

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

Special Concurrent Meeting of the Oakland Redevelopment

Agency/City Council

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

Tuesday, June 27, 2006

6:00 PM

City Council Chambers - 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 6:14pm.

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.

ORA\Councilmember Present: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke on this item:

Gene Hazzard

William O. Schlotter

Sajiv Handa

4

Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an

item from the Consent Calendar, shall be scheduled for the next-succeeding City Council

meeting as a non-consent item.

No action was 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)

No action was 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 Kernighan made a motion, seconded by

Agency/Councilmember Reid to pull item 4 of the June 13, 2006 Public Safety

Committee and schedule the item to the July 18, 2006 City Council agenda as a

Non-Consent item, and hearing no objections, the motion passed by Ayes:

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

7

There are no draft minutes for approval.

No action was necessary for this item.

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Oakland Citizens' Academy Graduation

From: Office Of The City Administrator

Recommendation: A 10-Minute Presentation From The City Administrator For The City Of

Oakland Citizens' Academy Graduation Class Of Spring 2006 (06-0458)

Council heard a presentation regarding the Oakland Citizen's Academy

graduation class of Spring 2006.

[View Report.pdf](#)

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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

that the meeting be adjourned in memory of

Agency/Councilmember Brooks took a point of personal privilege and

requested that the meeting be adjourned in memory of

10. CONSENT CALENDAR (CC) ITEMS:

10.1

CC-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 (06-0563)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.2

CC-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 (06-0564)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.3

CC-CC

Subject: Pacific Gas And Electric Company - Settlement Agreement

From: Office Of The City Attorney

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

Settlement Agreement With Pacific Gas And Electric Company That Resolves A Dispute Over

Unpaid Electricity Charges Generated By Metricom Wireless Devices On City Light Poles

(06-0569)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.4

CC-CC

Subject: Emergency Medical Services Retention Act Of 1997

From: Finance And Management Agency

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

A Fiscal Year 2006-2007 Increase To A Special Tax Imposed For Emergency Medical Services

In Accordance With The Emergency Medical Services Retention Act Of 1997 (Measure M)

(06-0489)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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~~10.5 CC~~

~~Subject: — Oak To Ninth Mixed Use Development Project~~

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

~~Recommendation: Adopt The Following Pieces Of legislation:~~

-

~~1) Approve The Final Passage (Second Reading) Of An Ordinance Adopting The Second~~

~~Amendment To The Central City East Redevelopment Plan To Revise Land Use Designations~~

~~For The Oak To Ninth Project Site; (06-0276-3)~~

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~~2) Approve The Final Passage (Second Reading) Of An Ordinance Adopting An Amendment~~

~~To The Central District Urban Renewal Plan To Revise Land Use Designations For The Oak~~

~~To Ninth Project Site; (06-0276-5)~~

[12757 CMS.pdf](#)

~~3) Approve The Final Passage (Second Reading) Of An Ordinance Adopting The Planned~~

~~Waterfront Zoning District (PWD-4) For The Oak To Ninth Mixed Use Development Project;~~

~~(06-0276-6)~~

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~~4) Approve The Final Passage (Second Reading) Of An Ordinance Rezoning Property In The~~

~~Oak To Ninth Avenue Mixed Used Development Project Site From Heavy Industrial (M-40) To~~

~~The Planned Waterfront Zoning District (PWD-4) And Open Space Region Serving Park~~

~~(OS-RSP), And From Civic Center Design Review Combining Zone (S-2/S-4) To The Planned~~

~~Waterfront Zoning District (PWD-4 And Open Space Region Serving Park (OS-RSP) (TITLE~~

~~CHANGE) (06-0276-7)~~

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~~-5) Approve The Final Passage (Second Reading) Of An Ordinance Approving A Development~~

~~Agreement Between The City Of Oakland, The Redevelopment Agency Of The City Of~~

~~Oakland, And Oakland Harbor Partners, LLC And Authorizing The City Administrator To~~

~~Execute The Development Agreement On Behalf Of The City (06-0276-10)~~

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10.6

CC-CC

Subject: Oakland General Plan

From: Community And Economic Development Agency

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

The Interim Controls For The Implementation Of The Oakland General Plan To June 30, 2007

