

# 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**

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

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

**Tuesday, October 03, 2006**

**6:00 PM**

**Oakland City Hall, 3rd Floor**

1  
Pledge of Allegiance

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

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

*was convened at 6:17 pm with Councilmember Reid presiding as President Pro*

*Tempore.*

2

Roll Call / ORA & Council

COUNCIL MEMBERS: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel,

Dist. 3; Vice Mayor 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: 7 - Councilmember Brooks, Councilmember

Brunner, Councilmember Chang, Councilmember Kernighan, 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:*

- *Sanjiv Handa*

- *Oscar C. Wright*

- *Michael McDonald*

4

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

*There was no action necessary for this item*

5

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

*There was no action necessary for this item*

6

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

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

*Agency/Councilmember Quan to pull the Inclusionary Housing Ordinance from*

*committee to schedule this matter before the full Council on October 17, 2006*

*as a Non-Consent item, and hearing no opposition, the motion carried 7 Ayes, 1*

*Excused - De La Fuente.*

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

- *Steven Edrington*

Subject: Inclusionary Housing Ordinance

From: Councilmember Brunner

Recommendation: Approve The Introduction (First Reading) Of An Ordinance Adding Chapter

17.109 To The Oakland Planning Code To Establish An Inclusionary Housing Requirement And

Establish Two New Homeownership Programs For Oakland Teachers, Making Related

Amendments To The Oakland Planning Code, Amending Section 15.68.100 Of The Oakland

Municipal Code To Permit Affordable Housing Trust Funds To Be Used To Administer And

Enforce The Inclusionary Housing Requirement, And Amending The Master Fee Schedule To

Establish An Inclusionary Housing In-Lieu Fee; And (06-0838)

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

**Quan, that this matter be \*Rescheduled to the Concurrent Meeting of the**

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

**17, 2006 meeting as a Non-Consent item. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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7

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

Agency/City Council held on June 20 and June 27, 2006, July 18, 2006 and July 25, 2006,

and September 19, 2006

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

8.1

Subject: Recognition Of Brent Clearman

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution In Tribute And Honor Of the Life Of California Highway

Patrol Officer, Brent W. Clearman (06-0680)

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

**Redevelopment Agency / City Council on 10/17/2006**

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8.2

Subject: Earned Income Tax Credit Campaign

From: Councilmember Nadel

Recommendation: Hear A Presentation From The City Of Oakland's 2006 Earned Income Tax

Credit (EITC) Campaign (06-0770)

*Council heard a presentation regarding the City of Oakland's 2006 Earned*



*Income Tax Credit Campaign. There was no action necessary for this item.*

*Councilmember Brunner was noted absent at 6:40 pm*

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8.3

Subject: United Nations Month

From: Councilmember Nadel

Recommendation: Adopt A Resolution Declaring October 2006 United Nations Month In The

City Of Oakland (06-0761)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

*Councilmember Brunner was noted present at 6:45 pm*

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S-8.4

Subject: Support Of Proposition 98

From: Councilmember Brunner

Recommendation: Adopt A Resolution Supporting Proposition 98, The California Clean Money

And Fair Elections Act Of 2006, On The November 7, 2006 Ballot (06-0800)

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

**Quan, that this matter be Adopted as Amended to correct the number**

**from Proposition 98 to 89. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Agency/Councilmember Brunner made a motion seconded by*

*Agency/Councilmember Quan to approve an urgency finding pursuant to*

*Section 2.20.080 E(2) regarding Item S-8.4 that there is a need to take*

*immediate action which came to the attention of the local body after the agenda*

*was posted, and that the need to take immediate action relates to federal or*

*state legislation.*

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

*- Anne Spanier*

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S-8.5

Subject: Support Of A Federal "Shield Law"

From: Councilmember Brunner

Recommendation: Adopt A Resolution Encouraging The Adoption Of A Federal "Shield Law"

To Protect Those Who Reveal Information That Is In The Interest And Supporting Journalists In

Their Effort To Preserve Their Confidential Sources (06-0799)

**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 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Agency/Councilmember Brunner made a motion seconded by*

*Agency/Councilmember Quan to approve an urgency finding pursuant to*

*Section 2.20.080 E(2) regarding Item S-8.5 that there is a need to take*

*immediate action which came to the attention of the local body after the agenda*

