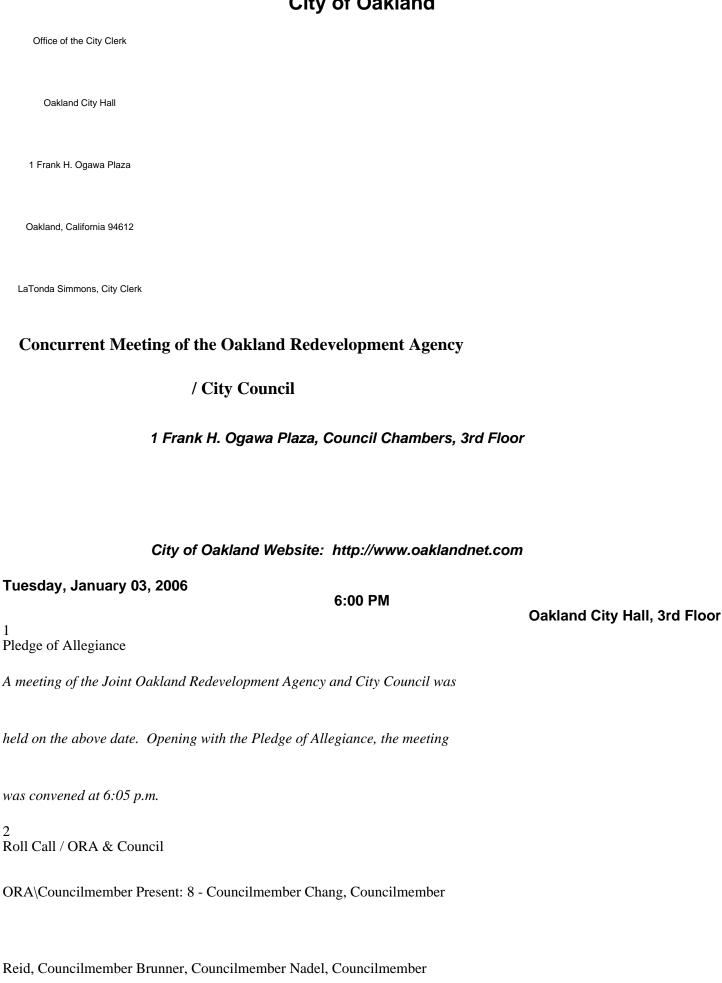
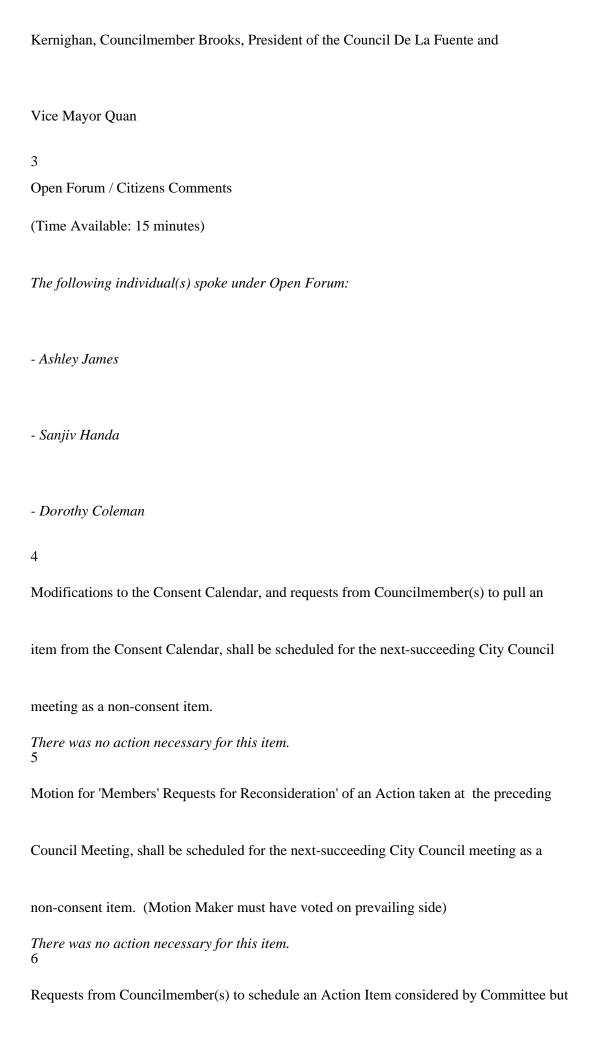
Meeting Minutes City of Oakland





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 December 20, 2005
A motion was made by Councilmember Reid, seconded by Councilmember
Chang, to *Approve the Minutes. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
8. PRESENTATION OF CEREMONIAL MATTERS 8.1
Subject: Mayor Proclamation - Oakland's One City, One Book Campaign
From: Oakland Public Library
Recommendation: Receive A Mayoral Proclamation To Kick-Off Oakland's One City, One
Book Campaign Featuring The Book Mistress Of Spices, By Chitra Divakaruni (05-0945)

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Machetta Williams. Agency/Councilmember De La Fuente took a point of personal privilege and requested that the meeting be adjourned in memory of Delores Gonzalez. 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 (05-1018)

This Matter was Adopted on the Consent Agenda.