(TITLE CHANGE) (06-0348)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

Scott Peterson

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10.7

CC-CC

Subject: Disposable Food Service Ware

From: Vice Mayor Jean Quan and Council President De La Fuente

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

The Use Of Polystyrene Foam Disposable Food Service Ware And Require The Use Of

Biodegradable Or Compostable Disposable Food Service Ware By Food Vendors and City

Facilities (06-0430)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

Robert Allan Loreen

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10.8

CC-CC

Subject: Dog Leash Ordinance

From: Vice Mayor Quan

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

Oakland Municipal Code Title 6, Chapter 6.04 Article 6.04.080 Dogs At Large In Parks, To

Allow Dogs To Be Off-Leash, Under Specific Conditions, In The Joaquin Miller Park Dog

Play Area As Authorized By The Parks And Recreation Advisory Commission (06-0451)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.9CC-

CC

Subject: Youth Employment Partnership - Litter Program Services

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two

Year Agreement With Youth Employment Partnership, Inc. (YEP) To Implement The Team

Oakland Program And For City Beautification Services In An Amount Not-To-Exceed

\$498,000.00, Or \$249,000.00 In Each Year Of The Agreement, And Authorizing The City

Administrator To Add Clean Up Services And Increase The Contract By An Additional

Amount Not-To-Exceed \$235,000.00 Per Year Over The Term Of The Agreement Needed To

Carry Out The Anti-Litter Program (TITLE CHANGE) (06-0336-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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S-10.10CC

-CC

Subject: Violence Prevention And Public Safety Act Of 2004

From: Finance And Management Agency

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

A Fiscal Year 2006-2007 Increase To A Special Tax Imposed For Violence Prevention And

Public Safety Services In Accordance With The Violence Prevention And Public Safety Act Of

2004 (Measure Y) (06-0492)

A motion was made by Councilmember Reid, seconded by Councilmember

Chang, that this matter be Approved for Final Passage. The motion

carried by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

Jerry Grace

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Passed The Consent Agenda

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, including all the preceding items marked as having

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

11

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

Closed Session

There was no Closed Session prior to this meeting. No action was necessary for this item.

12

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

There was no Closed Session prior to this item. No action was necessary for this item.

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: Tree Removal Permits - The Lake Merritt Improvement Projects

From: Public Works Agency

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

Denying The Appeal Filed By Friederike Droegemueller, On Behalf Of The Merritt Lakesiders

And No Clearcuts@Yahoogroups.Com, Against The Decision Of The Public Works Agency

Approving The Issuance Of Three Tree Removal Permits For The Lake Merritt Improvement

Projects (06-0464)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 7:04 PM

The following individual(s) spoke on this item:

Friederilke Droegemueller

Jerry Grace

*David Mix**

Therese R. George

*Nancy Riser**

John Wilson

Isaac Simons

Carolyn Blair

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

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14.2

Subject: Massage Establishment Permit Appeal - Hoang Kim Ngo

From: Office of the City Administrator

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

Denying The Appeal Filed By Kim Ngo Against The Administrative Hearing Officer's Decision

To Deny A Massage Establishment Permit For New Beginnings Center, Located At 4107

Broadway, Oakland, California (06-0408)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 7/18/2006**

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

opened at 8:00pm

Agency/Councilmember Brunner made a motion, seconded by

Agency/Councilmember De La Fuente, to continue the July 18, 2006 City

Council Agend and hearing no objections, the motion passed by Ayes:

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

Quan, and President of the Council De La Fuente -8

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14.3

Subject: Kaiser Hospital Medical Center

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending The General Plan Land Use Designation For The Kaiser

Permanente Oakland Medical Center Campus From Various Designations To Institutional;

(06-0279)

A motion was made by Councilmember Brunner, seconded by

Councilmember Nadel, that this matter be Adopted with the amendments

to the baseline traffic study by adding the additional streets of Warren,

Westall, Croxton and Randwick, and the adjustment to guideline 7.3.7

changing the definition of lower piedmont to MacArthur to Broadway.

