

# 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/Geological Hazard Abatement District**

#### **Board**

**Tuesday, May 03, 2005**

**6:00 PM**

**City Council Chambers - 3rd Floor**

*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 6:10 p.m.*

1  
Pledge of Allegiance  
2

Roll Call / ORA & Council

COUNCIL MEMBERS; Vice Mayor Brunner, Dist. 1; Vacant, Dist. 2; Nancy Nadel, Dist.

3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry Chang, At-Large,

and President Ignacio De La Fuente, Dist. 5

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Present: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Robert Chapman*

- *Carrie Owens*

- *Darnell Levingston*

- *John Morton*

- *Janet Arnold*

- *James Smith*

- *Hugh Bassette*

- *Thordie Ashley*

- *Cynthia Shartzner*

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.

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

**Councilmember Chang, to \*Approve with the following amendments. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

*Agency/Councilmember Chang, to withdraw items 10.4CC and 10.13CC from*

*the Consent Calendar for rescheduling to the May 17, 2005 City Council*

*agenda as a Non-Consent Items, and hearing no objections, the motion passed*

*by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, and*

*Quan - 6; Excused: De La Fuente -1*

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.

**\*Approve as Submitted**  
**Votes:**

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

*Agency/Councilmember Reid, to schedule the following item to the May 17,*

*2005 City Council agenda as a Non-Consent item.*

Subject: Andes Construction, Inc. - Contract

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a contract to Andes Construction,

Inc. for the rehabilitation of sanitary sewers in the area bounded by MacArthur Boulevard,

Patterson Avenue, Reinhardt Drive, Carson Street and Madrone Street - sub-basin 81-014

(Project No. C157910) for the amount of one million four hundred fifteen thousand seventy-nine

dollars (\$1,415,079) (05-0254)

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

**Councilmember Reid, that this matter be \*Rescheduled to the Concurrent**

**Meeting of the Oakland Redevelopment Agency / City Council, to be heard**

**at the May 17, 2005 meeting. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment

Agency/City Council held on April 5, 2005

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

**Chang, to \*Approve as Submitted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

## **8. PRESENTATION OF CEREMONIAL MATTERS**

8.1

Subject: Naomi Schiff - Mother of the Year

From: Councilmember Nadel

Recommendation: Hear a Presentation and adopt a Resolution commending Naomi Schiff on

being named "Mother of the Year 2005" (05-0272)

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



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

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79170 C.M.S.*

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[79170 CMS.pdf](#)

8.2

Subject: Municipal Clerks Week

From: Council President De La Fuente

Recommendation: Adopt a Resolution declaring May 1 through May 7, 2005 as Municipal

Clerks Week (05-0193)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79171 C.M.S.*

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8.3

Subject: Oakland Bike Day

From: Councilmember Brooks

Recommendation: Adopt a Resolution proclaiming Thursday, May 19, 2005 City of Oakland

Bike Day and encouraging our residents to bike to work, school or play (05-0138)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79172 C.M.S.*

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8.4

Subject: Public Education

From: Vice Mayor Brunner

Recomendation: Adopt a Resolution to save Public Education (05-0314)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79173 C.M.S.*

*The following individual(s) spoke for this matter:*

- *Michael Siegal*

- *Shanice Berry*

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[79173 CMS.pdf](#)

8.5

Subject: Maritime Trade Routes in Oakland and California

From: Councilmember Nadel

Recommendation: Adopt a Resolution recognizing the essential role of Maritime Trade Routes in

Oakland and California History (05-0315)

**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 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79174 C.M.S.*

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

*Vice Mayor Brunner acknowledged the Oakland Tech Girls Basketball Team*

*for their achievement of winning the State Championship Two consecutive years*

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

*that the meeting be adjourned in memory of Camille Sherry Ivey*

## **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 (05-0301)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79145 C.M.S.*

*The following individual(s) in favor of this matter:*

*-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 (05-0303)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79176 C.M.S.*

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10.3-CC

Subject: Contra Costa Newspapers, Inc. - Settlement Agreement

From: Office of the City Attorney

Recommendation: Adopt a Resolution authorizing and directing the City Attorney to compromise

and settle the case of Contra Costa Newspapers Inc. et al. v. City of Oakland et al. Alameda

County Superior Court Case No. RG 04166830, in the amount of \$70,000.00. This Case involves

claims for attorney fees arising from a writ of mandate to compel the City to provide salary

information for individual employees who earned above one hundred thousand dollars in Fiscal



Year 2003-2004. (Finance and Managment) (05-0304)

**A motion was made by Councilmember Brooks that this matter be**

**Adopted. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 5 - Councilmember Brunner, Councilmember

Chang, Councilmember Nadel, Vice Mayor Quan and Councilmember Reid

*Resolution Number 79177 C.M.S.*

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[79177 CMS.pdf](#)