Votes:

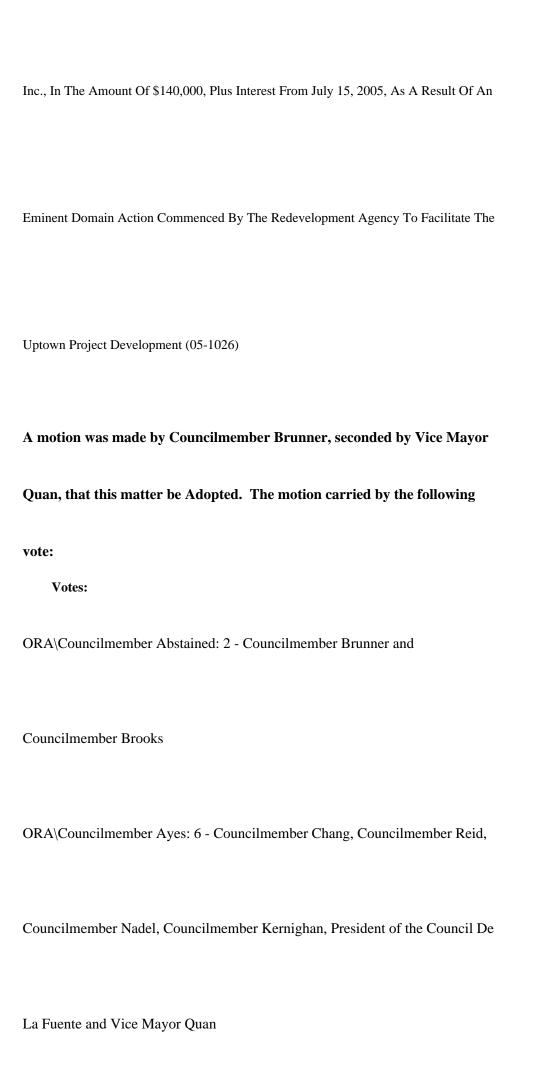
*Withdrawn with No New Date

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ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
View Report.pdf,
79655 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 (05-1019)
This Matter was Adopted on the Consent Agenda. Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,

Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
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79656 CMS.pdf 10.3CC
Subject: Oakland Redevelopment Agency V. Fung - Settlement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing Agency Counsel To
Compromise And Settle The Case Of Oakland Redevelopment Agency V. Fung, Et Al, In The
Amount Of \$500,000, As A Result Of An Eminent Domain Action Commenced By The
Redevelopment Agency To Facilitate The Uptown Project Development (05-1025)
A motion was made by Councilmember Brunner, seconded by Vice Mayor
Quan, that this matter be Adopted. The motion carried by the following

vote:
Votes:
ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
President of the Council De La Fuente and Vice Mayor Quan
<u>View Report.pdf</u> ,
79657 CMS.pdf
10.4CC Subject: Oakland Redevelopment Agency V. Viacom Outdoor, Inc., - Settlement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing Agency Counsel To
Compromise And Settle The Case Of Oakland Redevelopment Agency V. Viacom Outdoor,



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79658 CMS.pdf
10.5-CC
Subject: Vacating Ferro Street
From: Community And Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance
Conditionally Vacating Ferro Street To The Port Of Oakland From Its Intersection With Middle
Harbor Road To Its Western Terminus (05-0800)
This Matter was Approved for Final Passage on the Consent Agenda. Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
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12719 CMS.pdf 10.6-CC

Subject: Nonexclusive Storm Drain Easement
From: Community And Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing
The Granting Of A Nonexclusive Permanent Storm Drain Easement Of 479 Square Feet On
City Owned Property Located At 105th Avenue, Oakland (APN # 045-5370-020-01) To
Marinwoods Enterprises, Inc. For The Appraised Market Value Of \$2,500 Plus Master Fee
Schedule Fees (05-0853)
This Matter was Approved for Final Passage on the Consent Agenda. Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,

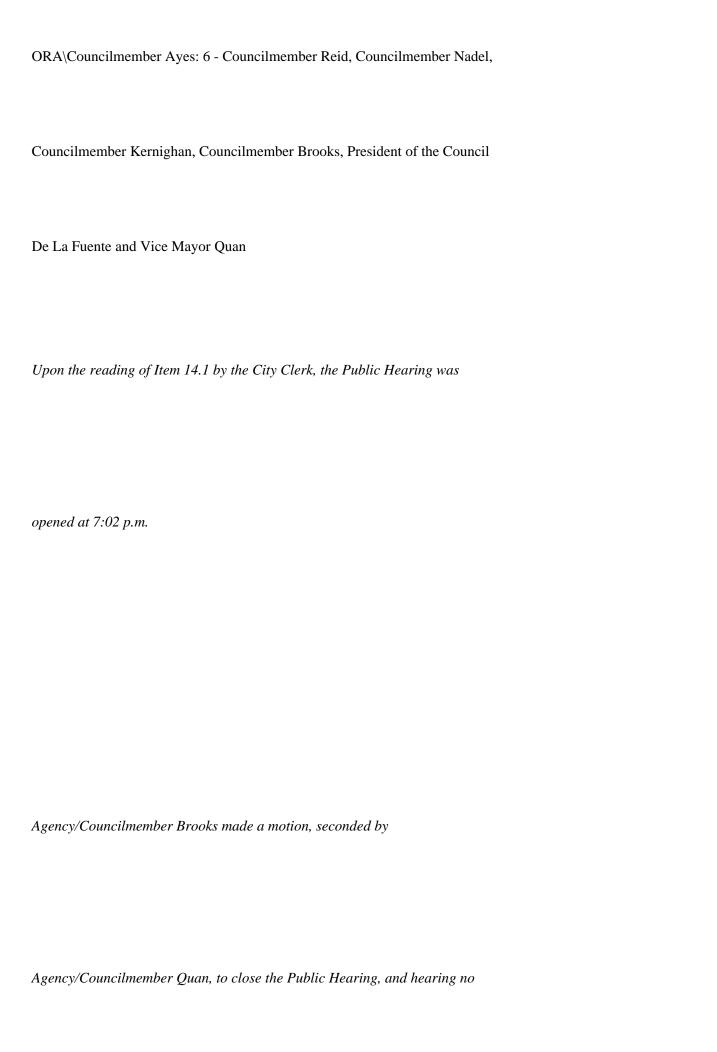
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
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12720 CMS.pdf
Passed The Consent Agenda
A motion was made by Councilmember Brunner, seconded by Vice Mayor
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 Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
11
An oral report from the Agency Counsel / City Attorney of final decisions made during
Closed Session
There were no final decisions made during Closed Session. There was no action
neccesary for this item.
12
A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the

