

# 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**

***Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza***

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

**Tuesday, July 19, 2005**

**6:00 PM**

**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 6:35 P.M.*

**2**  
Roll Call / ORA & Council

ORA\Councilmember Present: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Wendy Snyder*

- *Catherine Hieke*

- *Sanjiv Handa*

- *Pam Smith*

- *Merry Bates*

- *Douglas Kolozsvari*

- *Kathy Marks*

- *Emily Rosenberg*

- *Hugh Bassette*

- *Gene Hazzard*

- *Hector Reyna*

- *Mary Eisenhart*

- *Nancy Cimarron Rieser*

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.

*Items 10.17CC and 10.46CC were withdrawn from the Consent Calendar.*

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.

Subject: Billboard Management And Regulation

From: Community And Economic Development Agency

Recommendation: Action On A Report And Recommendations Outlining The City's Land Use

Authority And Options For The Management And Regulation Of Outdoor Advertising Signs

(Billboards) In The City Of Oakland, Including The Port Area (05-0400)

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

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

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

**September 20, 2005 meeting. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on June 21, 2005.

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

8.1

Subject: National Night Out

From: Councilmember Reid/ Claudia Albano

Recommendation: Adopt A Resolution Declaring Tuesday, August 2, 2005 As National Night

Out In Oakland (05-0467)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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8.2

Subject: Gift Presentation From Nakhodka, Russia

From: Councilmember Nadel

Recommendation: A Presentation Of A Gift From Oakland's Sister City Nakhodka, Russia

(05-0566)

*Council heard a presentation of a gift from Oakland's sister city Nakhodka,*

*Russia.*

8.3

Subject: Intertribal Friendship House

From: Councilmembers Nadel And Kernighan

Recommendation: Adopt A Resolution For The 50th Anniversary Of The Intertribal Friendship

House (05-0571)

**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 Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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8.4

Subject: Herbert C. Chan Jr. Commendation

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Commending Herbert C. Chan, Jr. For Thirty Six Years

Of Outstanding And Distinguished Service To The City Of Oakland (05-0582)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Matthew Webb*

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8.5

Subject: Perri J. Walker - Commendation

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Commending Perri J. Walker For Twenty Two Years

Of Outstanding And Distinguished Service To The City Of Oakland (05-0583)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Matthew Webb*

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S-8.6

Subject: Quentin Thomas - Recognition

From: Vice Mayor Brunner

Recommendation: Adopt A Resolution To Honor Quentin Thomas For His Outstanding

Athletic Career At Oakland Technical High School And His Success As A Member Of The

University Of North Carolina Tar Heels Basketball Team (05-0618)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

*Agency/Councilmember Brunner made a motion seconded by*

*Agency/Councilmember Reid to approve an urgency finding pursuant to Section*

*2.20.080 E(2) regarding Item 8.6 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 a purely ceremonial or*

*commendatory action.*

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

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

*that the meeting be adjourned in memory of Jay Spencer and Lymon Abbott*

*Lowe.*

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

*that the meeting be adjourned in memory of Thamasara Sam Son.*

**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 (05-0592)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

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 (05-0591)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.3CC

Subject: Slavery Era Insurance

From: Councilmember Reid

Recommendation: Approve the Final Passage (Second Reading) Of The Slavery Era

Disclosure Ordinance - An Ordinance (1) Requiring City Contractors Who Provide Insurance,

Financial And Other Services To The City To Research And Disclose To The City Records

Evidencing Benefits From The American Slave Trade; and (2) Establishing A Fund To Include

But Not Be Limited To Support For Education And Economic Development (TITLE

CHANGE) (05-0071)

**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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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10.4CC

Subject: Conditional Street Vacation - Various Areas

From: Community and Economic Development Committee Agency

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

Conditionally Vacating Portions Of Thomas L. Berkeley Way, Williams Street, And 19th Street

Between San Pablo Avenue And Telegraph Avenue For The Uptown Oakland Mixed Use

Redevelopment Project And Quit Claiming The Underlying Fee Interests In The Vacated

Rights-Of-Way To The Oakland Redevelopment Agency (05-0276)

**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 Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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10.5-CC

Subject: Motorized Scooters / Motorized "Pocket Bikes"

From: Oakland Police Department

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

10.17 To The Oakland Municipal Code Requiring Sellers Of Motorized Scooters And

Motorized "Pocket Bikes" To Advise Consumers Of The State And Local Laws Regulating The

Operation Of The Devices Within The City Of Oakland (05-0525)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on September 20, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*- Sanjiv Handa*