10.4CC

Subject: Amendment to the Master Fee Schedule

From: Public Works Agency

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending

Ordinance Number 12611 C.M.S. (Master Fee Schedule), as amended, increasing hourly, daily

and monthly parking fees, and adding new promotional programs for parking facilities operated

by the City of Oakland (05-0113)

**This Matter was Withdrawn and Rescheduled to the Concurrent Meeting**

**of the Oakland Redevelopment Agency / City Council, to be heard at the**

**May 17, 2005 meeting on the Consent Agenda.**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

- *Lucy Lee Quan*

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10.5-CC

Subject: Opposition to the Governor's Plan for a Special Election

From: Councilmember Nadel

Recommendation: Adopt a Resolution opposing the Governor's Plan for a Special Election in

November, 2005 (05-0271)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79178 C.M.S.*

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S-10.6-CC

Subject: Studio One Art Center Rehabilitation

From: Public Works Agency

Recommendation: Adopt a Resolution to reject all bids as non-responsive, waive further

competitive bidding and authorize the City Administrator to informally bid or negotiate, award

and execute a construction contract, based on revised plans and specifications, without return to

Council for the asbestos and lead-paint abatement phase of the Studio One Art Center

Rehabilitation Project (No. C244710) in an amount not-to-exceed two hundred thousand dollars

(\$200,000.00) (TITLE CHANGE) (05-0182)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79179 C.M.S.*

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S-10.7-CC

Subject: Bambino Baseball Field at Greenman Field Complex

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to accept a private

donation from the Oakland Athletics Baseball Company and the Good Tidings Foundation

consisting of gift in-place renovation to the Bambino Baseball Field located at the Greenman

Field Complex at a value of one hundred thousand dollars (\$100,000) (05-0235)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79180 C.M.S.*

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S-10.8-CC

Subject: Citywide Guardrail Project

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to reject the one (1) bid

received, revise the project plans and specifications and re-bid the on-call Citywide Guardrail

Project (Project No. C231410) (05-0242)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79181 C.M.S.*

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S-10.9-CC

Subject: UASI Grant Program Funding

From: Office of the City Administrator

Recommendation: Adopt a Resolution to accept and appropriate Fiscal Year 2005 Urban Area

Security Initiative Grant for the Oakland/Alameda County/Contra Costa County Region in the

amount of \$5,665,694 from the US Department of Homeland Security, approve the Preliminary

Spending Plan, waive central services overhead fees, and authorize the City Administrator to

administer the Fiscal Year 2005 UASI Grant Program (05-0273)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente



ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79182 C.M.S.*

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S-10.10-C

C

Subject: Assembly Concurrent Resolution Number 11 - Divestment of PERS

From: Councilmember Brooks

Recommendation: Adopt a Resolution supporting Assembly Concurrent Resolution 11 (ACR 11)

introduced by Assembly Member Mervyn Dymally encouraging the Public Employees'

Retirement System (PERS) and the California State Teachers' Retirement System, whenever

feasible and consistent with their fiduciary responsibilities, to encourage companies in which

employee retirement funds are invested and that are doing business in Sudan, as identified by the

Department of Treasury's Office of foreign assets control, to act responsibly and not take actions

that promote or otherwise enable human rights violations in the Sudan (05-0137)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79183 C.M.S.*

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[79183 CMS.pdf](#)

S-10.11-C

C

Subject: Landscaping and Lighting Assessment District

From: Office of the City Administrator - Budget

Recommendation: Adopt a Resolution of intention and accepting the Fiscal Year 2005-2006

preliminary Engineer's Report for the City of Oakland Landscaping and Lighting Assessment

District and setting the date for a Public Hearing (05-0177)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79184 C.M.S.*

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S-10.12-C

C

Subject: Wildfire Prevention Assessment District

From: Office of the City Administrator - Budget Office

Recommendation: Adopt a Resolution of intention and preliminarily accepting the Fiscal Year

2005-2006 Annual Report for the City of Oakland Wildfire Prevention Assessment District and

setting the date for a Public Hearing (05-0191)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79185 C.M.S.*

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S-10.13CC

Subject: Banking/Depository Services and Security Custody Services

From: Finance and Management Agency

Recommendation: Adopt the following pieces of Legislation:

1) Adopt a Resolution authorizing an agreement with Bank of America to provide primary

banking/depository services for the City at an annual cost not to exceed \$275,000 and (05-0229)

**This Matter was Withdrawn and Rescheduled to the Concurrent Meeting**

**of the Oakland Redevelopment Agency / City Council, to be heard at the**

**May 17, 2005 meeting on the Consent Agenda.**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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2) Adopt a Resolution authorizing an agreement with Wells Fargo Bank to provide security

custody services for the City at an annual cost not to exceed \$25,000 (05-0229-1)