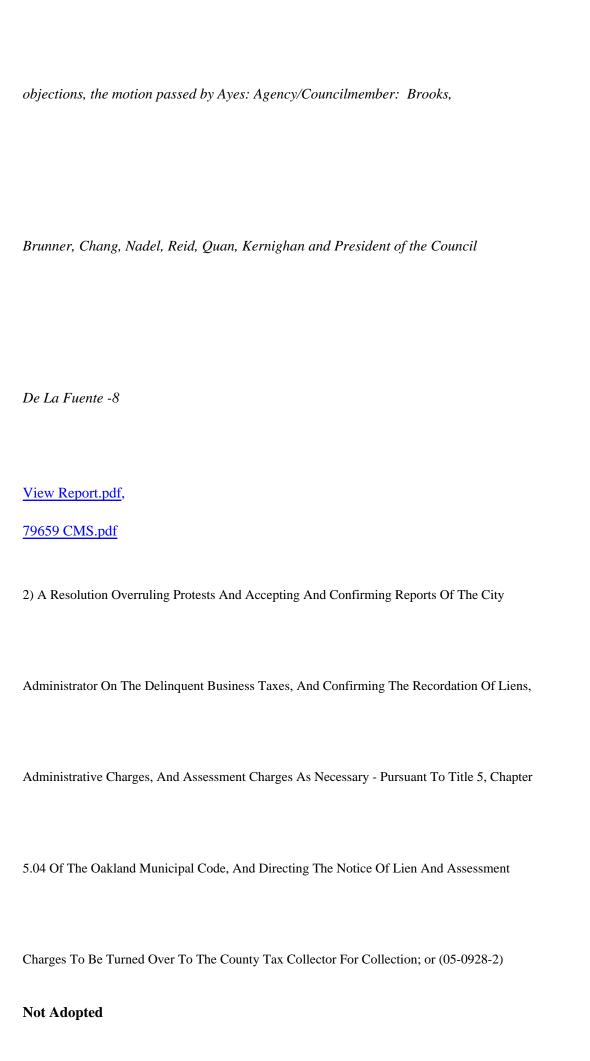
Sunshine Ordinance
Agency/Councilmember Brooks made a motion seconded by
Agency/Councilmember Reid confirming that there were no discussions
pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections,
the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang,
Nadel, Reid, Quan, Kernighan and President of the Council De La Fuente -8
At 6:25 p.m., the ORA/City Council recessed. COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL
THEREAFTER: The ORA/City Council reconvened at 7:02 p.m.
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: Delinquent Business Taxes - Public Hearing

From:	Finance and Management Agency
Recommen	dation: 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) 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
(05-0928-1)
A motion was made by Councilmember Brooks, seconded by Vice Mayor Quan, that this matter be Adopted. The motion carried by the following
vote: Votes:
ORA\Councilmember Absent: 2 - Councilmember Chang and Councilmember
Brunner