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10.6-CC

Subject: 51st Street And Telegraph Avenue Property Surplus

From: Community and Economic Development Agency

Recommendation: Approve The Introduction (First Reading) Of A City Ordinance Authorizing

The City Administrator To Enter Into A Purchase And Sale Agreement To Sell To 5110

Telegraph LLC., The Adjoining Property Owners, Approximately 4,600 Square Feet Of City

Owned Surplus Real Properties (Portions Of Assessor Parcel Number (s): 014-1226-008-00,

014-1226-009-01, 014-1226-007-02, 014-1226-006-02, 014-1226-005-02, 014-1226-004-03,

014-1226-003-03) Located At 51st Street And Telegraph Avenue For The Fair Market Value

Of \$246,000; Appropriating The Proceeds Of The Sale Into The Real Estate Surplus Property

Project (05-0465)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on September 20, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,



Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.7-CC

Subject: Grizzly Peak Boulevard

From: Community and Economic Development Agency

Recommendation: Approve The Introduction (First Reading) Of A City Ordinance Authorizing

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

Mulligan And Yeung Tsui, The Adjoining Property Owners, Approximately 1,360 Square Feet

Of City Owned Surplus Real Property Located At Grizzly Peak Boulevard (APN#

048H-7510-002-00) For The Fair Market Value Of \$1,360.00 (05-0363)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on September 20, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.8-CC

Subject: Purchase Agreement with William T. Neill

From: Community Economic and Development Agency

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

The City Administrator To Enter Into A Purchase And Sale Agreement With William T. Neill,

The Adjoining Property Owner, To Purchase Approximately 4,500 Square Feet Of City Owned

Surplus Real Property Located At 51st Street Between Manila And Coronado Avenue For The

Fair Market Value Of \$4,500 (05-0333)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on September 20, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

Subject: Fire Fighters' Settlement

From: Office Of The City Attorney

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing And Directing the City Attorney To Compromise And Settle The

Case Of International Association Of Firefighters, Local 55 v. City Of Oakland, et al., Alameda

County Superior Court Case No. RG04156075, As Follows: (1) City Shall Pay An Amount In

The Range Of \$120,000.00 To \$200,000.00, To Reimburse Retirees For Health Care Premium

Overpayments, Upon Final Calculation Of The Action Amounts Owed, (2) City Shall Pay

\$6,000.00 In Attorneys' Fees And (3) City Shall Amend The 1989 Resolution No. 66402 That

Authorizes Notification To Public Employees' Retirement System Of The Health Care

Premium Amounts To Be Paid By Local 55 Members And The City To Reflect The Proper

Amounts; And (05-0576)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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2) Resolution Amending Resolution No. 66402, Electing To Be Subject To Public Employees'

Medical And Hospital Care Act Only With Respect To Sworn Fire Unit Employees Belonging

To The Public Employees' Retirement System And Fixing The City's Contribution For

Employees And The City's Contribution For Annuitants At Different Amounts (05-0576-1)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.10CC-C

C

Subject: Countryman And Stein - Settlement

From: Office of The City Attorney

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

Compromise And Settle The Claim Of Steven D. Countryman And Sally L. Stein, In The



Amount Of \$8,389.76, For Property Damage Sustained As A Result Of Flooding Caused By

Poor Drainage From A City Storm Drain (Public Works Agency) (05-0590)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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10.11CC-C

C

Subject: Pamela Williams - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Pamela Williams V. City Of Oakland, Alameda County

Superior Court No. RG04185984, Our File No. 24081, A Personal Injury Case In The Amount

Of \$17,500.00 (Police Department), Ms. Williams' Vehicle As Rear-Ended By An Oakland

Peace Officer On MacArthur Boulevard (05-0589)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.12-CC

Subject: Brooks-Gary V. Williams - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Jessica Brooks-Gary V. Junious Williams, Et Al.,

Alameda County Superior Court No. WG03105187, In The Amount Of \$18,000.00 As A

Result Of Trip And Fall Accident On November 15, 2002 (Public Works Agency) (05-0588)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.13CC

Subject: Jacqueline Baker - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Jacqueline Baker V. City Of Oakland, Et Al., Alameda

County Superior Court Case No. RG 04147116, Our File No. X02214, In The Amount Of

\$120,000.00. This Case Involves Claims Of Failure To Accommodate A Disability Under The

Fair Employment And Housing Act (Oakland Fire Department - Employment) (05-0595)

**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 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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10.14-CC

Subject: Askley and Valdry - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Rashida Askley And Cleveland Valdry, Jr. Vs. Oakland

Police Officer T. Pena Et Al, United States District Court Case Number C04-1779 JSW, In The

Amount Of \$25,000.00 As A Result Of Arrests Occurring On March 7, 2003 (Police Services

Agency) (05-0596)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.15-CC

Subject: David Gray - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of David Gray V. City Of Oakland, Et Al., Alameda County

Superior Court Case No. RG04176348, Our File No. 23782, In The Amount Of \$36,500.00.