**This Matter was Withdrawn and Rescheduled to the Concurrent Meeting**

**of the Oakland Redevelopment Agency / City Council, to be heard at the**

**May 17, 2005 meeting on the Consent Agenda.**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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S-10.14-C

C

Subject: Civil Service Board

From: Finance and Management Agency

Recommendation: Adopt a Resolution recommending to the Civil Service Board that the

classification of Chief Conservator be exempted from Civil Service (05-0233)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79186 C.M.S.*

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S-10.15-C

C

Subject: Donations to the Neighborhood Crime Prevention Councils

From: Office of the City Administrator

Recommendation: Adopt a Resolution authorizing the City Administrator, to accept donations or

grants on behalf of the Neighborhood Crime Prevention Councils (NCPCs) of up to \$10,000 per

NCPC without further City Council approval (05-0075)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid



*Resolution Number 79187 C.M.S.*

*The following individual spoke in favor of this matter:*

- *Nicholas Vigilante*

*The following individual spoke and did not indicate a position on this matter:*

- *Ora Knowell*

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[79187 CMS.pdf](#)

S-10.16-C

C

Subject: State of California Homeland Security Grant Program

From: Oakland Fire Department

Recommendation: Adopt a Resolution to accept and appropriate a grant for thirty-five thousand

twenty-nine dollars and eighty-four cents (\$35,029.84) for the period December 1, 2004 to

October 31, 2005 from the State of California's Homeland Security Grant Program for

Community Emergency Response Team (CERT) enhancement and Citizen Corps Council

Projects, awarded and administered by the Alameda County Operational Area to the Oakland Fire

Department's Office of Emergency Services (OES) for the City of Oakland's Citizens of Oakland

Respond to Emergencies (CORE) Program and its Emergency Management Board (EMB); and,

if (CERT) Grant funding is increased, authorizing the City Administrator to accept and

appropriate additional funds without return to Council (05-0236)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79188 C.M.S.*

*Contract Number 05-0036*

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[79188 CMS.pdf](#)

S-10.17-C

C

Subject: Managed Health Network (MHN) - Agreement

From: Oakland Police Department

Recommendation: Adopt a Resolution authorizing a professional services agreement between the

City of Oakland and Managed Health Network (MHN) in an amount not to exceed fifty-two

thousand nine hundred forty dollars (\$52,940) for the period of July 1, 2004 to June 30, 2005, for

a counseling program for sworn members of the Police Department and their dependents

(05-0240)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79189 C.M.S.*

*Contract Number 05-0037*

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[79189 CMS.pdf](#)

S-10.18-C

C

Subject: Assembly Bill 1623 - Vehicle Registration Fee Increase

From: Public Works Agency

Recommendation: Adopt a Resolution declaring the City of Oakland's support for Assembly Bill

1623 (Klehs) (Vehicle Registration Fee for Congestion Management and related environmental

mitigation) (05-0268)

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

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79190 C.M.S.*

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**Passed The Consent Agenda**

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

**Councilmember Brooks, 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 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

*Agency/Councilmember Brooks, to adopt the agenda with the exception of Items*

*10.4CC and 10.13CC, and hearing no objections, the motion passed by Ayes:*

*Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, and Quan - 6;*

*Excused: De La Fuente -1*

11

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

*There were no final decision made during Closed Session*

*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 Vice Mayor Quan, seconded by Councilmember**

**Brunner, to \*Approve as Submitted. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember



Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Agency/Councilmember Quan made a motion seconded by*

*Agency/Councilmember Brunner 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 - 6, Excused - President of the Council De La Fuente - 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:**

*At this time a decision was made to take the following items out of order and in*

*the following manner: Item 14.2, Item 14.1, item 14.4, item 14.5, and item 14.*

6.

*AT THIS TIME, A MOTION WAS MADE BY COUNCILMEMBER BROOKS,*

*SECONDED BY COUNCILMEMBER REID, TO ADJOURN AS THE*

*CONCURRENT MEETING OF THE OAKLAND REDEVELOPMENT*

*AGENCY/CITY COUNCIL AND RE-CONVENE AS THE GEOLOGICAL*

*HAZARD ABATEMENT DISTRICT BOARD, AND HEARING NO*

*OBJECTIONS, THE MOTION PASSED AGENCY/COUNCILMEMBER:*

*BROOKS, BRUNNER, CHANG, NADEL, QUAN AND REID - 6; EXCUSED:*

*DE LA FUENTE - 1*

14-2-1

Approval of the Draft Minutes from the Meeting of March 15, 2005 (05-0307)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Upon the reading of Item 14-2-1 by the GHAD Clerk, the Public Hearing was*