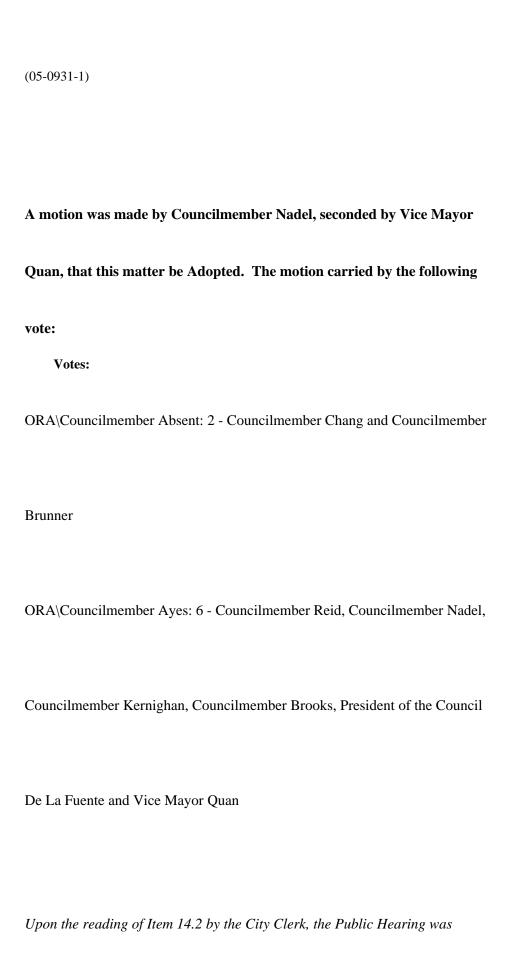


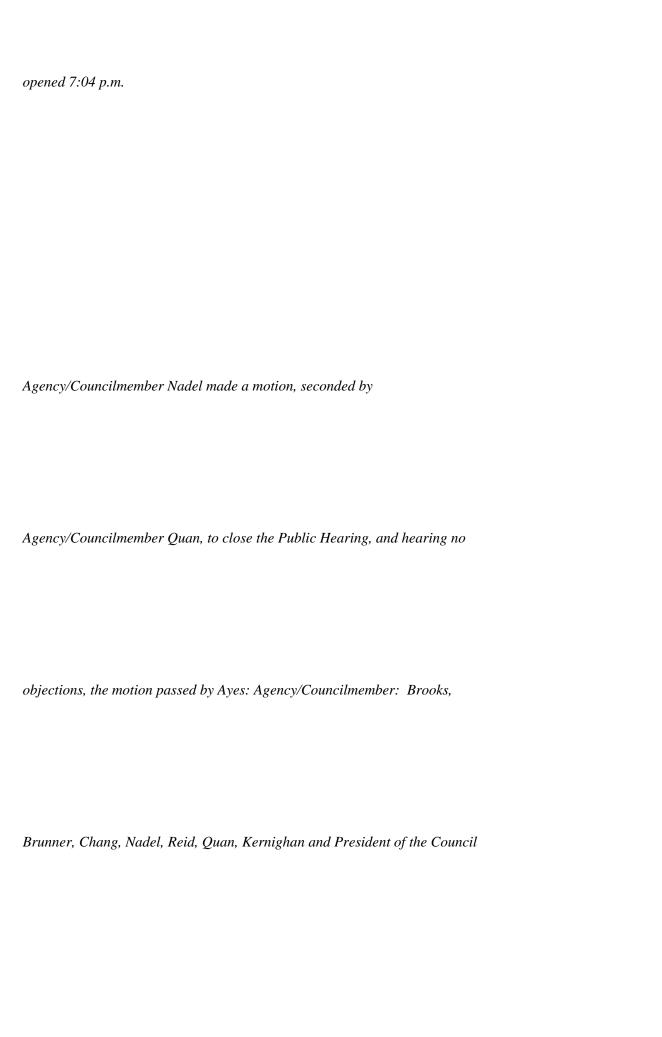


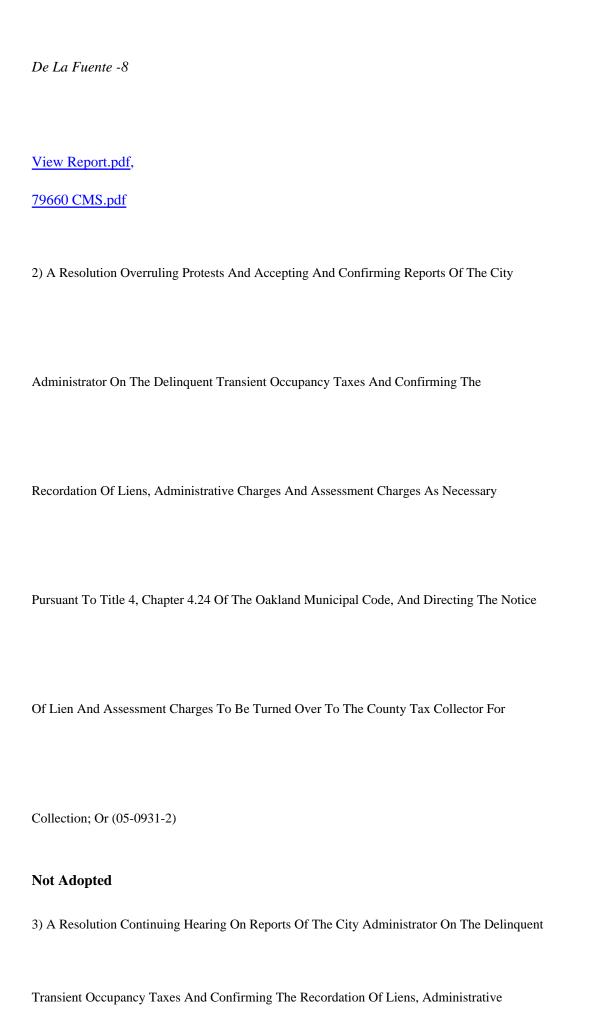
3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent
Business Taxes, And Confirming Of The Recordation Of Liens, Administrative Charges And
Assessment Charges, As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland
Municipal Code (05-0928-3)
Not Adopted 14.2
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





