De La Fuente -8

[View Report.pdf](#)

Upon conclusion of 14.7, Council returned to Item 15 on the agenda

ACTION ON NON-CONSENT ITEMS:

15

Subject: Pay-Go Funded Contracts

From: Vice Mayor Brunner

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending

Oakland Municipal Code Title 2, Chapter 2.04 To Add Section 2.04.018 Authorizing The City

Administrator To Execute Pay-Go Funded Contracts In Accord With Oakland's Contracting

Rules And Procedures Without City Council Approval (05-0541)

A motion was made by President of the Council 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 Noes: 2 - Councilmember Brooks and Councilmember

Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf](#),

[12703 CMS.pdf](#)

S-15.1

Subject: Oakland Workforce Investment Board Alternatives

From: Community And Economic Development Agency

Recommendation: Adopt One Of The Following Resolutions Regarding The Oakland

Workforce Investment Board:

1) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private

Industry Council, Inc., (PIC) To Serve As The Workforce Investment System Administrator For

Up To Three Years In An Amount No To Exceed \$1,300,000 For Fiscal Year 2005-2006; B) A

Memorandum Of Understanding With The Oakland PIC To Serve As The One Stop Career

Center Operator For Up To Three Years In An Amount Not To Exceed \$1,900,000 For Fiscal

Year 2005-2006; And C) The Disbursement Of Additional Funds To The Oakland PIC For

Subcontracts With Adult And Youth Service Providers As Approved By The Oakland

Workforce Investment Board, For Delivery Of Support Services And Training For Job Seekers

And Business Clients, And For Other Programs For Which The Oakland PIC Acts As System

Administrator; Or (05-0688)

Not Adopted

[View Report.pdf,](#)

[View Report.pdf](#)

2) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private

Industry Council, Inc., (PIC) To Serve As The Oakland Workforce Investment System

Administrator For Up To Three Years In An Amount Not To Exceed \$1,300,000 For Fiscal

Year 2005-2006; B) A Memorandum Of Understanding With The Oakland PIC To Serve As

The One Stop Career Center Operator For Up To Three Years In An Amount No To Exceed

\$1,325,000 For Fiscal Year 2005-2006; C) The Disbursement Of Additional Funds To The

Oakland PIC For Subcontracts With Adult And Youth Service Providers As Delivery OF

Support Services And Training For Job Seekers And Business Clients, And For Other Programs

For Which Oakland PIC Acts As System Administrator; And (D) The Issuance Of A Request

For Proposals To Provide Services To Formerly Incarcerated Clients In The Amount Of

\$575,000 (05-0688-1)

A motion was made by President of the Council De La Fuente, seconded by

Councilmember Chang, that this matter be Adopted Council also directed

staff to expedite the Request For Proposal (RFP) for the \$575,000 The

motion carried by the following vote:

Votes:

ORA\Councilmember Noes: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa

- *Barbara Leslie*

- *Greg Hodge*

- *Geofrey Pete*

- *Gay Phair Cobb*

- *Bill Paterson (time ceded from Charles Turner)*

- *Kitty Kelly Epstein*

- *Gene Hazzard*

- *Dan Siegal*

The following individual(s) spoke in favor of this item:

- Tyrone Austin

- Douglas Butler

- *Hakim Lovely*

- *Jeffrey Taylor*

- *Jason Washington*

[View Report.pdf,](#)

[79474 CMS.pdf](#)

S-15.2

Subject: Billboard Management And Regulation

From: Community And Economic Development Agency

Recommendation: Action On A Report And Recommendations Outlining The City's Land Use

Authority And Options For The Management And Regulation Of Outdoor Advertising Signs

(Billboards) In The City Of Oakland, Including The Port Area (05-0400)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Quan, that this matter be Approve as Amended Council directed staff to

begin discussions with the Port of Oakland towards a negotiated agreement

on regulating outdoor advertising in the Port Area and to return to Council

with that agreement by December 6, 2005; and/or to return to the

December 6, 2005 City Council meeting with the first step necessary to

make a General Plan amendment, in the event that an agreement can not

be reached, per Option A in the staff report. The motion carried by the

following vote:

Votes:

ORA\Councilmember Noes: 3 - Councilmember Brooks, Councilmember Reid

and Councilmember Chang

ORA\Councilmember Ayes: 5 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan and President of the Council

De La Fuente

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

- Sanjiv Handa

- John Sutter

[View Report](#)
S-15.3

Subject: Prevent Violence Among Youth - Agreements

From: Department of Human Services

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute An Agreement For \$147,364

Between The City Of Oakland And The Alameda Count District Attorney's Office For Family

Justice Center To Fund Support Group And Services For Older Youth Who Have Been

Exposed To Violence And/Or Have Been Sexually Exploited In Accordance With Measure Y

For The Period Of July 1, 2005 Through June 30, 2006, With Two One Year Options (Without

Returning To Council) To Renew; And (05-0650-1)

A motion was made by Councilmember Quan, seconded by Vice Mayor

Brunner, that this matter be Adopted as Amended to include the following

requirements: 1) with an exception of immediate termination of any

program that does not comply with the program requirements, 2) must be

required (not encouraged) for collection of data for sports programs', 3) an

equivalent educational institution and further directed staff to return to

Council with annual progress and accountability reports on all contracts

which includes a plan for any unspent monies and a report on how to fund

teen centers. The motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

The following individual(s) spoke against this item:

- Darnell Livingston

[View Report.pdf,](#)

[79475 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Execute An Agreement With The

Mentoring Center In An Amount Not-To-Exceed \$491,241.00 For Delivery Of Community

Services The Under Pathways To Change Model In Accordance With Measure Y For Fiscal

Year 2005-2006 With Two One Year Options To Renew Without Returning To Council; And

Receive An Informational Update On Measure Y Agreements Previously Approved By

Council; And, Receive An Informational Update On Oversight And Evaluation Of Measure Y

Programs (05-0650-2)

A motion was made by Councilmember Quan, seconded by Vice Mayor

Brunner, that this matter be Adopted as Amended. The motion carried by

the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[79476 CMS.pdf](#)
S-15.4

Subject: Measure Y Funded Programs

From: Department of Human Services

Recommendation: Action On A Report And Recommendations To Approve The Competitive

Proposal Process For Measure Y Funded Violence Prevention Programs In Fiscal Year

2005-2007 (05-0668)

A motion was made by Councilmember Quan, seconded by Vice Mayor

Brunner, that this matter be Approved. The motion carried by the

following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf](#),

[View Supplemental Report Measure Y.pdf](#)

The Council made, seconded and passed a motion to extend the meeting past

10:30 P.M.

S-15.5

Subject: Hurricane Katrina Relief Efforts

From: Office of the City Administrator

Recommendation: Discussion And Action A On Report Regarding The City Of Oakland's

Participation In Hurricane Katrina Relief Efforts (05-0740)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Approve as Amended and

directed staff to pursues all courses of actions for Katrina relief efforts

including but not limited; to drafting options with protection for landlords

and tenants, review of subsidies from General Fund and other creative

solutions, and further refered the matter to the Rules and Legislation

Committee to schedule a consistant time for the full body to discuss and

receive information on Katrina related issues The motion carried by the

following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa

- Kali Grosberg

- Cecile Leneman

- Bettie Johnson

- *Bob Hines*

The following individual(s) spoke in favor of this item:

- *Dan Siebel*

- *Linda Kiehle (time ceded from Tina Lee)*

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Report.pdf](#)

16

Subject: Animal Definition Amendments

From: Councilmember Reid

Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending

Section 6.04.020 Of The Oakland Municipal Code, Definitions; Amending Section 6.04.320

Prohibiting The Keeping Of Roosters In The City; Adding Section 6.04.400 To Limit The

Number Of Dogs Per Household To Three; Amending Section 6.04.050 Making Chipping

Required For Licensing, And Adding Section 6.04.410 To Add Exemptions To The Provisions

Of This Ordinance (05-0574)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 10/4/2005

The following individual(s) spoke against this item:

- Jill Posner (time ceded from Nancy Rieser)

- Merry Bates

- Karin MacDonald

- *Douglas Kolozsvari*

- *Michael Allaitle*

- *Dina McCarthy*

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Report.pdf,](#)