*opened 7:20 PM*

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14.2-2

Subject: Annexation of Lots on Campus Drive (Leona Quarry) - Public Hearing

From: Geologic Hazard Abatement District

Recommendation: Conduct a Public Hearing and upon Conclusion adopt the

following pieces of legislation:

1) A (GHAD) Resolution for Approval Of Annexation Of Four Lots On Campus

Drive Into The Leona Quarry Geologic Hazard Abatement District (05-0289)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*GHAD Resolution Number 5*

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14.2-3

2) Resolution Approving Amendment 1 to the Leona Quarry Geological Hazard

Abatement District Plan of Control; and (05-0289-1)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*GHAD Resolution Number 6*

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14.2-4

3) Resolution accepting Canvass of Votes for the Leona Quarry Geological Hazard

Abatement District (GHAD); and (05-0289-2)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*GHAD Resolution Number 7*

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14.2-5

4) Resolution confirming assessment for Leona Quarry Geological Hazard

Abatement (GHAD) District and ordering levy and collection thereof; and

(05-0289-3)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*GHAD Resolution Number 8*

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

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

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

*Brooks, Brunner, Chang, Nadel, Reid and Quan -6; 1 Excused President of the*

*Council De La Fuente*

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*AT THIS TIME, A MOTION WAS MADE BY GHAD BOARDMEMBER*



*BROOKS, SECONDED BY GHAD BOARDMEMBER QUAN, TO ADJOURN*

*AS THE GEOLOGICAL HAZARD ABATEMENT DISTRICT BOARD AND*

*RECONVENE AS THE CONCURRENT ORA/CITY COUNCIL, AND*

*HEARING NO OBJECTIONS, THE MOTION PASSED GHAD MEMBERS;*

*AYES: BROOKS, BRUNNER, CHANG, NADEL, QUAN, AND REID - 6;*

*EXCUSED: DE LA FUENTE -1*

14.1

Subject: (GHAD) Annexation of Lots on Campus Drive

From: Public Works Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt the following pieces of

legislation: 1) a City Resolution approving annexation of the four lots on Campus Drive into the

Leona Quarry Geological Hazard Abatement District (05-0316)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79208 C.M.S.*

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

*opened at 7:26 PM*

*Agency/Councilmember Brooks 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, and Quan - 6; Excused - President of the Council*

*De La Fuente -1*

[View Report.pdf,](#)

[79208 CMS.pdf](#)

2) Resolution repealing provision 7 of Resolution No. 77545 approving formation of the Leona

Quarry Geological Hazard Abatement District (GHAD) and appointing the City Council of the

City of Oakland as the GHAD Board of Directors (05-0316-1)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79209 C.M.S.*

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[79209 CMS.pdf](#)

14.4

Subject: Seven Street Commercial Historic District

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the Introduction (First

Reading) of an Ordinance rezoning 1600-1642 7th Street (7th Street Commercial Historic

District) to an S-7 Preservation Combining Zone pursuant to Sections 17.84 and 17.102.030 of

the Oakland Planning Code (05-0157)

**A motion was made that this matter be Approved on Introduction for Final**

**Passage to the Concurrent Meeting of the Oakland Redevelopment Agency**

**/ City Council, due back on May 17, 2005. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

*opened at 7:29 PM*

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



- *Bari Robinson*

- *Darren Fields*

- *Arnie Fields*

- *Lucy Lequin*

- *Peggy Winston*

- *Stefanie Parrott*

- *Anna Naruta*

- *Ester Mabury*

- *Geraldine Washington*

- *Stella Fields*

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

- *Stephen Cook*

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

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



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

*Brunner, Chang, Nadel, Reid and Quan - 6; 1 Excused - De La Fuente*

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14.3

Subject: Wood Street Development Project - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion take action on a joint City and

Agency Report on the proposed Wood Street Development Project, West Oakland: (1) Appeal of

the March 16, 2005 Planning Commission actions on the Wood Street Development Project, filed

by Arthur D. Levy; (2) Appeal of the March 16, 2005 Planning Commission actions on the Wood

Street Development Project, filed by Margaretta Lin; (3) Review and consideration of the April

12, 2005 Community and Economic Development Committee's recommendations concerning the

Wood Street Development Project; and (4) review and consideration of the following actions: (a)

certify the final Environmental Impact Report, adopt the CEQA Findings regarding certification

of the EIR, and adopt the Mitigation Monitoring Reporting Program; (b) approve a Resolution

amending the General Plan land use map from "Business Mix" to "Urban Residential," (c)

approve a Resolution and Ordinance amending the Oakland Army Base Redevelopment Plan to

revise land use designations for the Army Base and 16th and Wood Street subareas, and to make



various text changes; and (d) adopt an Ordinance approving the proposed "Wood Street Zoning

District" and adopt an Ordinance designating the new zoning district on the zoning maps. The