*was posted, and that the need to take immediate action relates to federal or*

*state legislation.*

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

- *Sanjiv Handa*

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

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

*that the meeting be adjourned in memory of Carlos Aceituno*

*Agency/Councilmember Brooks took a point of personal privilege and*

*requested that the meeting be adjourned in memory of Billie Moon*

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

*that the meeting be adjourned in memory of Vera Gary and Janet Laron Jones*



*Councilmember Brunner was noted absent at 6:50 pm*

**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 (06-0755)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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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 (06-0756)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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10.3-CC

Subject: Editha Tingin - Settlement Agreement

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing and Directing the City Attorney To

Compromise And Settle The Claim Of Editha Tingin In The Amount Of Fifteen Thousand

Dollars And No Cents (\$15,000.00), As A Result Of Bodily Injury Damages Sustained In An

Automobile Collision With A City Vehicle On December 6, 2005. (Oakland Police Department)

(06-0758)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

- *Sanjiv Handa*

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10.4-CC

Subject: Chu K. Allen - 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 Chu K. Allen v. City of Oakland, Superior Court, County

of Alameda, Case No. RG05228221, In The Amount Of \$48,000.00 As A Result Of Trip And

Fall On The Sidewalk At 331 Clifton Avenue (Public Works - Premises Liability) (06-0765)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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10.5-CC

Subject: Tiffany Couch - Settlement Agreement

From: Office of the City Attorney

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

SettleThe Case Of Tiffany Couch, Et Al. v. City Of Oakland, Et Al., United States District Court

Case No. C 05-00311 MEJ, Our File No. 24054, In The Amount Of \$20,000.00 This Case

Involves Arrest Without Probable Cause. (Oakland Police Department-Alleged Civil Rights

Violation) (06-0766)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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10.6-CC

Subject: Genice Jacobs - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Claim Of Genice Jacobs In The Amount Of Eighty Eight Thousand

Four Hundred Forty One Dollars And No Cents (\$88,441.00), As A Result of Property Damages

Sustained When Surface Water Overflowed From A Blocked City Storm Drain Caused A

Landslide On Her Property (Public Works Agency) (06-0767)

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

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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10.7-CC

Subject: Gerald Cheney Sales Agreement

From: Community and Economic Development Agency

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

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

Gerald Cheney, The Adjoining Property Owner, A City Owned Parcel Containing Approximately



7,200 Square Feet Located At The Terminus Of Northwood Court (APN# 048E-7319-40) For

The Fair Market Value Of \$90,000.00 (06-0672)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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10.8-CC

Subject: Ingress And Egress At 4683 And 4689 Benevides Avenue

From: Community and Economic Development Agency

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

The City Administrator To Negotiate And Execute A Five Year License Agreement With Shay

And Olivia Harting And Carol Cordray, With Options To Extend The License Term, To

Accommodate An Existing Driveway For Ingress And Egress Located At 4683 And 4689

Benevides Avenue (APN: 024-0551-001) On Approximately 2,000 Square Feet Of City Owned

Parkland Located Along The Westerly Edge Of Dimond Park (06-0662)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

- *Shay Harting*

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10.9-CC

Subject: Ratification Of The Mayor's Actions During 2006 Recess

From: Office of the City Clerk

Recommendation: Adopt A Resolution Ratifying Action Taken By The Mayor During The

Oakland City Council 2006 Annual Recess In Conformance With Resolution Number 79006

C.M.S. Dated January 4, 2005 (06-0697)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

- *Sanjiv Handa*

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S-10.10-C

C

Subject: Alameda County Transportation Expenditure Plan - Amendment 2

From: Public Works Agency

Recommendation: Adopt A Resolution Endorsing Amendment No. 2 To The 1986 Measure B

Alameda County Transportation Expenditure Plan To: 1) Replace The Route 84 Realignment

Project With The I-880 To Route 238 East-West Connector Project; 2) Replace The Route 238

(Mission Boulevard) Widening Project In Fremont, Union City, And Hayward With Three

Separate Projects, One In Each Jurisdiction; And 3) Reprogram Funds Earmarked For The Route

238 And Route 84 Realignment (Historic Parkway) Projects In Hayward, Fremont, And Union

City To The Replacement Projects In These Three Cities (06-0706)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.11-C

C

Subject: Lakeside Park Fire Hydrant Project

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To

Award A Construction Contract To R.V. Stich Construction, Inc., For The Lakeside Park Fire