[View Item.pdf](#)

17

~~Subject: Dale Gieringer Appointment~~

~~From: Vice Mayor Brunner~~

~~Recommendation: Adopt A Resolution Appointing Dale Gieringer As A Member Of The~~

~~Measure Z Advisory Committee (05-0629)~~

[ViewReport.pdf](#)

18

Subject: Juanita Davis - Appointment

From: Councilmember Nadel

Recommendation: Adopt A Resolution Appointing Juanita Davis To The Planning And

Oversight Committee (POC) Of The Oakland Fund For Children Youth (05-0630)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79477 CMS.pdf](#)

Subject: Marilyn Montenegro - Re-Appointment

From: Councilmember Kernighan

Recommendation: Adopt A Resolution Re-Appointing Marilyn Montenegro To The Planning

And Oversight Committee (POC) Of The Oakland Fund For Children Youth (05-0631)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79478 CMS.pdf](#)

Subject: Amy Liu - Appointment

From: Councilmember Chang

Recommendation: Adopt A Resolution Appointing Amy Liu To The Planning And Oversight

Committee (POC) Of The Oakland Fund For Children Youth (05-0632)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79479 CMS.pdf](#)

21

Subject: Susan Chamberlin and Sandra Wolf - Appointment

From: Office of The Mayor's Office

Recommendation: Adopt A Resolution Appointing Susan Chamberlin And Sandra Wolf As

Members Of The Oakland Museum Of California Foundation Board (05-0693)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79480 CMS.pdf](#)

22

Subject: Richard C. Edwards - Appointment

From: Oakland Museum

Recommendation: Adopt A Resolution Appointing Richard C. Edwards As A Member Of The

Oakland Museum Of California Foundation Board (05-0694)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79481 CMS.pdf](#)

23

Subject: Budget Advisory Committee - Appointment

From: Councilmember Nadel

Recommendation: Adopt A Resolution Re-Appointing Maeve Elise Brown To The Budget

Advisory Committee (05-0642)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79482 CMS.pdf](#)

24

~~Subject: — Billboard Management And Regulation~~

~~From: — Community And Economic Development Agency~~

~~Recommendation: Action On A Report And Recommendations Outlining The City's Land Use~~

~~Authority And Options For The Management And Regulation Of Outdoor Advertising Signs~~

~~(Billboards) In The City Of Oakland, Including The Port Area (05-0400)~~

[View Report](#)

25

~~Subject: — Public Utilities And Right Of Way Improvements For Uptown Project~~

~~From: Community And Economic Development Agency~~

~~Recommendation: Adopt The Following Pieces Of Legislation:-~~

~~-~~

~~1) A Resolution Approving A Subdivision Improvement Agreement With FC Oakland, Inc.,~~

~~For Deferred Construction Of Public Infrastructure Improvements For The Final Map From~~

~~Tract 7616 For The Uptown Oakland Mixed Use Redevelopment Project; And (05-0563)~~

[View Report.pdf](#)

26

Subject: Rent Adjustment Ordinance

From: Community And Economic Development Agency

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending Rent

Adjustment Ordinance (OMC Chapter 8.22) To Add Seven Alternate Members To The

Housing Residential Rent And Relocation Board (05-0685)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Quan, that this matter be Approved on Introduction for Final Passage to

the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on October 4, 2005. The motion carried by the following

vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

- *Bob Hines*

[View Report.pdf](#)

27

~~Subject: Oakland Workforce Investment Board Alternatives~~

~~From: Community And Economic Development Agency~~

~~Recommendation: Adopt One Of The Following Resolutions Regarding The Oakland~~

~~Workforce Investment Board:-~~

-

~~1) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private~~

~~Industry Council, Inc., (PIC) To Serve As The Workforce Investment System Administrator For~~

~~Up To Three Years In An Amount No To Exceed \$1,300,000 For Fiscal Year 2005-2006; B) A~~

~~Memorandum Of Understanding With The Oakland PIC To Serve As The One Stop Career~~

~~Center Operator For Up To Three Years In An Amount Not To Exceed \$1,900,000 For Fiscal~~

~~Year 2005-2006; And C) The Disbursement Of Additional Funds To The Oakland PIC For~~