This Case Involves A Dog Bite (Oakland Police Department) (05-0597)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.16-CC

Subject: Meyers Nave Riback Silver & Wilson

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Approving A Conflict Waiver For The Law Firm Of

Meyers Nave Riback Silver & Wilson To Permit That Firm To Represent The County Of

Alameda In The Matter Of County Of Alameda V. Shers, Et Al, Alameda County Superior

Court Case Number: HG 03125550, An Eminent Domain Action In Which The City Of

Oakland Has A Judgment Lien Interest (05-0577)

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



ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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10.17-CC

Subject: Oakland-Alameda County Coliseum, Inc. Board Representation

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Approving A Conflict Waiver For The Law Firm Of

Meyers Nave Riback Silver & Wilson To Permit That Firm To Represent The

Oakland-Alameda County Coliseum, Inc. Board (05-0578)

**\*Withdrawn with No New Date**

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

- *Sanjiv Handa*

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10.18-CC

Subject: Olson 737 - Oakland 1, LLC

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Granting Olson 737 - Oakland 1, LLC, A Revocable

And Conditional Permit To Allow Oriel Windows On The 2nd, 3rd, 4th, And 5th Floors Of A

Building At 1307 Jefferson Street To Encroach Over The Public Right-Of-Way (05-0502)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.19CC

Subject: Uptown Project Pollution

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution Approving And Authorizing The Agency Administrator

To Enter Into A Mutual Release And Covenant Not To Sue With FC Oakland, Inc. And The

San Francisco Bay Regional Water Quality Control Board Concerning All Known Existing

Conditions Of Pollution At, Under, Or Originating From The Uptown Project Area, Which

Consists Of Approximately 6.5 Acres Located Between San Pablo Avenue On The West,

Telegraph Avenue On The East, Thomas L. Berkley Way (Formerly 20th Street) On The North,

And 19th Street On The South In The City Of Oakland, Or From Adjacent And Nearby

Properties; And Authorizing Recordation Of A Deed Restriction For Use Of Uptown Project

Area (05-0394)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- Orna Sasson

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[2005-0039 CMS.pdf](#)

10.20-CC

Subject: Leona Quarry Project - Senior Housing Component

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Amending Resolution 78359, Granting A Nine Month

Time Extension For The Expenditure Of Funds Pertaining To The Leona Quarry Project

Condition Of Approval No. 42, For A \$500,000 In-lieu Payment For A Senior Housing Project

At The Eastmont Town Center (05-0386)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.21-CC

Subject: Oakland Youth Court Implementation

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Twenty-Four Thousand Eight Hundred

And Twenty-Eight Dollars (\$24,828) From The State Of California, Board Of Corrections

(BOC), Juvenile Accountability Block Grant (JABG) Program, And Authorizing A Funding

Agreement In An Amount Not To Exceed Twenty Thousand Dollars (\$20,000) With The

Donald P. McCullum Youth Court For Implementation Of The Oakland Youth Court -

Interface Project (05-0461)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De



La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.22-CC

Subject: Patrol Canine Acquisition

From: Oakland Police Department

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

To Accept And Appropriate A Donation In The Amount Of Ten Thousand Dollars (\$10,000)

To The Oakland Police Department For The Acquisition Of Two Patrol Canines, Valued At

Approximately Four Thousand Eight Hundred Dollars (\$4,800) Each, For A Total Cost Of

Approximately Nine Thousand Six Hundred Dollars (\$9,600), For Use By The Police

Department Canine Program, With Any Remaining Funds To Be Used To Offset Handler

Training Costs And The Purchase Of Canine Related Supplies And/Or Services (05-0499)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.23-CC

Subject: Urban Search And Rescue Team

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Apply For,

Accept And Appropriate A Grant From The Federal Emergency Management Agency (FEMA)

For The Period March 1, 2005 To June 30, 2006 In The Amount Of Eight Hundred Ninety Two

Thousand Dollars (\$892,000.00) To Meet Continuing Training And Equipment Needs Of The

Fire Department's Urban Search And Rescue (USAR) Team, 2) Waive The City's Competitive

Bidding Requirements And Authorize Procurement Of Some Equipment From The General

Services Administration Agency, And 3) Award Said Equipment Contracts Without Return To