Hydrant Project (No. C242113) In The Amount Of Three Hundred Eighty Eight Thousand Four

Hundred Seventy Four Dollars (\$388,474.00) (06-0707)

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

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.12-C

C

Subject: Installation Of Stop Signs

From: Public Works Agency

Recommendation: Adopt A Resolution Approving Installation Of Stop Signs On: 1) 32nd Street

At Chestnut Street; 2) 100th Avenue At Holly Street; And 3) Acalanes Drive At 105th Avenue

(06-0708)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.13-C

C

Subject: Housing Development Loan To FHP Housing Associates

From: Community and Economic Development Agency



Recommendation: Adopt A Resolution Amending Resolution No. 63120 C.M.S. Authorizing A

\$1,350,000 Housing Development Loan To FHP Housing Associates For The Foothill Plaza

Rental Project Located At 6311 Foothill Boulevard To Change The Terms Of The Loan From A

30 Year Amortizing Loan To A 55 Year Residual Receipts Loan (06-0711)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.14-C

C

Subject: Industrial Strategy

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And,

Upon Receipt, Appropriating A \$200,000 Planning Grant From The U.S. Department Of

Commerce, Economic Development Administration (EDA) And Authorizing Expenditure Of

\$52,500 As The Local Match For Development Of An Oakland Industrial Strategy (06-0714)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.15-C

C

Subject: Rent Adjustment Program

From: Community and Economic Development Agency

Recommendation: Receive An Annual Report Regarding Rent Adjustment Program Income,

Costs And Operations For Fiscal Year 2005-2006 And Anticipated Costs For Fiscal Years

2006-2009 (06-0718)

**This Matter was \*Received and Filed on the Consent Agenda.  
Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

- *Sanjiv Handa*

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S-10.16-C

C

Subject: Post Certified Academy Recruit Training Officer Course

From: Oakland Police Department

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

City Of Oakland, To Enter Into An Agreement With The California Commission On Peace

Officer Standards And Training (POST) For The Purpose Of Permitting The Police Department

To Present The Post Certified Academy Recruit Training Officer Course Up To Three Times

Throughout The Course Of The Agreement To 72 Students, And To Receive Up To Nine

Thousand Three Hundred And Seven Dollars And Ninety Eight Cents (\$9,307.98) In

Reimbursement Funds (06-0745)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.17-C

C

Subject: Peace Officer Standards And Training

From: Oakland Police Department

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

City Of Oakland, To Enter Into An Agreement With The California Commission On Peace

Officer Standards And Training (POST) For The Purpose Of Permitting The Police Department

To Present The POST Certified Emergency Vehicle Operations Course (EVOC) To 120 Police

Officer Trainees, And Receive Up To Fifty Three Thousand Four Hundred Dollars (\$53,400.00)

In Reimbursement Funds (06-0716)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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S-10.18-C

C

Subject: Clean Energy Initiative

From: Councilmembers Pat Kernighan and Nancy Nadel

Recommendation: Adopt A Resolution Endorsing State Ballot Proposition 87, The California

Clean Energy Initiative (06-0762)

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

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

*- Sanjiv Handa*

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**Passed The Consent Agenda**

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

**Councilmember Chang, 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 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair



Quan, Member Nadel, Councilmember Kernighan and Member Chang

*Councilmember Brunner was noted present at 7:02 pm*  
11

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

Closed Session

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

**Councilmember Chang, to \*Approve as Submitted the report of 2 final**

**decisions made during Closed Session attached hereto as the Closed Session**

**Report Out. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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

- *Sanjiv Handa*

(10-3-06 Closed Sess)

[Closed Session Report Out.pdf](#)

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

*Agency/Councilmember Quan made a motion seconded by*

*Agency/Councilmember Kernighan 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 - 7, Excused: 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:**

14.1

Subject: Erin Vang - Tree Removal Appeal

From: Public Works Agency

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

Denying The Appeal Filed By Erin Vang Against The Decision Of The Public Works Agency

Approving The Issuance Of Tree Removal Permit DR06-028 For An Undeveloped Lot At 6468

Oakwood Drive (Assessor's Parcel # 048F 7375 017) (06-0709)

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

**Quan, that this matter be Adopted as Amended to require that larger trees**

**of 48 and 60 inches be used as a replacement for the tree that will be**

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

**Votes:**

ORA\Councilmember Abstained: 2 - Member Nadel and Councilmember

Kernighan

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 5 - Councilmember Brooks, Member Reid, Chair