~~Subcontracts With Adult And Youth Service Providers As Approved By The Oakland~~

~~Workforce Investment Board, For Delivery Of Support Services And Training For Job Seekers~~

~~And Business Clients, And For Other Programs For Which The Oakland PIC Acts As System~~

~~Administrator; Or (05-0688)~~

[View Report.pdf,](#)

[View Report.pdf](#)

~~2) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private~~

~~Industry Council, Inc., (PIC) To Serve As The Oakland Workforce Investment System~~

~~Administrator For Up To Three Years In An Amount Not To Exceed \$1,300,000 For Fiscal~~

~~Year 2005-2006; B) A Memorandum Of Understanding With The Oakland PIC To Serve As~~

~~The One Stop Career Center Operator For Up To Three Years In An Amount No To Exceed~~

~~\$1,325,000 For Fiscal Year 2005-2006; C) The Disbursement Of Additional Funds To The~~

~~Oakland PIC For Subcontracts With Adult And Youth Service Providers As Delivery Of~~

~~Support Services And Training For Job Seekers And Business Clients, And For Other Programs~~

~~For Which Oakland PIC Acts As System Administrator; And (D) The Issuance Of A Request~~

~~For Proposals To Provide Services To Formerly Incarcerated Clients In The Amount Of~~

~~\$575,000 (05-0688-1)~~

[View Report.pdf,](#)

[79474 CMS.pdf](#)

28

Subject: Opus West Exclusive Negotiating Agreement - Extension

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Amending The Exclusive Negotiating

Agreement With Opus West Developer Group For The Development Of Approximately 50

Acres Within The Former Oakland Army Base, In Order To: (1) Change The Developer Name

To Oakland West Wind, LLC; And (2) Extend The Term Of The Agreement From 6 Months

To 12 Months (05-0687)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 10/4/2005

[View Report.pdf](#)

S-29

Subject: AJW Construction - Contract

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To

AJW Construction For Citywide Sidewalk Repair In The Amount Of \$1,910,036.50 (City

Project No. G212730) (05-0648)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79483 CMS.pdf](#)

Subject: Rapid Bus Project

From: Public Works Agency

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

Enter Into A Cooperative Agreement With The Alameda County Congestion Management

Agency For Design, Construction And Administration Of The Rapid Bus Project Component

Of The East Bay Smart Corridors Program To Provide For Transportation Improvements In

Oakland With An Estimated Value Of Nine Million Dollars (\$9,000,000.00) (05-0657)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Nadel, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[View Report.pdf,](#)

[79484 CMS.pdf](#)

S-31

Subject: Oakland Trail Projects

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate

Grant Funds Under The Habitat Conservation Fund Program Of The California Wildlife

Protection Act Of 1990 For The Coliseum Garden Project At Lion Creek Up To The Amount of

\$200,000.00, (05-0665)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Brooks, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79485 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate

Grant Funds From The Recreational Trails Program For The Peralta Creek De Anza Trail

Project At The Peralta Hacienda Historical Park Up To The Amount of \$450,000.00, and

(05-0665-1)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Brooks, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report .pdf,](#)

[79486 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate

Grant Funds For The Recreational Trails Program For The Waterfront Trail Project up To The

Amount of \$450,000.00 (05-0665-2)

A motion was made by Vice Mayor Brunner, seconded by Councilmember

Brooks, that this matter be Adopted. The motion carried by the following

vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79487 CMS.pdf](#)

S-32

Subject: Planning And Oversight Committee - Appointment

From: Councilmember Nadel

Recommendation: Adopt A Resolution Appointing Anjelica Jackson To The Planning And

Oversight Committee Through July 31, 2006 (05-0643)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

[View Report.pdf](#),

[79488 CMS.pdf](#)

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

There being no further business, and upon the motion duly made, the

Agency/Council adjourned the meeting at 12:15 A.M.

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings

please contact the Office of the City Clerk. When possible, please notify the City Clerk 48

hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.

Also, in compliance with Oakland's policy for people with environmental illness or multiple

chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER

THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE

SAFETY OF THOSE ATTENDING MEETINGS. (...)

City Clerk and Clerk of the Council