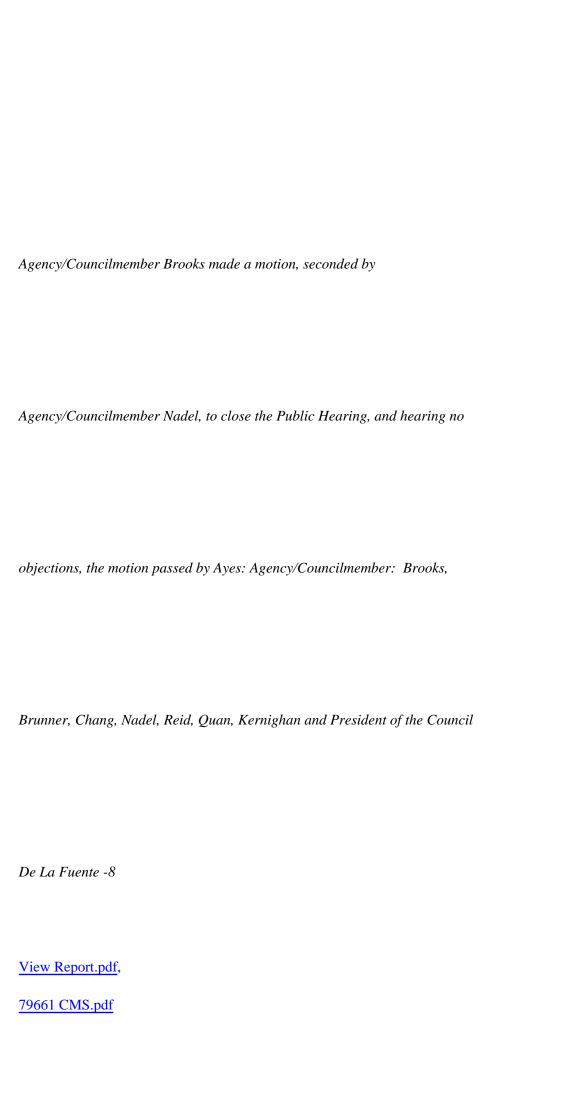


Charges And Assessment Charges As Necessary Pursuant To Title 4, Chapter 4.24 Of The
Oakland Municipal Code (05-0931-3) Not Adopted 14.3
Subject: Delinquent Mandatory Garbage Fees - Public Hearing
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing Regarding Delinquent Mandatory Garbage Fees

For April/May/June 2005 Monthly Accounts And July/August/September 2005 Quarterly
Accounts 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 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

(05-0938-1)
A motion was made by Councilmember Brooks, seconded by
Councilmember Nadel, that this matter be Adopted. The motion carried
by the following vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was
opened at 7:05 p.m.



2) A Resolution Overruling Protests And Objections, And Accepting And Confirming Reports
Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent
Garbage Service Fees, And Authorizing The Recordation Of Liens, 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 (05-0938-2)
Not Adopted
3) 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

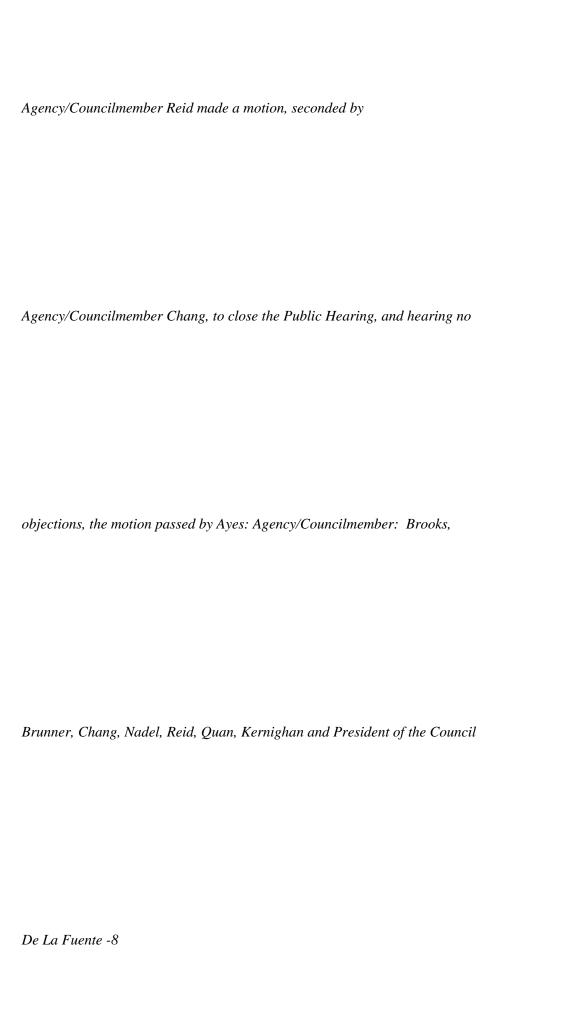
Not Adopted 14.4
Subject: Delinquent Real Property Transfer Taxes - Public Hearing
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For
Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following

Alameda County Tax Collector For Collections (05-0938-3)

Resolutions:
1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs
Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes, And

Confirming The Recordation Of Liens, 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 (05-0943-1)
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 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was
opened at 7:08 p.m