Wood Street Development Project would result in the construction of up to 1,557 residential

units, including live/work units in converted warehouses; 13,000 square feet of

neighborhood-serving commercial uses; and up to 24,000 square feet of public/community uses

associated with the historic 16th Street Train Station. The 29.2 acre site is located in West

Oakland between 10th Street to the south, West Grand Avenue to the north, Wood Street to the

east, and the I-880 frontage road to the west. (05-0144-1)

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

**City Council on 5/17/2005**

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

*opened at 7:38 p.m.*

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

- *Rick Holiday*

- *Carol Gilante*

- *Andy Gets*

- *Cecly Callbert*



- *Allysa Daniels*

- *Kenny Session Sr.*

- *Reggie Green*

- *Joyce Roy*

- *Cynthia Shartzer*

- *Marcus Johnson*

- *Naomi Schiff*

- *Arrissa Soonaa*

- *Anita Jones*

- *Ronald Muhummad*

- *Connie Payne*

- *Shantue Murphy*

- *Laura Norin*

- *Norman Cooks*

- *Stephanie Parrot*

- *Ellen Parkson*



- *Craig Vega*

- *Rev. Ulyssess Bart*

- *Leo Handy Jr.*

- *Michael Veal*

- *Andre Spearman*

- *Barry Lubivisky*

- *Sharon Corno*

- *Lila Huss*

- *Arman Ham*



- *Ronald Batiste*

- *Mark Daly*

- *Janet Patterson*

- *Raymond Bellog*

- *Bruce Beasley*

- *Steve Lowe*

- *Ray Kidd*

- *Lisa West*



- *Ray Carlisle*

- *Biren Talati*

- *Shddidi Harding*

- *Norman Hooks*

- *Ellen Parkinson*

- *Clement Okoh*

- *Rena May-Okoh*

- *Darrel Carey*



- *Hugh Bassett*

- *Marilyn Harris*

- *Marilyn Reynolds*

- *Raymond Thollaug*

- *Eesuu Otundide*

- *Mildred Eddens*

- *Phoebe Rossiter*





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

- *Ron Dellums*

- *Arthur Levy*

- *Ladd Baldwin*

- *Rev. Henry Williams*

- *Darline Thomas*

- *Orna Sasson*

- *Alicia Schwartz*



- *Ray Bullock*

- *Richelle Savola*

- *Thressa Carey*

- *Margaret Gordon*

- *Lila Hissain*

- *Sharon Cornu*

- *Delynda Deleon*

- *Barry Lubovisky*



- *Adam Gold*

- *Andre Speaman*

- *Darlene Thomas*

- *Reverend Barton*

- *Ron Swisher*

- *Jumoke Hodge*

- *Yvonne Smith*

- *Greg Hodge*



- *Jennifer Linn*

- *Cynthia Shartzer*

- *Karin Mac Donald*

- *Michael Diehl*

- *Amaha Kassa*

- *Leo Handy*

- *Jackie Howell*

- *Anita Jones*





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

- *Irma Poe*

- *Monsa Nitoto*

- *Judy Cox*

- *Reggie Green*

- *Fred Tate*

- *Anita Jones*



- *Andy Katz*

- *Isiah Sampson*

- *Elissa Dennis*

- *Dorothy Coleman*

- *Naomi Schiff*

- *Joseph Larkin*

- *Stephen Tompkins*

- *Michael Syndor*



- *Ora Kinowell*



*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, Nadel, Reid, and Quan - 6; Excused: President of the Council*

*De La Fuente -1*





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

*Agency/Councilmember Brunner, to direct staff to prepare the information*

*contained in the attached document referred to as "Wood Street Motion" and*

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

*Brooks, Brunner, Chang, Nadel, Reid, and Quan - 6; Excused: President of the*

*Council De La Fuente -1*

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[View Report Part 8.pdf,](#)

[View Report Part 9.pdf,](#)

[View Report Wood Street Project.pdf,](#)

[View Report Wood Street pt 2.pdf,](#)

[View Report Wood Street pt 3.pdf,](#)

[View Report Wood Street pt 4.pdf,](#)

[View Report Wood Street pt 5.pdf,](#)

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14.5

Subject: Sheffield Village S-20 Rezoning

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the Introduction (First

Reading) of an Ordinance rezoning Sheffield Village, all properties located on Roxbury Avenue,



Marlow Drive, Middleton Street, Covington Street, Brookfield Avenue, Dan bury Street

properties from 2900 to 3200 inclusive, Revere Avenue and 11810 to 11848 Foothill Blvd., to an

S-20 Preservation Combining Zone pursuant to Sections 17.101.d and 17.102.030 of the Oakland

Planning Code (05-0155)

**Approved on Introduction for Final Passage to Concurrent Meeting of the  
Oakland Redevelopment Agency / City Council on 5/17/2005**