Quan, Member Chang and Chairperson Brunner

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

*at 7:10 pm*

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

*- John Newton*

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

*- Erin L. Vang*

- *Robert Kramer*

*Agency/Councilmember Chang 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, Kernighan, Nadel, Reid, Quan - 7, Excused: President of the*



*Council De La Fuente - 1*

*Councilmember Brooks was noted absent at 7:35 pm*

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[Item 14.1, Final Reso, Vang Tree Appeal.pdf,](#)

[80174 CMS.pdf](#)

14.2

Subject: Tassafaronga Village Residential Project

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces

Of Legislation:

1) A Resolution Amending The General Plan Land Use Designation For A Portion Of The 191

-Unit Tassafaronga Village Residential Project Site Located At 968 - 81st Avenue, A 0.03-Acre

Portion Of 966 - 81st Avenue And A 0.141-Acre Tax Default Parcel (APN 042-4206-0047-00)

From Business Mix To Mixed Housing Type; And (06-0715)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Member Reid, Chair Quan, Member Nadel,

Councilmember Kernighan, Member Chang and Chairperson Brunner

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

*opened at 7:30pm*

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

*- Phil Neville*

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

- *Jacquee Castain*

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

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

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

*Brunner, Chang, Kernighan, Nadel, Reid, Quan-7, Excused: De La Fuente - 1*

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[80175 CMS.pdf](#)

2) An Agency Resolution Approving And Recommending Adoption Of The Fifth Amendment

To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For A Portion

Of The 191-Unit Tassafaronga Village Residential Project Site Located At 968 - 81st Avenue, A

0.03-Acre Portion Of 966 - 81st Avenue And A 0.141-Acre Tax Default Parcel (APN 042-4206-

0047-00) From Manufacturing To Mixed Housing Type; And (06-0715-1)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Member Reid, Chair Quan, Member Nadel,

Councilmember Kernighan, Member Chang and Chairperson Brunner

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[2006-0071 CMS.pdf](#)

3) An Ordinance Adopting The Fifth Amendment To The Coliseum Area Redevelopment Plan

Amending The Land Use Designation For A Portion Of The 191-Unit Tassafaronga Village



Residential Project Site Located At 968 - 81st Avenue, A 0.03-Acre Portion Of 966 - 81st

Avenue And A 0.141-Acre Tax Default Parcel (APN 042-4206-0047-00) From Manufacturing

To Mixed Housing Type; And (06-0715-2)

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

**Councilmember Kernighan, that this matter be Approved on Introduction**

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

**Redevelopment Agency / City Council, due back on October 17, 2006. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Member Reid, Chair Quan, Member Nadel,

Councilmember Kernighan, Member Chang and Chairperson Brunner

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[12769 CMS.pdf](#)

2) Final Passage (Second Reading) Of An Ordinance Rezoning A Portion Of The 191-Unit

Tassafaronga Village Residential Project Site Located At 968 - 81st Avenue, A 0.03-Acre

Portion Of 966 - 81st Avenue And A 0.141 -Acre Tax Default Parcel (APN 042-4206-0047-00)

From The M-30 General Industrial Zone To The R-50 Medium Density Residential Zone

(06-0715-3)

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

**Councilmember Kernighan, that this matter be Approved on Introduction**

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

**Redevelopment Agency / City Council, due back on October 17, 2006. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Member Reid, Chair Quan, Member Nadel,

Councilmember Kernighan, Member Chang and Chairperson Brunner

*Councilmember Brooks was noted present at 7:40 pm*

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[12770 CMS.pdf](#)

14.3

~~Subject: Geologic Hazard Abatement District~~

~~From: Community and Economic Development Agency~~

~~Recommendation: Conduct A Public Hearing~~

~~And Upon Conclusion Adopt The Following Pieces Of Legislation:~~

~~1) A Resolution: 1. Election/appointment Of \_\_\_\_\_ As The Chairperson Of The~~

~~Oakland Area GHAD Board, 2. Appointing Richard Clark, As The Treasurer/Clerk Of The~~

~~Oakland Area GHAD, 3. Appointing Engeo, Inc. As The Manager Of The Oakland Area GHAD,~~

~~4. Appointing Patricia E. Curtin As The Attorney Of The Oakland Area GHAD 5. Authorizing~~