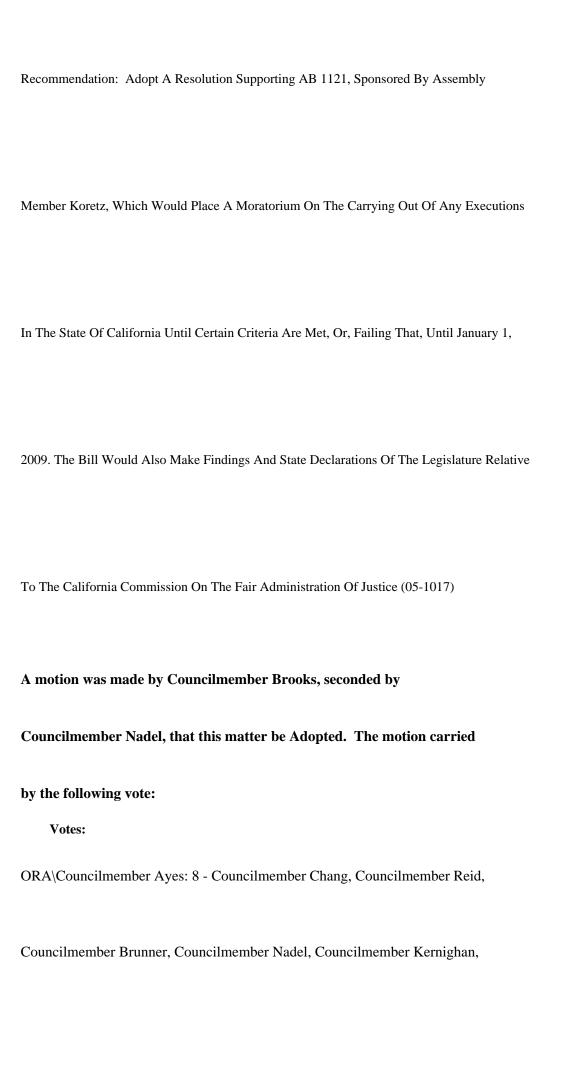
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
View Report.pdf,
79662 CMS.pdf 2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports
Of The City Administrator On The Cost Incurred By The City Of Oakland For Delinquent Real
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 (05-0943-2)
Not Adopted
3) 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 (05-0943-3)
Not Adopted 14.5
Subject: Taxi Medallion Number 303
From: Office of the City Administrator

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Affirming Administrative Hearing Officer's Revocation Of Taxi Medallion (Vehicle Operating
Permit) Number 303 (05-0519-3)
*Withdrawn with No New Date View Report.pdf ACTION ON NON-CONSENT ITEMS: 15
Subject: Election Of Vice Mayor
From: Office of the City Clerk
Recommendation: Adopt A Resolution Electing Councilmember As Vice
Mayor Of The City Council Of The City Of Oakland For The Term Beginning January 3, 2006
And Ending January 3, 2007 Pursuant to City Charter Section 208 (05-1021)
A motion was made by Councilmember Chang, seconded by President of
the Council De La Fuente, that this matter be Adopted. The motion
carried by the following vote: Votes:

ORA\Cou	ncilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilme	ember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilme	ember Brooks, President of the Council De La Fuente and Vice Mayor
Quan	
Agency/Co	ouncilmember Chang made a motion to nominate
Agency/Co	ouncilmember Jean Quan as Vice Mayor of the City Council. The
motion wa	s seconded by President of the Council De La Fuente. The motion
passed wit	h Ayes: Brooks, Brunner, Chang, Kernighan, Nadel, Quan, Reid 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,
79663 CMS.pdf 16
Subject: Amendment To Assembly Bill 1121 - A Moratorium On Executions
From: Councilmember Brooks



Councilmember Brooks, President of the Council De La Fuente and Vice Mayor		
Quan		
View Report.pdf,		
79664 CMS.pdf 17		
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 C.M.S. (The Salary Ordinance) To Add The		
Classifications Of Park Attendant, Senior Services Administrator, PPT And Chief Conservator,		
To Amend The Title Of Executive Assistant To The Assistant City Manager, And Increase The		

A motion was made by Vice Mayor Quan, seconded by Councilmember
Brooks, that this matter be Approved for Final Passage. The motion
carried by the following vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
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Salary Of Energy Engineer III (TITLE CHANGE) (05-0878)

12721 CMS.pdf

Subject:	Radio Equipment Upgrade
From:	Finance And Management Agency
Recommer	ndation: Adopt The Following Pieces Of Legislation:
1) A Pacol	ution Authorizing The City Administrator Or Her Designee To Negotiate And
1) A Kesoi	ution Authorizing The City Administrator Or Her Designee To Negotiate And
Execute A	n Agreement With Nextel Communications For The Replacement, Retuning,
Upgrade A	nd Modification Of The City's 800 MHz Radio Equipment Per The FCC Rebanding

Agreement Without Return To Council (05-0929)
A motion was made by Councilmember Reid, seconded by Councilmember
Chang, that this matter be Adopted as Amended Council directed staff to
return to the Public Safety Committee and full Council after the conclusion
of negoitation s with Nextel to allow review of the final agreement and
further directing staff to ask Nextel for the timeline on reimbursement of
expenses owed to the City of Oakland. The motion carried by the following