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 8:03 pm

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

De La Fuente -8

The following individual(s) spoke on this item:

Joe Haraburda

Sugi Loni

Ramarrishna Ram

Earlene Person

Carol F. Azar

Colman Snaith

Donna Marie

Larry Goldman

James B. Mitchell

Roberta L. Heintz

Charlene Milgrim

Jennie Ong

Seth H. Ronald

J. David Arterburn

Lorri R. Apazi

Sarah L. Cohen

Jean Rashlego

Michael P. Udkow

Tom Dryden

Eric K. Soares

Valeri R. Winemiller

Sanjiv Handa

Ron Bishop

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2) An Agency Resolution Approving And Recommending Adoption Of An Amendment To

The Broadway/MacArthur/San Pablo Redevelopment Plan, Amending The Land Use

Designation For The Kaiser Permanente Oakland Medical Center Campus From Various

Designations To Institutional; (06-0279-1)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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3) Approve The Introduction (First Reading) Of An Ordinance Adopting An Amendment To

The Broadway/MacArthur/San Pablo Redevelopment Plan, Amending The Land Use

Designation For The Kaiser Permanente Oakland Medical Center Campus From Various

Designations To Institutional; (06-0279-2)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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4) Approve The Introduction (First Reading) Of An Ordinance Adopting A New Kaiser

Permanente Oakland Medical Center (KX) Zone, Rezoning The Kaiser Permanente Oakland

Medical Center Campus From Various Designations To The New KX Zone And Terminating

The Previously Approved Contract Rezoning; And (06-0279-3)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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5) A Resolution Adopting The Kaiser Permanente Oakland Medical Master Plan (06-0279-4)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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Subject: Inclusionary Housing Requirement

From: Community and Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion 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, And Amending The

Master Fee Schedule To Establish An Inclusionary Housing In-Lieu Fee; Or (06-0392)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 7/18/2006

The following individual(s) spoke on this item:

Jerry Grace

Shirley Burnell

Liz Voigl

Reid Settlemien

Soledad Padilla

Gabe Franken

Charles S. Hahn

James E. Vann

Sanjiv Handa

Susan Schacher

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S-14.4.1

Subject: Inclusionary Housing Requirements - Ordinance Modifications

From: Councilmembers Jane Brunner, Jean Quan And President De La Fuente

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

15.70 To The Oakland Municipal Code To Establish An Inclusionary Housing Requirement

And Establish Two New Homeownership Programs For Oakland Teachers, 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 (06-0392-1)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 7/18/2006

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S-14.4.2

Subject: Inclusionary Housing Requirement

From: Councilmember Reid

Recommendation: Consideration Of A Motion To Add New Section 12; Renumber Existing

Section 12 To Section 13 To Read Section 12. This Ordinance Shall Not Apply In Any

Redevelopment Project Area Where More Than 75% Of The Land Within That Redevelopment

Project Area, As That Area Is Designated As Of The Date Of The Adoption Of This Ordinance,

Is Developed Pursuant To A Master Plan Of Development That Satisfies The Affordable

Housing Production Requirements Of Health And Safety Code Section 33413 (06-0392-2)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 7/18/2006

The following individual(s) spoke on this item:

Sanjiv Handa

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14.5

Subject: Dissolution Of The Oakland Base Reuse Authority

From: Community and Economic Development Agency

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

Pieces of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To Accept All Of The Assets

And Obligations Of The Oakland Base Reuse Authority (OBRA) And To Take All Actions

Necessary To Complete The Dissolution Of OBRA Including:

(1) Creation And Operation Of An Oakland Redevelopment Agency (Agency) Leasing And

Property Management Program At The Former Oakland Army Base; (2) Assumption Of All Of

The Rights And Obligations Of OBRA In The Agreements Listed In Attachment A Hereto; (3)

Acceptance And Appropriation Of OBRA's Proposed Administrative Budget In An Amount

Not To Exceed Three Million Two Hundred Thousand Dollars (\$3,200,000); (4) Acceptance

And Appropriation Of Proposed Operating Budget In An Amount Not To Exceed Eight Million

Nine Hundred Forty-Seven Thousand Five Hundred Dollars (\$8,947,500); (5) Extension Of

OBRA's Security Services Contract With ABC Security Company For One Year In An Amount