~~The Chairperson To Negotiate And Enter Into A Contract With Richard Clark For~~

~~Treasurer/Clerk Services; And 6. Authorizing The Treasurer/Clerk To Negotiate And Enter Into~~

~~Contracts For GHAD General Manager Services And GHAD Attorney services; And (06 0719)~~

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[View Report.pdf,](#)

[80176 CMS.pdf](#)

~~-2) A Resolution Accepting The Oakland Area GHAD Plan Of Control And Setting A Public~~

~~Hearing To Consider Objections To The Plan Of Control; And (06-0719-1)~~

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~~3) A Resolution Approving Oakland Area GHAD Budget; And (06-0719-2)~~

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[80177 CMS.pdf](#)

~~4) A Resolution Of Intention To Order An Assessment For The Oakland Area GHAD And~~

~~Setting A Date For A Public Hearing To Consider The Proposed Assessment And Protests~~

~~Against The Assessment (06-0719-3)~~

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[80178 CMS.pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Lake Merritt Municipal Boathouse - Proposed Tenant Improvements

From: Community And Economic Development Agency

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

The City Administrator To Negotiate And Execute Leases With The Owner Of The Beach Chalet

Restaurant, And If Such Negotiations Fail Then Proceed To Negotiate And Execute Leases With

Other Qualified Restaurant Operators, For A Restaurant In 9,216 Square Feet Of Restaurant

Space Plus All Basement Areas Of The Lake Merritt Municipal Boathouse Located At 1520

Lakeside Drive, Oakland, Without Returning To Council (06-0630)

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

**Redevelopment Agency / City Council on 10/17/2006**

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[12771 CMS.pdf](#)

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

*Agency/Councilmember Reid, to adjourn as the Concurrent Meeting of the*

*Oakland Redevelopment Agency/City Council and reconvene as the Geological*

*Hazard Abatement District Board, and hearing no objections, the motion*

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

*Nadel, Reid, Quan - 7, Excused: President of the Council De La Fuente -1*

15.1

Subject: Geologic Hazard Abatement District

From: Community and Economic Development Agency



Recommendation: Conduct A Public Hearing

And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution: 1. Election/appointment Of \_\_\_\_\_As The Chairperson Of The

Oakland Area GHAD Board, 2. Appointing Richard Clark, As The Treasurer/Clerk Of The

Oakland Area GHAD,3. Appointing Engeo, Inc. As The Manager Of The Oakland Area GHAD,

4. Appointing Patricia E. Curtin As The Attorney Of The Oakland Area GHAD 5. Authorizing

The Chairperson To Negotiate And Enter Into A Contract With Richard Clark For

Treasurer/Clerk Services; And 6. Authorizing The Treasurer/Clerk To Negotiate And Enter Into

Contracts For GHAD General Manager Services And GHAD Attorney services; And (06-0719)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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[80176 CMS.pdf](#)

2) A Resolution Accepting The Oakland Area GHAD Plan Of Control And Setting A Public

Hearing To Consider Objections To The Plan Of Control; And (06-0719-1)

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

**Councilmember Reid, that this matter be Adopted as Amended as**

**amended to set the Public Hearing on December 5, 2006. The motion**

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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3) A Resolution Approving Oakland Area GHAD Budget; And (06-0719-2)

**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 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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4) A Resolution Of Intention To Order An Assessment For The Oakland Area GHAD And

Setting A Date For A Public Hearing To Consider The Proposed Assessment And Protests

Against The Assessment (06-0719-3)

**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 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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

*Agency/Councilmember Reid, to adjourn as the Geological Hazard Abatement*

*District Board and reconvene as the Concurrent ORA/City Council, and*

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

*Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan - 7, Excused:*

*President of the Council De La Fuente - 1*

[View Report.pdf,](#)

[80178 CMS.pdf](#)

16

Subject: Wireless Communications Facilities

From: Director, Community and Economic Development Agency

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

The Oakland Planning Code Sections 17.10.860 Through 17.10.910, 17.128.010 Through

17.128.130, And 17.134.020 Through 17.134.030 To Revise The Citywide Telecommunications

Regulations (06-0679)

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

**Councilmember Brooks, that this matter be Approved for Final Passage.**

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

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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

- *Rod DeLaRosa*

- *Daniel Reidy*

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

- *Sanjiv Handa*

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[12768 CMS.pdf](#)



