

# 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**

***1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor***

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

**Tuesday, April 17, 2007**

**6:00 PM**

**Oakland City Hall, 3rd Floor**

1  
Pledge of Allegiance

2  
Roll Call / ORA & Council

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Present: 7 - Councilmember Chang, Councilmember

Nadel, Councilmember Kernighan, Councilmember Brunner, Councilmember

Quan, President of the Council De La Fuente and Councilmember Brooks

*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 6:05 PM.*

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

*The following individual(s) spoke under Open Forum:*

- *Margaret Pinter*

- *Lynda Dann*

- *Susan Montauk*

- *Marion DeSousa*

- *Willow Liroff*

- *Stephan Tompkins*

- *Deloris Allen*

- *Hector Reyna*

- *Darnell Levingston*

- *Sanjiv Handa*

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 April 3, 2007

**A motion was made by Councilmember Brooks, seconded by**

**Councilmember Chang, to \*Approve the Minutes. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

**8. PRESENTATION OF CEREMONIAL MATTERS**

8.1

Subject: Mark Savage Recognition

From: Office of the City Attorney

Recommendation: Hear An Award Presentation To Consumers Union, Senior Attorney Mark

Savage, Nominated "California Lawyer Of The Year" In The Public Interest Category For His

Work To Force Auto Insurers To Abide By Proposition 103's Anti-Redlining Provisions

07-0095

**A motion was made by Councilmember Nadel, seconded by**

**Councilmember Chang, that this matter be \*Received and Filed. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

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

- *Sanjiv Handa*

[View Report.pdf](#)  
8.2

Subject: Earth Month 2007

From: Public Works Agency

Recommendation: Adopt A Resolution Proclaiming April 2007 As 'Earth Month' In The City Of

Oakland

07-0109

**A motion was made by Councilmember Nadel, seconded by**

**Councilmember Kernighan, that this matter be Adopted. The motion**

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

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

- *Sanjiv Handa*

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## **9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**



*Agency/Councilmember Brunner and Agency/Council President De La Fuente*

*took a point of personal privilege and requested that the meeting be adjourned*

*in memory of Lilly Lockett*

*Agency/Councilmember Quan took a point of personal privilege and requested*

*that the meeting be adjourned in memory of the students killed in the Virginia*

*Tech shootings*

**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

[07-0122](#)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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

- *Darnell Levingston*

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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

[07-0123](#)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

*The following individual(s) spoke against this item:*

*- Richard Aswad*

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[80517 CMS.pdf](#)

10.3-CC

Subject: Salary Ordinance Amendment

From: Finance and Management Agency

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

The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To: Add The Permanent

Full Time Equivalent Classifications Of Latent Print Examiner I, Latent Print Examiner II, And

Latent Print Examiner III; To Re-Title The Full Time Classification Assistant Criminalist To

Criminalist I; And To Adjust The Salary Of The Full Time Classification Claims And Risk

Manager

[07-0071](#)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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

*- Sanjiv Handa*

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10.4-CC

Subject: Tom Bradley - Postal Stamp

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Supporting Issuance Of Postal Stamp In Honor Of

National League Of Cities Past President Tom Bradley

07-0093

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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[80518 CMS.pdf](#)

10.5-CC

Subject: Project Priority Funds - District One

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Authorizing A Grant Of Two Hundred Fifty Thousand

Dollars (\$250,000) From Councilmember Brunner's Priority Project Funds To Studio One Arts

Center To Purchase Furniture, Furnishings And Equipment To Complete The Facility's

Renovation Project

07-0120

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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[80519 CMS.pdf](#)

10.6-CC

Subject: Councilmember Larry Reid - Travel Authorization

From: Councilmember Larry Reid



Recommendation: Adopt A Resolution Authorizing Councilmember Larry E. Reid To Attend The

National Forum For Black Public Administrators From April 20-26, 2007

[07-0126](#)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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

- *Sanjiv Handa*

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[80520 CMS.pdf](#)

10.8-CC

Subject: Project Priority Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant of \$15,000 From

Councilmember Larry E. Reid's Priority Project Funds For Operating Expenses To Ariel

Outreach Mission, A Non-Profit Agency That Operates An Emergency Shelter For Women

07-0139

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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[80522 CMS.pdf](#)

10.7-CC

Subject: Project Priority Funds - District Seven

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Authorizing An Immediate Grant of \$15,000 From

Councilmember Larry E. Reid's Priority Project Funds For Operating Expenses To A Safe Place,

A Non-Profit Agency That Provides Shelter for Battered Women and Their Children

07-0138

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

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

*- Darnell Levingston*

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[80521 CMS.pdf](#)

10.9-CC

Subject: Goldfarb & Lipman - Conflict Of Interest Waiver

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing Waiver Of Any Potential Conflict Of Interest