Council (05-0517)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.24CC

Subject: Designate and Rezone of Uptown

From: Community and Economic Development Agency

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

A 25,000 Square-Foot Site Located In the Middle of The Block Bounded By San Pablo Avenue

To The West, Thomas L. Berkley Way To The North, Telegraph Avenue To The East and 19th

Street To The South From C-51 Central Business Service District/S-17 Downtown Residential

Open Space Combining Zone To OS Open Space (Neighborhood Park) (05-0359-1)

**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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

*The following individual(s) spoke and indicated a neutral position on this item:*

- *Hugh Bassette*

- *Orna Sasson*

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10.25-CC

Subject: 5th Avenue Seismic Retrofit

From: Community and Economic Development Agency

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

The City Administrator To Enter Into A Sales Agreement With The California Department Of

Transportation (Caltrans) To Sell City Owned Property Located Near Interstate 880 And 5th

Ave (Assessor Parcel Number 000O-0455-010 (Portion)); Appropriating The Proceeds Of The

Sale Into The Real Estate Surplus Property Project; And Granting Permanent Construction

Easements With An Expiration Date of January 31, 2011 For City Owned Properties (Assessor



Parcel Numbers 000O-0455-090 And 000O-0455-010); All Property Rights Will Be Conveyed

For A Fair Market Value To Be Determined But Not Less Than \$195,100 (05-0398)

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

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.26-CC

Subject: Measure Y - Violence Prevention Programs

From: Department of Health and Human Services and Oakland Police Department

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

The Terms And Procedures Of The Violence Prevention And Public Safety Oversight

Committee (05-0159)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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10.27-CC

Subject: Oakland Housing Authority (OHA) - Agreement

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Thousand Dollars

(\$400,000) From The U.S. Department Of Justice, Community Capacity Development Office,

In Collaboration With The Institute For Law And Justice, For Implementation Of The Public

Housing Safety Initiative In The Police Department And Authorizing A Professional Services

Agreement With The Oakland Housing Authority (OHA) In The Amount Of Eighty Thousand

Dollars (\$80,000) For Law Enforcement And Other Community-Based Services And The East

Bay Community Recovery Project In An Amount Not To Exceed One Hundred Thousand

Dollars (\$100,000) For Counseling And Other Community-Based Services Associated With

The Initiative (05-0460)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.28-CC

Subject: Municipal Code Amendment - Gross Revenue Receipts

From: Finance and Management Agency

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

Chapter 5, Article 4 Of The Oakland Municipal Code Commencing January 1, 2006 To Exempt

Persons With Annual Gross Receipts Of \$2,500 Or Less From The Business Tax Ordinance, To

Adjust The Exemption Amount Periodically By The Change In The Consumer Price Index,

And To Delete The Current Exemption For Poverty Set Forth In Chapter 5.04 Of The Oakland

Municipal Code (05-0546)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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10.29-CC

Subject: Salary Schedule Amendment

From: Office of The City Attorney

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

The Salary Schedule Of Ordinance No. 12635 C.M.S. (The Salary Ordinance) To Adjust The

Wages Of Employees In The Job Classifications Represented By The Deputy City Attorney V



And The Special Counsel Association Pursuant to The Current Memorandum Of

Understanding (05-0587)

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

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.30-C

C

Subject: Lakeshore Avenue Bikeway Project

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Apply For,

Accept, And Appropriate Up To

Two Hundred Fifty Thousand Dollars (\$250,000) In Fiscal Year 2005-2006 Transportation

Fund For Clean Air (TFCA) Funds For The Lakeshore Avenue Bicycle And Pedestrian

Improvement Project (05-0529)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.31-C

C

Subject: 2003 Walk/Bike California Conference Profits

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Appropriation Of Twenty-Nine Thousand

Three Hundred Forty-Two Dollars (\$29,342) In Revenues From The 2003 Walk/Bike

California Conference Hosted By City Of Oakland Public Works Agency (PWA) To Support

The Bicycle And Pedestrian Program (05-0534)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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S-10.32-C

C

Subject: Permit Parking On Stonewall Road

From: Public Works Agency

Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit

Parking On Stonewall Road From Claremont Avenue To Number 175 Stonewall Road,

Claremont Avenue From Stonewall Road To Tanglewood Road, And Tanglewood Road From

Claremont Avenue To Berkeley City Limit (05-0531)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sharon Dutton*

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S-10.33-C

C

Subject: MacArthur Transit Hub Streetscape Improvement Project

From: Community and Economic Development Agency

Recommendation: Adopt the Following Pieces Of Legislation:

1) A Resolution Authorizing The Filing Of An Application, Accepting And Appropriating