Subject: Priority Project Funds - District Four

From: Vice Mayor Quan

Recommendation: Adopt A Resolution Authorizing For Immediate Allocation of Councilmember

Jean Quan's Priority Project Funds to the City of Oakland Office of Parks and Recreation for the

Woodminster Music Series (06-0721)

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

**Nadel, that this matter be Adopted as Amended revised to include the**

**\$25,000 in the title of the Resolution. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Items 17, 21 and 23 were taken together*

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

- *Sanjiv Handa*

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[View Revised Report.pdf,](#)

[80179 CMS.pdf](#)

18

Subject: Community Policing Advisory Board Report

From: Office of the City Administrator

Recommendation: Action On A Report From The Community Policing Advisory Board Related

To The Deployment Of Problem Solving Officers And Implementation Of Community Policing

(06-0726)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Noes: 2 - Councilmember Brooks and Member Reid

ORA\Councilmember Ayes: 5 - Chair Quan, Member Nadel, Councilmember

Kernighan, Member Chang and Chairperson Brunner

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

*- Bill Ashley*

*- Sanjiv Handa*

- *Colleen Brown*

- *Charles Porter*

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19

Subject: Problem Solving, Patrol and Walking Officers

From: Oakland Police Department

Recommendation: Action On A Report And Action Plan From The Office Of The Chief Of

Police On Strategic Area Command And Community Policing Efforts Related To The

Deployment Of Problem Solving Officers, Patrol Officers, And Walking Officers (06-0710)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Noes: 2 - Councilmember Brooks and Member Reid

ORA\Councilmember Ayes: 5 - Chair Quan, Member Nadel, Councilmember

Kernighan, Member Chang and Chairperson Brunner

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

*Agency/Councilmember Brunner to receive and file the reports on items 18 and*

*19 and directing staff accordingly: 1) Staff will cease the regular scheduling of*

*PSOs by January 31, 2007; 2) Continue the regular duties of the PSOs as*

*outlined in Measure Y; 3) return to council with a clear definition of*

*community policing in the form of an action item; and 4) if the need to resume*

*the use of the PSOs must occur, then staff must return to inform the Council of*

*that action; and hearing no objections, the motion passed by Ayes:*



*Agency/Councilmember: Brooks, Brunner, Chang, Kernighan, Nadel, Reid,*

*Quan -7, Excused: President of the Council De La Fuente -1*



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

- *Bill Ashley*

- *Sanjiv Handa*

- *Colleen Brown*

- *Charles Porter*

- *Scott Peterson*

- *Sandra Frost*

- *Maya Dillard Smith*

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[View Supplemental Report.pdf](#)

20

Subject: Alvarado Road Landslide

From: Councilmember Brunner

Recommendation: Adopt A Resolution Authorizing An Agreement With Private Property

Owners To Abate An Imminent Hazard On 21 Drury Court And Lots 15, 16, 13, And 20

Claremont Knolls In The Oakland Hills Waiving Further Bidding As Permitted Under Oakland

Municipal Code Section 2.04.050.I And Authorizing The City Administrator To Informally Rebid

Or Negotiate If Necessary, And Award A Construction Contract In Accord With Plans And

Specifications For Winterization Work Associated With The Alvarado Road Landslide Within



Budget In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000), Without

Return To City Council (06-0769)

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

**Quan, that this matter be Adopted as Amended to approve the contract at**

**\$300,000. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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

*- Carlo Kerbel*

- *Mark Sweetman*

- *Clarence Hunt*

- *Ed Baker*

- *Judy Proller*

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

- *Michael Cochrane*

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

- *Gary Plotner*

- *Randi Plotner*

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[View Revised Report.pdf,](#)

[80180 CMS.pdf](#)

21

Subject: School Community Policing Project - Elmhurst Middle School

From: Councilmember Larry E. Reid

Recommendation: Adopt A Resolution Authorizing Immediate Allocation of \$20,000 Of

Councilmember Larry E. Reid's Priority Project Funds To Alameda County Office Of Education

For Partners Today For A Better Tomorrow, A School Community Policing Project at Elmhurst

Middle School (06-0748)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Items 17, 21 and 23 were taken together*

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[View Supplemental Report.pdf,](#)

[80181 CMS.pdf](#)

Subject: Friends Of Peralta Hacienda Historical Park Agreement

From: Council President De La Fuente

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

Express Appreciation For A Gift Of An Interpretive Exhibits From The Friends of Peralta