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

*opened at 11:23 PM*

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

*- Christopher Barker*

*- Cynthia Shartzer*

*Agency/Councilmember Brooks 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 and Quan - 6; 1 Excused - De La Fuente*

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14.6

Subject: Consolidated Plan and Citywide Housing Funding - Public Hearing

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion adopt a Resolution authorizing

the City Administrator to prepare and submit to the U.S. Department of Housing and Urban

Development the Consolidated Plan for Fiscal Years 2005-2010;2) accepting and appropriating

funds totaling \$16,594,652 for the Home, Emergency Shelter Grant, Housing Opportunities for

Persons with AIDS, and the Community Development Block Grant Programs; and 3) authorizing

the City Administrator to negotiate and execute agreements with contractors for Fiscal Years

2005-2007 for the Community Development Block Grant Program" (05-0152)

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

*opened at 11:34 PM*





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

- *Ignacio Garcia*

- *Maria Diaz*.

- *Maria Salgado*

- *Maria Zarate*

- *Sylvia Ruiz*

- *Timothy Griffiths*

- *Patricia Loya*





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

- *Sanjiv Handa*

- *Cynthia Shartzer*



*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, Nadel, Reid, and Quan - 6, Excused - De La Fuente - 1*



*(ORIGINAL MOTION)*

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

*Agency/Councilmember Reid, to adopt the resolution as amended to reallocate*

*funding assigned to Alice Street Learning Center to the East Bay Community*

*Law Center*





*(SUBSTITUTE MOTION)*

*Agency/Councilmember Brooks made a Substitute motion, seconded by*

*Agency/Councilmember Nadel, to adopt the resolution as amended with*

*original recommendation excluding the reallocation to Alice Street Learning*

*Center and including the allocation of \$20,000 to Centro Legal de la Raza,*

*and upon call of the roll, the motion failed by Ayes: Agency/Councilmember:*

*Brooks, Nadel - 2 Noes: Brunner, Chang, Quan, and Reid; Excused - De La*

*Fuente - 1*





*At this time, Council returned to the ORIGINAL MOTION*



*And upon call of the roll of the ORIGINAL MOTION, the vote was tied by*

*Ayes: Agency/Councilmember: Brunner, Chang and Reid - 3; Noes: Brooks,*

*Nadel, and Quan - 3; Excused: De La Fuente - 1*

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

*Agency/Councilmember Chang, to RECONSIDER the ORIGINAL MOTION,*

*and upon call of the roll, the motion passed by Ayes: Agency/Councilmember:*



*Brunner, Chang, Reid, and Quan - 4; Noes: Brooks, Nadel - 2, Excused:*

*President of the Council De La Fuente - 1*

*Upon call of the roll for the ORIGINAL MOTION, to adopt the Resolution as*

*amended to reallocate funding assigned to Alice Street Learning Center to the*

*East Bay Community Law Center, the motion failed by Ayes 0*

*Agency/Councilmember: Noes: Brooks, Brunner, Chang, Nadel, Reid, and*

*Quan - 6, Excused - De La Fuente - 1*

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

*Agency/Councilmember Chang, to adopt the resolution on Item 14.6 to adopt*

*all provisions except the \$20,000 allocation, and upon call of the roll, the*

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

*Nadel, and Reid - 5; Noes: Quan - 1; Excused - De La Fuente - 1*

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



*Agency/Councilmember Chang, to bring the allocation of the \$20,000 back to*

*the May 17, 2005 City Council meeting with additional options for funding*

*either Central Legal de la Raza or the Alice Street Learning Center , upon call*

*of the roll the motion passed by Ayes: Agency/Councilmember: Brunner,*

*Chang, and Reid - 3; Noes: Quan - 1; Abstain: Brooks, Nadel - 2; Excused -*

*De La Fuente - 1*

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**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Wood-Smoke Ordinance

From: Councilmembers Nancy Nadel and Jean Quan

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending the

Oakland Municipal Code adding Chapter 8.19.010, wood burning appliances, to regulate the

installation, repair, and operation of wood burning appliances such as wood-burning fireplaces,

wood heaters, pellet heaters (05-0030)

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

**Councilmember Reid, that this matter be Approve as Amended on**

**Introduction for Final Passage to the Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council, due back on May 17, 2005. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