\$881,000 Of Federal Surface Transportation Program And Congestion Mitigation And Air

Quality Improvement Program Funding For The MacArthur Transit Hub Streetscape

Improvement Project As Part Of The Metropolitan Transportation Commission's Regional

Bicycle And Pedestrian Program Grant Program, Stating The Assurance Of The City Of

Oakland To Complete The Project, And Committing The Necessary Local Match Of \$370,000

For The Project By Appropriating \$150,000 Of Measure "B" Pedestrian Streetscape Elements

Funds And Accepting And Appropriating \$220,000 From The Redevelopment Agency Under

The Cooperation Agreement; and (05-0463)

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



ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) An Agency Resolution Reallocating \$220,000 From The Broadway/ MacArthur/ San Pablo

Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To Fund

The MacArthur Transit Hub Streetscape Improvement Project As Matching Funds For A

Metropolitan Transportation Commission Regional Bicycle And Pedestrian Program Grant

(05-0463-1)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.34-C

C

Subject: Traffic Safety Improvements - San Leandro Street and 66th Avenue

From: Public Works Agency

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

Appropriate The Hazard Elimination Safety (HES) Program State Funds In The Amount Of

Ninety Thousand Dollars (\$90,000) For Traffic Safety Improvements At The Intersection Of

San Leandro Street At 66th Avenue (05-0506)

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

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.35-C

C

Subject: Chinatown Pedestrian-Oriented Improvements

From: Public Works Agency

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

Enter Into A Professional Services Agreement With T.Y. Lin International/CCS To Provide

Professional Engineering Services For The Revive Chinatown Pedestrian-Oriented

Improvements Project (Project Number G278210) In An Amount Not To Exceed \$245,000

(05-0533)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.36CC

Subject: Transportation Engineering Services Agreements

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With URS Corporation For As-Needed Transportation Engineering Services In An

Amount Not-To-Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) (05-0510)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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2) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With Korve Engineering, Inc. For As-Needed Transportation Engineering Services

In An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000)

(05-0510-1)

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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3) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With Kimley-Horn And Associates, Inc. For As-Needed Transportation

Engineering Services In An Amount Not-To-Exceed Two-Hundred And Fifty Thousand

Dollars (\$250,000) (05-0510-2)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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4) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With HQE, Inc. For As-Needed Transportation Engineering Services In An Amount

Not-To-Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000) (05-0510-3)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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5) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With Dowling Associates, Inc. For As-Needed Transportation Engineering Services

In An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000)

(05-0510-4)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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6) Resolution Authorizing The City Administrator To Enter Into A Professional Service

Agreement With DKS Associates, Inc. For As-Needed Transportation Engineering Services In

An Amount Not-To-Exceed Two-Hundred And Fifty Thousand Dollars (\$250,000)

(05-0510-5)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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S-10.37-C

C

Subject: Reduction of Commercial Truck Activity - West Oakland

From: Councilmember Nadel

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

Sections 10.52.070 And 10.52.120 Of The Oakland Municipal Code To Modify Existing Local

And Through Truck Routes In West Oakland (05-0291)

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

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Steve Lowe*

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S-10.38-C

C

Subject: Andes Construction For Rehabilitation Of Sanitary Sewers - Broadway

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

Broadway, MacArthur Blvd., Richmond Blvd., And 24th St. - Sub-basin 52-11 (Project No.

C65210) For The Amount Of One Million Two Hundred Thirty-Two Thousand Three Hundred

Eighty-Four Dollars (\$1,232,384.00) (05-0526)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.39-C

C

Subject: Andes Construction For Rehabilitation - Vallejo Avenue

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 Vallejo

Ave., 67th St., San Pablo Ave. and 59th St. - Subbasin 20-02 (Project No. C158310) For The

Amount Of One Million Three Hundred Ninety-Two Thousand Four Hundred Thirty-Three

Dollars (\$1,392,433.00) (05-0527)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.40-C

C

Subject: Coliseum Transit HUB Streetscape - McGuire And Hester

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To The

Responsible Low Bidder, McGuire And Hester, In An Amount Of One Million Three Hundred

Seventy Eight Thousand One Hundred Ninety Five Dollars (\$1,378,195.00) For The Coliseum

Transit HUB Streetscape (San Leandro Street From 66th Ave. To 73rd Ave.) Project (05-0530)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.41-C

C

Subject: Youth Employment Partnership, Inc.