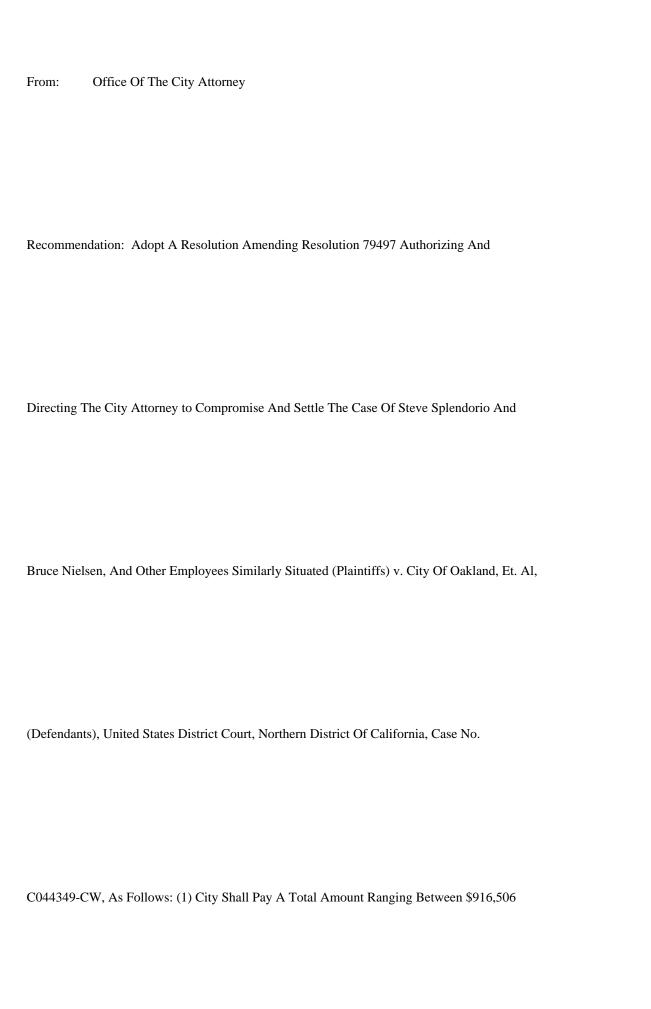
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
View Report.pdf,
79665 CMS.pdf
2) A Resolution Authorizing The City Administrator Or Her Designee To Allocate Funds From
The Radio Replacement Fund In An Amount Not To Exceed Three Million Dollars
(\$3,000,000.00) And Authorize The City Administrator To Execute A Contract With

Dailey-Wells Inc. For Project Engineering, Radio Replacement And Upgrades Without Return
To Council (05-0929-1)
*Rescheduled to *Rules & Legislation Committee on 1/5/2006
View Report.pdf,
79706 CMS.pdf
2) A Resolution Authorizing The City Administrator Or Her Designee To Authorize Two (2)
Additional Positions For Project Management And Installation Coordination For A Period Not
To Exceed Three Years Without Return To Council (05-0929-2)
*Rescheduled to *Rules & Legislation Committee on 1/5/2006
<u>View Report.pdf</u> ,
<u>79707 CMS.pdf</u>
3) A Resolution Authorizing The City Administrator To Enter Into Cooperative Agreements
With Bay Area Rapid Transit District (BART) And The City Of Richmond Allowing The
Mutual Roaming Capabilities Of Public Safety Units On Each Of The Radio Systems Without
Return To Council; And (05-0929-3)
*Rescheduled to *Rules & Legislation Committee on 1/5/2006
View Report.pdf,
79708 CMS.pdf
4) A Resolution Authorizing The City Administrator Or Her Designee To Execute A Purchase