Hacienda Historical Park, A Non-Profit Organization, For An Adobe Alcoves Display Project,

With An Estimated Value Of Forty-Seven Thousand Dollars (\$47,000.00), And Authorizing The

City Administrator: 1) To Enter Into A Donation Agreement With Friends Of Peralta Hacienda

Historical Park For The Interpretive Exhibits; 2) To Enter Into A Contract With A Construction

Contractor Selected By Friends Of Peralta Hacienda Historical Park For An Amount

Not-To-Exceed One Dollar (\$1) To Install The Exhibits; And 3) To Negotiate And Execute An

Amendment To The License Agreement With Friends Of Peralta Hacienda Historical Park For

Maintenance Of The Adobe Wall And Alcoves And Interpretive Exhibits For A Period Of Five

(5) Years With Two (2) Consecutive Five-Year Options To Renew (06-0772)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[80182 CMS.pdf](#)

Subject: C.O.R.E. Disaster Equipment

From: Council President Ignacio De La Fuente

Recommendation: Adopt A Resolution Allocating \$41,000 Of City Council President Ignacio De

La Fuente's Priority Project Funds To The "Citizens of Oakland Respond To Emergencies"

(C.O.R.E.) Program Within The City Of Oakland's Office Of Emergency Services To Procure

High-Frequency, Hand-Held Communication Devices And Related Equipment For All Existing

C.O.R.E III Disaster Readiness Teams (At Least 5 Devices Per Team) And One Device For

Each Fire Station To Enhance Communications With The C.O.R.E Teams Throughout The City

of Oakland (06-0774)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Items 17, 21 and 23 were taken together*

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

*- Nichoals Vigilante*

*Councilmember Brunner was noted absent at 10:10 pm*

[View Report.pdf,](#)

[80183 CMS.pdf](#)

24

Subject: Re-Appointment of Jessica Pitt - Budget Advisory Committee

From: Councilmember Brunner

Recommendation: Adopt A Resolution Re-Appointing Jessica Pitt As A Member Of The Budget

**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 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang

[View Report.pdf,](#)

[80184 CMS.pdf](#)

S-25

Subject: Resurfacing Of Certain Streets In The City Of Oakland

From: Public Works Agency

Recommendation: Adopt A Resolution Waiving The Competitive Bid Process And Authorizing

The City Administrator To Negotiate New Prices And Increase The Construction Contract With

McGuire And Hester For The Resurfacing Of Certain Streets In The City Of Oakland For Fiscal

Year 2003-2004 (Project No. C234930) By An Amount Not-To-Exceed \$2,000,000.00 For A

Total Contract Amount Not-To-Exceed \$7,100,000.00 (06-0724)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Member De La Fuente

ORA\Councilmember Absent: 1 - Chairperson Brunner

ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan and Member Chang



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

*- Sanjiv Handa*

*Councilmember Brunner was noted present at 10:15 pm.*

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[View Supplemental Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[80185 CMS.pdf](#)

S-26

Subject: Storm Mitigation Measures

From: Public Works Agency

Recommendation: Adopt A Resolution Amending Resolution No. 80046 C.M.S. Adopted On

July 18, 2006 Which Appropriated \$6,094,763.00 Of City Funds For Emergency Response And

Permanent Storm Mitigation Measures To appropriate An Additional \$2,305,143.00 Of City

Funds For Three Additional Emergency Permanent Storm Mitigation Measures (For A Total

Appropriation Of \$8,399,906.00) (06-0784)

**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 - Member De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Reid, Chair

Quan, Member Nadel, Councilmember Kernighan, Member Chang and

Chairperson Brunner

*Agency/Councilmember Quan made a motion seconded by*

*Agency/Councilmember Brooks to approve an urgency finding pursuant to*

*Section 2.20.080 E(2) regarding Item S-26 that there is a need to take*

*immediate action which came to the attention of the local body after the agenda*

*was posted, and that the need to take immediate action is required to avoid a*

*substantial adverse impact that would occur if the action were deferred to a*

*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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[80186 CMS.pdf](#)

**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**

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

*Agency/Council adjourned the meeting in memory of Carlos Acietuno, Billie*

*Moon, Vera Gary, and Janet Laron Jones at 10:19 p.m.*

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

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SAFETY OF THOSE ATTENDING MEETINGS. (...)

*City Clerk and Clerk of the Council*