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution To Authorize The Agency Administrator To

Negotiate And Execute A Contract With The Youth Employment Partnership, Inc., For The

Allocation Of Fifty Thousand Dollars (\$50,000) From Coliseum Redevelopment Business

Development (Fiscal Year 2004-2005) Funds For Building Repairs To The Youth Employment

Partnership, Inc. Building Located At 2300 International Boulevard (05-0565)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.42-C

C

Subject: Sequoia Nursery School

From: Office of Parks and Recreation



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

License Agreement Between The City Of Oakland Office Of Parks And Recreation And

Sequoia Nursery School For A Three-year Term With Two Consecutive Three Year Options To

Renew (TITLE CHANGE) (03-0321)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.43-C

C

Subject: Jonathan Hirabayashi Design

From: Oakland Public Library

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

City Of Oakland, To Enter Into A Professional Services Agreement With Jonathan Hirabayashi

Design, In An Amount Not To Exceed Eight Hundred Thousand Dollars (\$800,000) For The

Period Of September 1, 2005 Through September 30, 2007, For The Design, Fabrication And

Installation Of A Family History Media And Recording Center And Museum Exhibition Space

For The African American Museum And Library At Oakland (05-0468)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.44-C

C

Subject: Child Care Food Program (CCFP)

From: Department Of Human Services / Head Start

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

City Of Oakland To Apply For, Accept And Appropriate The Child Care Food Program

(CCFP) Grant From The California Department Of Education In An Estimated Amount Of

\$375,000 To Provide Funding For Nutritious Meals For The City Of Oakland's Head Start

Program For Program Year 2005-2006 (05-0500)

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

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.45-C

C

Subject: Even Start Family Literacy Grant

From: Department of Human Services

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

City Of Oakland, To Apply For Accept And Appropriate The Even Start Family Literacy Grant

From The State Of California Department Of Education In The estimated amount of \$345,000

For The City Of Oakland Even Start Program For Fiscal Year 2005-06; And Contingent Upon

Receipt Of Funding To Negotiate And Execute A Professional Services Agreement with Lustig

Consulting To Provide Evaluation Services To The City Of Oakland's Even Start Program In

An Amount Not To Exceed \$17,250 For Fiscal Year 2005-06 (05-0503)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.46

Subject: Family Reading And Literacy Initiative

From: Oakland Public Library

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

Accept, And Appropriate A Grant In The Amount Of \$146,520 From The California State

Library Under The Library Services And Technology Act (LSTA) For Fiscal Year 2005-2006

For The "Family Reading Is Fun: Early Literacy Training And Resources For Parent and

Caregivers" Initiative (05-0504)

**\*Withdrawn with No New Date**

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S-10.47-C

C

Subject: California Library Literacy Services

From: Oakland Public Library

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

Accept, And Appropriate A Grant In The Amount Of \$82,936 From The California State

Library California Library Literacy Services For Fiscal Year 2005-2006 To Support The

Oakland Public Library Second Start Adult Literacy Program (05-0509)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.48-C

C



Subject: Lake Merritt Master Plan Project - Additional Design Services

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 3 To The Professional

Services Agreement With Wallace Roberts & Todd, Inc., To Provide Additional Design

Services For The Lake Merritt Master Plan Project For An Amount Not To Exceed Two

Hundred Thirty Thousand Dollars (\$230,000), Bringing The Total Contract Amount To One

Million Ninety Four Thousand Eight Hundred Eighty-Five Dollars (\$1,984,885) (05-0554)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.49-C

C

Subject: Community Meeting and Police Station - 530 Lake Park Avenue

From: Community and Economic Development Agency

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

Two-Year Lease With Peter And Helen Shiu For Real Property Located At 530 Lake Park

Avenue, For Use As A Community Meeting Facility And Community Police Station In The

Annual Amount Of \$30,000, Plus Telephone And Utility Costs And One Time Tenant

Improvement Cost Of \$2,000 For A Total Amount Not To Exceed \$40,000 Annually (05-0222)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[79371 CMS.pdf](#)

S-10.50-C

C

Subject: 7th Street Community Partners

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Lease From Caltrans And A Parking Operations

Agreement With The Alliance For West Oakland Development And 7th Street Community

Partners, LLC, For the Block Bounded By 5th, 7th and Kirkham And Union Streets In West

Oakland (05-0349)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With 7th Street

Community Partners, LLC, To Develop The Block Bounded By 5th, 7th and Kirkham And

Union Streets In West Oakland (05-0349-1)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[2005-0043 CMS.pdf](#)

S-10.51-C

C

Subject: Neighborhood Project Initiative

From: Community Economic Development Agency

Recommendation: Adopt An Agency Resolution On The Coliseum Neighborhood Project

Initiative Program, Allocating One Hundred And Eighty Thousand Dollars (\$180,000) From

Fiscal Year 2004-2005 For The Program From Coliseum Redevelopment Project Area Funds,

Authorizing The Agency Administrator To Fund Non-Public Projects Under The Program

Without Returning To The Agency, And Rescinding Resolution No. 2005-0002 C.M.S.