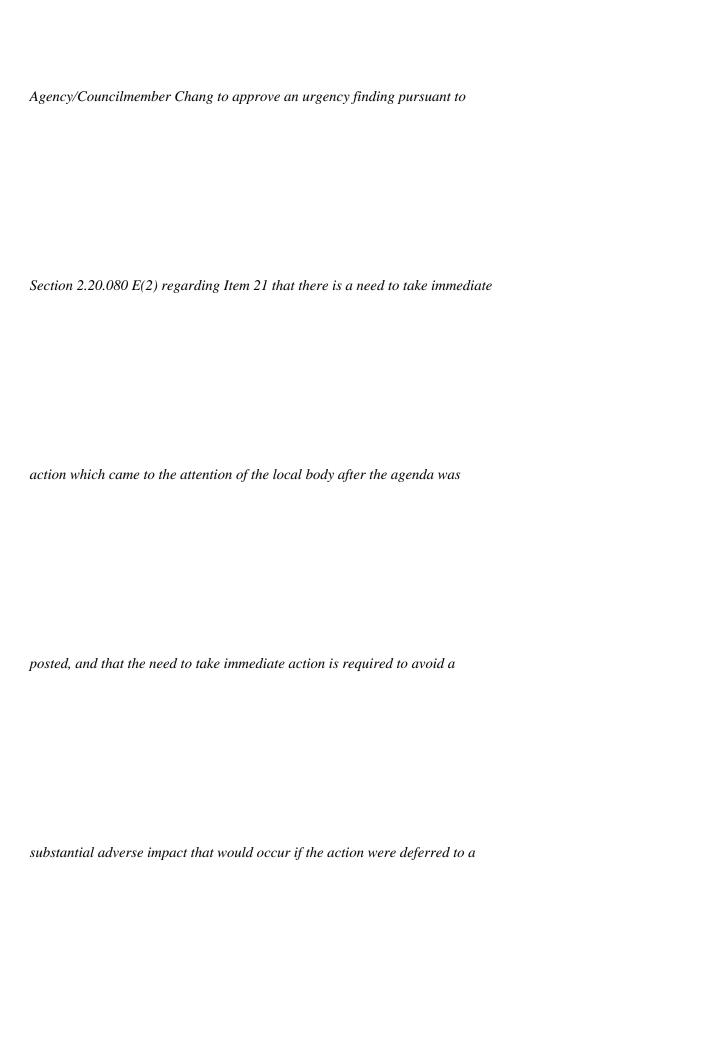
Order With 1	M/A-Com Inc. For Radio Parts And Materials For An Amount Not To Exceed Five
Hundred The	ousand Dollars (\$500,000.00) Per Year For Three (3) Years Without Return To
Council (05-	0929-4)
*Reschedu View Repo	led to *Rules & Legislation Committee on 1/5/2006 rt.pdf,
79709 CMS	<u>S.pdf</u>
Subject: A	Amicus Brief - O'Connell V. City Of Stockton
From:	Office of the City Attorney
Recommend	ation: Adopt A Resolution Authorizing The City Attorney To Join In An Amicus
Brief To The	e California Supreme Court Regarding The Case Of O'Connell V. City Of Stockton
To Protect C	Oakland's Beat Feet And Sideshow Vehicle Forfeiture Ordinances (05-1020)
A motion v	was made by Councilmember Reid, seconded by Councilmember
Chang, tha	at this matter be Adopted. The motion carried by the following
vote: Votes:	

ORA\Councilmember Abstained: 3 - Councilmember Brunner, Councilmember
Nadel and Councilmember Brooks
ORA\Councilmember Ayes: 5 - Councilmember Chang, Councilmember Reid,
Councilmember Kernighan, President of the Council De La Fuente and Vice
Mayor Quan
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
View Report.pdf,
79666 CMS.pdf 20
Subject: Barry Pilger - Appointment
From: Vice Mayor Brunner
Recommendation: Adopt A Resolution Appointing Barry Pilger As A Member Of The Budget
Advisory Committee (05-1022)

A motion was made by Councilmember Brunner, seconded by Vice Mayor
Quan, that this matter be Adopted. The motion carried by the following
vote:
Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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S-21
Subject: Steve Splendorio And Bruce Nielsen - Settlement



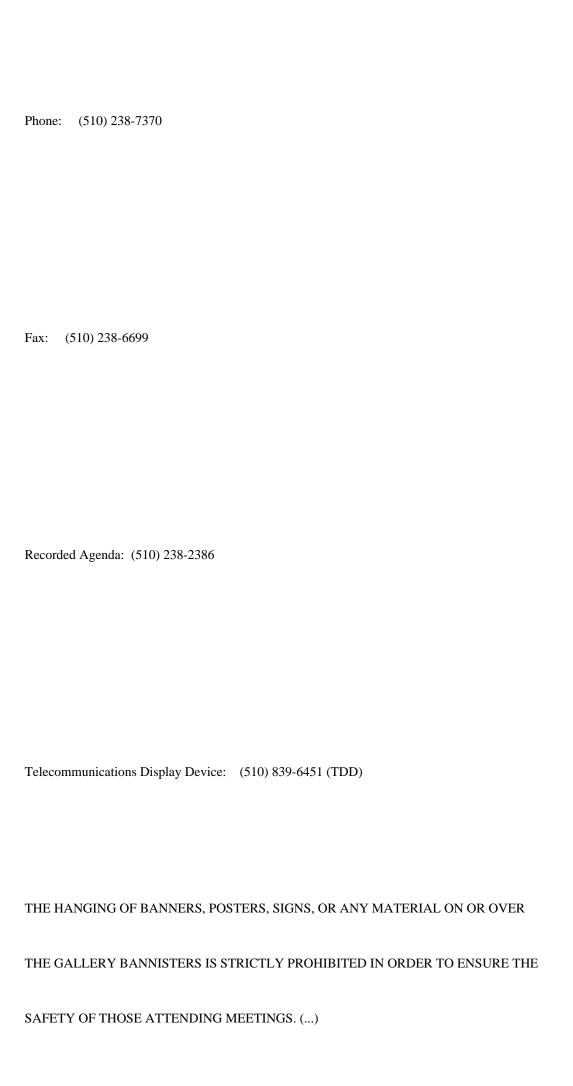
And \$1,300,000 As Compensation To Qualifying Members Of Local 55 For Incorrect FLSA
Overtime Calculations (05-1029)
A motion was made by Councilmember Nadel, seconded by
Councilmember Chang, that this matter be Adopted. The motion carried
by the following vote: Votes:
ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Reid,
Councilmember Brunner, Councilmember Nadel, Councilmember Kernighan,
Councilmember Brooks, President of the Council De La Fuente and Vice Mayor
Quan
Agency/Councilmember Reid made a motion seconded by



subsequent special or regular meeting.
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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79668 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 7:47 p.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.





City Clerk and Clerk of the Council