Not To Exceed Two Hundred Twenty Thousand Dollars (\$220,000); (6) Approval And

Execution Of A Letter Amendment To The Memorandum Of Agreement For Oakland Army

Base Dated July 8, 2003 (City-Port MOA) Regarding The Mitigation Monitoring And

Reporting Program At The Army Base, In An Amount Not To Exceed Six Hundred

Seventy-Eight Thousand Dollars (\$678,000); (7) Approval And Execution Of A Resource

Management Agreement With The Port Of Oakland, In An Amount Not To Exceed Three

Hundred Thousand Dollars (\$300,000); (8) Approval And Execution Of A Utilities Operation

Agreement With The Port Of Oakland, In An Amount Not To Exceed Seven Hundred

Twenty-Five Thousand Dollars (\$725,000) Over A Two-Year Period; And (9) Acceptance Of

The Transfer Of \$1,050,000, Of The Balance Of A \$2,400,000 Public Works Grant Awarded

To OBRA By The United States Department Of Commerce Economic Development

Administration; And (06-0397)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan and Councilmember Chang

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

opened at 9:43 pm.

The following individual(s) spoke on this item:

Steve Lowe

Jeffrey B. Caldwell

John David Casselberry

Rajiv N. Jain

Brian A. Beveridge

Louis Vela

Youssef Ashvef Abdallah

Mohamed Salah Ahmead

14.5 cont.

Bob Lee Kurz

Marvin Phillippee Seastrunk

Bill Aboudi

Sanjiv Handa

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

De La Fuente -8

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2) A Resolution Authorizing The City Administrator To Take All Actions Necessary To

Complete The Dissolution Of The Oakland Base Reuse Authority (OBRA) Including:

(1) Creation And Budgeting Of A Reimbureable Clearing Fund; And

(2) Approval And Execution Of A Letter Amendment To The Memorandum Of Agreement For

Oakland Army Base Dated July 8, 2003 (City-Port MOA) Regarding The Mitigation

Monitoring And Reporting Program At The Army Base, In An Amount Not To Exceed Six

Hundred Seventy-Eight Thousand Dollars (\$678,000) (06-0397-1)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan and Councilmember Chang

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14.6

Subject: Tree Removal Permit Appeal - 981 Grosvenor Place

From: Public Works Agency

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

Denying The Appeal Filed By Les And Linda Hausrath, Against The Decision Of The Public

Works Agency Approving The Issuance Of Tree Removal Permit DRO6-005 For 981

Grosvenor Place (06-0461)

***Withdrawn with No New Date**

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ACTION ON NON-CONSENT ITEMS:

15

Subject: Municipal Boathouse Parking

From: Office Of The City Administrator

Recommendation: Action On A Report And Recommendations On The Municipal Boathouse

Parking Facilities And Restroom Building

Recommendations:

1) Option 1 Compromise Design provides substantial lawn area adjacent to the multi-use path,

28 spaces of on-site parking, which could be identified for use by the restaurant or any other

occupant of the Municipal Boathouse, provides efficient circulation and access for service and

delivery vehicles, and the restaurateur will accept this proposal; or

2) Option 2 Community Design does not provide adequate on-site parking, in terms of quantity

and operations, to ensure the success of the restaurant or any other occupant of the Municipal

Boathouse, circulation and access for trash collection is problematic, the trash storage building

would visible from the Camron-Stanford House, and the restaurateur has said he will not accept

this proposal; and

3) Delete the proposed restroom building from the Municipal Boathouse project because the

neighboring community and the restaurateur oppose the restroom, and a new restroom building

to be constructed under the 12th Street project will be about 900 feet away (06-0550)

A motion was made by Councilmember Nadel, seconded by

Councilmember Kernighan, that this matter be Approved. The motion

carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Rufaro Chenesai Kangai

Phyllis B. Harris

Zoia Hoan

Dick Hughes

Frankie Hayden Rhodes

Bobbie Feyerauben

Elaine Dorteia Oldham

Gar Troppelli

Ron Bishop

Joseph Matera

James E. Vann

David B. Gill

David Mix

Sanjiv Handa

Agency/Councilmember Nadel made a motion, seconded by

Agency/Councilmember Kernighan, to approve the recommendations as

amended on item 15 to approve Option 1 and deletion of the proposed restroom

building fromt he Municipal boathouse project because the neighboring

community and the restaurateur oppose the restroom, and anew restroom

building to be constructed under the 12th Street, project will be about 900 feet

away, and hearing no objections, the motion passed by Ayes:

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

Quan, and President of the Council De La Fuente -8

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16

Subject: Time Zone Parking Citations

From: Office Of The City Auditor

Recommendation: Action On A Report Regarding Illegal Citations Issued For Time Zone

Parking On February 13, 2006, A City Holiday (06-0562)

No Action Was Taken On This Item

The following individual(s) spoke on this item:

Jerry Grace

Sanjiv Handa

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17

Subject: Increase Councilmembers Salaries

From: Finance And Management Agency

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

Salary Schedule Of Ordinance Number 12187 C.M.S. (The Salary Ordinance) To Increase The

Salaries Of City Councilmembers By 4% Pursuant To the Recommendation Of The Public

A motion was made by Councilmember Brunner, seconded by

Councilmember Chang, 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 July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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Subject: Street Sweeping

From: Finance And Management Agency

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

Oakland Municipal Code Chapter 10.28 To Adopt Section 10.28.180 To Define And Clarify

Parking Prohibitions For Street Sweeping (06-0555)

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

Brunner, that this matter be Approved on Introduction for Final Passage

to the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on July 18, 2006. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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19

Subject: Telecommunications Facilities Permit Moratorium

From: Councilmembers Nadel And Reid

Recommendation: Approve The Introduction and Final Passage Of An Urgency Ordinance,

Pursuant To Government Code Section 65858, By The City Of Oakland, Establishing A

Temporary Moratorium On The Approval Of Applications To Construct, Modify Or Place

Wireless Communication Facilities (06-0475)

A motion was made by Councilmember Nadel, seconded by

Councilmember Reid, that this matter be Approved for Final Passage. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Lewis Loeven

Rod De La Rosa

Stephen Ledoux

Carol Behr

Rev. Christopher Hones

Daniel Reidy

Paul Albritton

Simon Waddington

Paul Kuropa

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20

Subject: Parks And Recreation Advisory Commission Appointment

From: Councilmember Brunner

Recommendation: Adopt A Resolution Appointing Howard Matis As A Member Of The Parks

And Recreation Advisory Commission (06-0566)

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

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

vote:

Votes:

ORA\Councilmember Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

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

President of the Council De La Fuente, Councilmember Kernighan,

Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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21

Subject: Police And Fire Retirement Board - Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Reappointing Jaime Godfrey And Appointing Ken

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 Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

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

President of the Council De La Fuente, Councilmember Kernighan,

Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

John C. Speakman

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From: Office Of The Mayor

Recommendation: Adopt A Resolution Reappointing Henry Cotten And Carl Gilmore As

Members Of The Oakland Municipal Employees' Retirement System Board (06-0572)

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 Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

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

President of the Council De La Fuente, Councilmember Kernighan,

Councilmember Reid and Councilmember Chang

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Subject: Business Tax Board Of Review Appointment

From: Office Of The Mayor

A Resolution Appointing Maurilio Leon As A Member Of The Business Tax Board Of Review

(06-0571)

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 Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

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

President of the Council De La Fuente, Councilmember Kernighan,

Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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24

Subject: Planning Commission Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Reappointing Anne Mudge As A Member Of The

Planning Commission (06-0570)

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 Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

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

President of the Council De La Fuente, Councilmember Kernighan,

Councilmember Reid and Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

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S-25

Subject: Shot Spotter Lease Agreement

From: Oakland Police Department

Recommendation: Adopt A Resolution Waiving The Competitive Bid Process And

Local/Small Business Enterprise Program, And Authorizing The City Administrator To Enter

Into A One (1) Year Lease Agreement For A Gun Shot Location Technology System With

ShotSpotter, Inc. In An Amount Not-To-Exceed Two Hundred Eighty Eight Thousand Five

Hundred Nine Dollars (\$288,509.00) (06-0602)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember

Nadel, Vice Mayor Quan, President of the Council De La Fuente,

Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

The following individual(s) spoke on this item:

Sanjiv Handa

Jerry Grace

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

Council)

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

THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE

SAFETY OF THOSE ATTENDING MEETINGS. (...)

City Clerk and Clerk of the Council