- *Elizabeth Edwards*

- *Jim Larson*



- *Jason Wady*



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

- *Lyn Dailey*

- *Serena Chen*



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

- *Denise Smith*



- *Adrian Michell*

- *Shaundra Scoggins*

- *Clyde Bruff*

- *Valerie Wagner*

- *Judy Rix*

- *Linda Kersten*

- *Herman Walton*

- *Mary Walton*



- *Beatrix Kasten*

- *Heidi Kearsley*

- *Todd Ensley*

- *Gunter Jones*

- *Bob Weber*

- *Kim Cleghorn*

- *Stephanie Christmas*

- *Debbie Westheimer*



- *Ben Westheimer*

- *Hallie Hart*

- *Jason Wady*

- *Rosemary Greene*

- *Barbara Arnold*

- *Ellen Lancaster*

- *Michael McDonald*

- *Donald Ramos*

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



*Agency/Councilmember Nadel, to approve the Introduction (First Reading) of*

*the Ordinance as amended on Item 15 to require that only replacement or*

*reconstruction of damaged homes be exempted from this Ordinance, and*

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

*Brooks, Brunner, Chang, Nadel, Reid, and Quan - 6; Excused: De La Fuente -1*

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Subject: Police Overtime

From: Finance and Management Agency

Recommendation: Action on a Report and Recommendations from Public Financial Management

regarding police overtime (05-0244)

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

**Quan, that this matter be \*Received and Filed. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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

- *Maeva Elise Brown*

- *Sanjiv Handa*

*The Council moved, seconded and carried a motion to direct staff to return on*

*June 7, 2005 during the Budget deliberations with response from questions*

*proposed by Council for a timeline implementing the cost saving measures*

*associated with the Police Overtime Audit report;*

[View Report.pdf](#)

~~17~~

~~Subject: Assembly Bill 1623 Vehicle Registration Fee Increase~~

~~From: Public Works Agency~~

~~Recommendation: Adopt a Resolution declaring the City of Oakland's support for Assembly Bill~~

~~1623 (Klehs) (Vehicle Registration Fee for Congestion Management and related environmental~~

~~mitigation) (05-0268)~~

*Please refer to item 10.18CC for information regarding Council action on this*

*item.*

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[79190 CMS.pdf](#)

18

Subject: Amendment to the Sunshine Ordinance

From: City Clerk's Office/Public Ethics Commission/Vice Mayor Brunner/City Attorney

Recommendation: Approve the Introduction (First Reading) of an Ordinance Amending Chapter

2.20 Of The Oakland Municipal Code To Require That City Executive Officers Provide

Agenda-Related Materials To The City Clerk, Add Additional Documents To Supplemental

Agenda Packet, Allow Attendance At An Open And Publicized Meeting, And Allow For

Hardware And Software Impairment (04-0651)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 5/17/2005**

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

- *Judy Cox*

- *Sanjiv Handa*

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19

Subject: Public Ethics Commission Appointment

From: Office of the Mayor

Recommendation: Adopt a Resolution appointing Curtis Below as a member of the Public Ethics

Commission (05-0308)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79192 C.M.S.*

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

- *Sanjiv Handa*

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20

Subject: Measure Y Appointment - At Large District Seat

From: Councilmember Chang

Recommendation: Adopt a Resolution appointing Danny Wan as a member of the Violence

Prevention and Public Safety Oversight Committee as the At-Large District representative

(05-0306)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79193 C.M.S*

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S-21

Subject: K.J. Woods Construction, Inc. - Contract

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a contract to K.J. Woods

Construction, Inc. for the construction of relief sanitary sewers on Bienati Way (Sloan Street) and

Dimond Avenue between Fruitvale Avenue and Dimond Park (Project No. C81310) for the

amount of five hundred thirty-eight thousand dollars (\$538,000) (05-0238)



**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79194 C.M.S*

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[79194 CMS.pdf](#)

S-21.1

Subject: Creek Restoration Design Services

From: Public Works Agency

Recommendation: Adopt the following pieces of legislation:

1) Resolution authorizing a professional services agreements for as-needed hydrology & creek

restoration design services with Aphion Environmental, Inc., for an amount not to exceed two

hundred fifty thousand dollars (\$250,000) (05-0176)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79195 C.M.S.*

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2) Adopt a Resolution authorizing a professional services agreements for as-needed hydrology & creek restoration design services with Jones & Stokes, for an amount not to exceed two hundred fifty thousand dollars (\$250,000) (05-0176-1)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79196 C.M.S.*

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[79196 CMS.pdf](#)

S-21.1CA

Subject: Creek Restoration Design Services

From: Office of the City Auditor

Recommendation: Receive an a report regarding the following pieces of legislation:

1) Resolution authorizing a professional services agreements for as-needed hydrology & creek

restoration design services with Aphion Environmental, Inc., for an amount not to exceed two

hundred fifty thousand dollars (\$250,000)

2) Adopt a Resolution authorizing a professional services agreements for as-needed hydrology &

creek restoration design services with Jones & Stokes, for an amount not to exceed two hundred

fifty thousand dollars (\$250,000) (05-0176CA)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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S-22

Subject: General Environmental Consulting Services - Contracts

From: Public Works Agency

Recommendation: Adopt the following pieces of legislation:

1) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with Fugro West, Inc., for an as-needed, not-to-exceed amount of \$400,000

for the period of July 1, 2005 through June 30, 2007 (05-0250)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79197 C.M.S.*

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2) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with OTG Enviroengineering Solutions, Inc., for an as-needed, not-to-exceed

amount of \$400,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-1)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79198 C.M.S.*

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[79198 CMS.pdf](#)

3) Resolutions authorizing the City Administrator to enter into a professional environmental services agreement with URS Corporation, Inc., for an as-needed, not-to-exceed amount of \$400,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-2)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79199 C.M.S.*

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[79199 CMS.pdf](#)

4) Resolutions authorizing the City Administrator to enter into a professional environmental services agreement with Kleinfelder, Inc., for an as-needed, not-to-exceed amount of \$400,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-3)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79200 C.M.S.*

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5) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with Baseline Environmental, for an as-needed, not-to-exceed amount of

\$400,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-4)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79201 C.M.S.*

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6) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with Levine Fricke, Inc., for an as-needed, not-to-exceed amount of \$400,000

for the period of July 1, 2005 through June 30, 2007 (05-0250-5)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79202 C.M.S.*

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7) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with Mactec Engineering, Inc., for an as-needed, not-to-exceed amount of

\$200,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-6)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79203 C.M.S*

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8) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with SCA Environmental, Inc., for an as-needed, not-to-exceed amount of

\$200,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-7)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79204 C.M.S.*

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9) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with Winzler & Kelly Consulting, Inc., for an as-needed, not-to-exceed

amount of \$200,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-8)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79205 C.M.S.*

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10) Resolutions authorizing the City Administrator to enter into a professional environmental

services agreement with IHI Environmental, Inc., for an as-needed, not-to-exceed amount of

\$200,000 for the period of July 1, 2005 through June 30, 2007 (05-0250-9)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79206 C.M.S.*

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11) Agency Resolution authorizing the Redevelopment Agency to obtain professional

environmental consulting services through the City of Oakland under the cooperation agreement

from July 1, 2005 through June 30, 2007 (05-0250-10)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*ORA Resolution Number 2005-0023*

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[2005-0023 CMS.pdf](#)

S-23

Subject: Promote and Implement Energy Production or Energy Efficiency Projects

From: Office of the Mayor

Recommendation: Adopt a Resolution authorizing the City Administrator: 1) to allocate and

expend \$500,000.00 from the Duke Settlement for alternative energy and energy efficiency

projects, 2) to make several grants to fund projects that promote alternative energy production

and energy efficiency in the City of Oakland, and 3) to waive competitive RFP requirements and

negotiate, award and execute professional services contracts with Navigant Consulting, Inc. up to



\$180,000.00, and with power factors up to \$100,000.00 without return to Council, for services

related to alternative energy production energy efficiency (TITLE CHANGE) (05-0123)

**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 Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

*Resolution Number 79207 C.M.S*

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23.1

Subject: Establishment of Green Building Requirements

From: Councilmember Nadel and Vice Mayor Brunner

Recommendation: Approve the Introduction (First Reading) of an Ordinance establishing Green

Building (e.g. sustainable site development, water savings, energy efficiency, materials selection

and indoor environment quality) requirements for certain City projects (TITLE CHANGE)

(05-0070)

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

**Councilmember Nadel, that this matter be Approved on Introduction for**

**Final Passage to the Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council, due back on May 17, 2005. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Council President De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Nadel, Vice Mayor Quan and

Councilmember Reid

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S-24

Subject: Comprehensive Annual Financial Report (CAFR)

From: Finance and Management Agency

Recommendation: Receive a Report on the Fiscal Year 2003-2004 Comprehensive Annual

Financial Report (CAFR), the Oakland Redevelopment Agency (ORA) financials and the

independent audit report (05-0231)

**\*Received and Filed**  
**Votes:**

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

- *Sanjiv Handa*

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[View Report Pt 2.pdf,](#)

[View Report Pt 3.pdf,](#)

[View Report Pt 4.pdf](#)

S-25

Subject: Improve Community Policing

From: Office of the City Administrator/President De La Fuente

Recommendation: Adopt a Resolution amending Resolution No. 72727 C.M.S., which

implemented the City of Oakland's Community Policing Policy, to provide a structured approach

to community involvement (05-0169)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 5/17/2005**

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

- *Colleen Brown*

- *Hannah James*

- *Charles Porter*

- *Mark Daly*

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

*- Sanjiv Handa*

*- Jacquee Castain*

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### **ADJOURNMENT OF COUNCIL SESSION**

**(Meeting shall conclude no later than 10:30 p.m., unless extended by Majority Vote of the**

**Council)**

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

*that the meeting be adjourned in memory of Sherry Ivey*

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