That The Law Firm Of Goldfarb & Lipman May Have As A Result Of Representing The

Oakland Housing Authority In City V. Oakland Housing Authority And Representing The City

Of Oakland In Other Matters

07-0142

**A motion was made by Councilmember Chang, 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 Absent: 1 - Councilmember Kernighan

ORA\Councilmember Noes: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 5 - Councilmember Chang, Councilmember Nadel,

Councilmember Quan, President of the Council De La Fuente and

Councilmember Brooks

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

*- Sanjiv Handa*

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**Passed The Consent Agenda**

**A motion was made by Councilmember Chang, seconded by**

**Councilmember Quan, including all the preceding items marked as having**

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Councilmember Quan, President of the Council De La

Fuente and Councilmember Brooks

11

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

Closed Session

*There were no decisions made in Closed Session*

12

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

Sunshine Ordinance

**\*Approve as Submitted**

*Agency/Councilmember Brunner made a motion seconded by*

*Agency/Councilmember Chang confirming that there were no discussions*

*pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections,*

*the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang,*

*Nadel, Quan, Kernighan and President of the Council De La Fuente -7,*

*Excused: Reid -1*

**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: Cabaret Appeal

From: Office of the City Administrator

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

Denying The Appeal Filed By Oakland Partners Group Against The Administrative Hearing

Officer's Decision To Deny Their Application For A Permit To Operate A Cabaret Under The

Name Club O

[07-0099](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /  
City Council**

*Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was*



*opened at 7:01 PM*

*Agency/Councilmember Nadel made a motion, seconded by*

*Agency/Councilmember Brooks to close the Public Hearing, and hearing no*

*objections, the motion passed by Ayes: Agency/Councilmember: Brooks,*

*Brunner, Chang, Kernighan, Nadel, Quan, and President of the Council De La*

*Fuente -7, Excused: Reid -1*

*Council directed staff to come back with information on the 300 ft. rule and*

*include the details of the agreement in the report when it returns to Council.*

*Staff was also directed to look at the downtown entertainment districts of*

*various cities to examine how they deal with crowd control.*

*The following individual(s) spoke on this item:*

- *Sanjiv Handa*

- *Ed Pope*



- *Zack Wasserman*

- *Eric Harris*

- *Leon Roberts*

[View Report.pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: McKillop Roadway - Landslide Damage

From: Public Works Agency

Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due To

Landslide Damage To McKillop Roadway First Proclaimed By the City Of Oakland On October

17, 2006

[07-0124](#)

**A motion was made by Councilmember Quan, seconded by**

**Councilmember Nadel, that this matter be Adopted. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

[View Report.pdf,](#)

[80524 CMS.pdf](#)

16

Subject: Mason Tillman Associates - Disparity Study Contract

From: Finance and Management Agency

Recommendation: Adopt A Resolution Awarding A Contract To Mason Tillman Associates,

LTD. In An Amount Not-To-Exceed One Hundred Forty-Nine Thousand Nine Hundred Ten

Dollars (\$149,910.00) To Complete The Fairness In Hiring And Employment Disparity Study

("Workforce Disparity Study") For The City Of Oakland

07-0112

**A motion was made by Councilmember Brooks, seconded by**

**Councilmember Brunner, that this matter be Adopted. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

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

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan

and Councilmember Brooks

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

*- Sanjiv Handa*

- *Frank Tucker*

[View Report.pdf,](#)

[80525 CMS.pdf](#)

17

Subject: Oakland Human Relations Commission

From: Councilmembers Pat Kernighan and Nancy Nadel

Recommendation: Receive An Informational Report On An Ordinance Re-Establishing The

Human Relations Commission, Providing For The Appointment Of Members Thereof, And

Defining The Duties Of Said Commission And Superseding Ordinances No. 11595, 11867, And

12191

[06-1074](#)

**A motion was made by Councilmember Brooks, seconded by**

**Councilmember Kernighan, that this matter be \*Received and Filed. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

*The following individual(s) spoke on this item:*

- *Sanjiv Handa*

- *Patricia Kevena Fili*

- *Ben Lunine*

- *Virginia Sung*

[View Report.pdf](#)

Subject: Federal Legislative Agenda

From: Office of the City Council

Recommendation: Receive An Informational Report On The Federal Legislative Agenda For

2007

[07-0090](#)

**A motion was made by Councilmember Brunner, seconded by**

**Councilmember Chang, that this matter be \*Received and Filed. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Reid

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente and Councilmember Brooks

*Staff was directed to return to council with informational reports on the Radical*

*Roving Centers and the Youth Center System which are two of the programs*

*selected by the Mayor.*

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

*- Sanjiv Handa*

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[View Supplemental Report.pdf,](#)

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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)**

-

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

*Agency/Council adjourned the meeting in memory of Lilly Lockett and the*

*students slain at Virginia Tech University at 9:11 PM*

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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.

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...  
*City Clerk and Clerk of the Council*