(05-0337)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[2005-0044 CMS.pdf](#)

2) A Resolution Authorizing Funding Under The Cooperation Agreement In An Amount Not

To Exceed One Hundred And Fifty Thousand Dollars (\$150,000) For Certain Public

Improvements Within The Coliseum Redevelopment Project Area Under The Neighborhood

Project Initiative Program (05-0337-1)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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3) An Agency Resolution Authorizing Funding Under The Cooperation Agreement In An

Amount Not To Exceed One Hundred And Fifty Thousand Dollars (\$150,000) For Certain

Public Improvements Within The Coliseum Redevelopment Project Area Under The

Neighborhood Project Initiative Program (05-0337-2)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[2005-0045 CMS.pdf](#)

S-10.52-C

C



Subject: Animal Control And Shelter Manager Classification

From: Finance And Management Agency

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

Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add the

Classification Of Director Of Animal Services (05-0553)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on September 20, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.53-C

C

Subject: Sutter Occupational Health - Contract Extension

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend A

Contract With Sutter Occupational Health Until September 30, 2005 For Continued

Performance Of Physical Fitness Assessments And Health Testing Services For Firefighting

Personnel In An Amount Not-To-Exceed \$25,000.00 For A Total Contract Amount

Not-To-Exceed \$495,750.00, And Waiving Competitive RFP Requirements For Award Of The

Limited Extension (05-0560)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.54-C

C

Subject: Oakland Police Department Marine Unit - Equipment Purchases And Repairs

From: Oakland Police Department

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

To Accept A Grant In The Amount Of Twenty-Two Thousand Dollars (\$22,000), From The

State Of California, Department Of Boating And Waterways, For Use By The Oakland Police

Department Marine Unit For Equipment Purchases And Repairs To Vessels Used For Law

Enforcement And Security On City Of Oakland Waterways (05-0548)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.55-C

C

Subject: Donald P. McCullum Youth Court - Project Straight Up

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Fifty Thousand Dollars

(\$450,000) From The U.S. Department Of Justice, Office Of Justice Programs, Office Of

Juvenile Justice And Delinquency Prevention (OJJDP), Juvenile Drug Court Implementation

Grant Program, And Authorizing A Funding Agreement In An Amount Not To Exceed Three

Hundred Forty-Five Thousand Dollars (\$345,000) With The Donald P. McCullum Youth Court

And A Funding Agreement In An Amount Not To Exceed Seventy-Five Thousand Dollars

(\$75,000) With Safe Passages, For Implementation Of Project Straight Up (05-0549)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.56-C

C

Subject: In - Car Video Equipment Purchase

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Ninety-Eight Thousand Six Hundred

And Sixty-Four Dollars (\$98,664) From The U.S. Department Of Justice, Office Of

Community Oriented Policing Services (DOJ/COPS) 2005 Technology Grant Program, For The

Purchase Of In-Car Video Equipment For Use By The Police Department (05-0550)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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S-10.57-C

C

Subject: Secure Our Schools (SOS) Truancy Prevention Program



From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed One Hundred Fifty Thousand Dollars

(\$150,000) From The U.S. Department Of Justice, Office Of Community Oriented Policing

Services (DOJ/COPS) For The Secure Our Schools (SOS) Truancy Prevention Program In The

Police Department (05-0552)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.58-C

C

Subject: Justice Assistance Grant (JAG) Program

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Three Hundred Sixty-One Thousand

One Hundred And Eighty-Five Dollars (\$361,185) From The U.S. Department Of Justice,

Office Of Justice Programs, Bureau Of Justice Assistance, Edward Byrne Memorial Justice

Assistance Grant (JAG) Program, To Supplement Frontline Policing Services By Providing

Funding For DNA Analysts And The Purchase Of Other Criminalistics Division Supplies In

The Police Department (05-0551)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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S-10.59-C

C

Subject: Pre- School For All Act

From: Council President De La Fuente

Recommendation: Adopt A Resolution Proclaiming Support For An Expansion Of Pre-school

Opportunities As Envisioned By The "Pre-School For All Act," A Proposed Ballot Initiative

For June 2006 Led By Rob Reiner Which Would Establish Free Pre-School For All Children In

California (05-0584)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

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 Reid, 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 Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

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

*10.17CC and 10.46CC, and hearing no objections, the motion passed by Ayes:*

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

*Kernighan and President of the Council De La Fuente -8*

11  
An oral report from the Agency Counsel / City Attorney of final decisions made during  
Closed Session

**A motion was made by Councilmember Reid, seconded by Councilmember  
Chang, to \*Received and Filed. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Kernighan

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

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

Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

- *Hugh Bassette*

*Please refer to Attachment A of the Minutes under item 7.*

12

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

**A motion was made by Councilmember Reid, seconded by Councilmember  
Quan, to \*Received and Filed. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Absent: 2 - Vice Mayor Brunner and Councilmember

Kernighan

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

President of the Council De La Fuente, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

*Agency/Councilmember Reid made a motion seconded by*

*Agency/Councilmember Quan 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, Chang, Nadel,*

*Quan, Reid, and President of the Council De La Fuente -6; Absent Brunner,*

*Kernighan -2*

**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: Laurel Property Business Improvement District



From: Community and Economic Development Agency

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

Establishing The Laurel Property Business Improvement District of 2005, Approving The

Management Plan, Directing Filing Of The Proposed Assessment District Boundary

Description, Making A Determination With Regard To The Majority Protest Procedure For

Approval Of The Proposed Assessments; And Approving The Assessments For The District

(05-0280-2)

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

**Kernighan, that this matter be Approved. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*opened at 8:05 P.M.*

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

*De La Fuente -8*

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

*- Maureen Dorsey*

- *Luan Stauss*

- *JoAnn Strang*



- *Louis Goeres*

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

*- Judi Marquardt*

- *Karen Marquardt*

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

*- Jain Williams*

- *Lease Wong*

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14.2

Subject: Planned Unit Development on Kenilworth Road

From: Community and Economic Development Agency

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

Denying The Appeal And Sustaining The Decision Of The City Planning Commission

Approving The Application For A Planned Unit Development For Seven Single-Family

Residential Lots on Kenilworth Road (Off Strathmoor Drive, In The General Area Between

Drury Road and Norfolk Road)(TITLE CHANGE) (05-0434)

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

**Chang, that this matter be Adopted as Amended. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*opened at 8:13 P.M.*





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

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

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

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

*De La Fuente -8*



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



- *Joseph Dovener*

- *Anne Seasons*

- *Mark Medress*

- *John Shordike*

- *Ralph Kanz*

- *Emelyn Carothers*

- *Richard Grassetti*





*Agency/Councilmember Vice-Mayor Brunner made a motion, seconded by*

*Agency/Councilmember , to adopt the resolution as amended on Item 14.2, to*

*include the following: 1) uphold the appeal and deny the decision of the*

*Planning Commission 2) direction that there be further study of the*

*environmental impacts of the project, 3) preparation of either an initial study or*

*EIR, with the understanding that this motion is not meant to, nor does, set City*

*policy on the limitation on the use of exemptions, especially the In-fill*

*exemption. 4) Additionally, recommending that the applicant submit*



*applications for infrastructure permits (i.e., encroachment permit for*

*Kenilworth Road, grading permit, tree removal permit etc.) and design review*

*applications for the individual residences while the environmental review*

*process is underway to minimize overall delay; with the understanding that*

*decisions on permits will not be made until the CEQA process has been*

*completed; 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: Oakland Renaissance - Agreement



From: Community and Economic Development Agency

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

Pieces of Legislation:

1) A Resolution Approving A Disposition And Development Agreement And Related

Documents Between The Redevelopment Agency Of The City Of Oakland And Oakland

Renaissance NMTC, A Non-profit Entity (Renaissance), For The Sale And Development Of

The Fox Theater As A Mixed Use Entertainment, Office And School Development; In Which

The Agency Appropriates The Following Financial Assistance To Renaissance For

Development Of The Project: (A) An Agency Loan Of \$13 Million; (B) Transfer Of \$4,985,00

Of State Of California Proposition 55 Grant Funds; (C) Transfer Of \$2,887,500 Of State Of

California Proposition 40 Grant Funds; (D) Transfer Of \$1,300,00 Insurance Proceeds For Fire

Damage At The Fox Theater, And (E) Transfer Of A \$375,000 California Heritage Grant; and

(05-0369)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) A Resolution: (1) Authorizing The Agency Administrator To Approve And Execute A

Disposition And Development Agreement And Related Documents With Oakland Renaissance

NMTC, A Non-Profit Entity, For The Sale And Development Of The Fox Theater As A Mixed

Use Entertainment, Office And School Development; And (2) Approving And Appropriating

The Following Financial Assistance To Renaissance For Development Of The Project: (A) An

Agency Loan Of \$13 Million; (B) Transfer Of \$4,985,000 Of State Of California Proposition

55 Grant Funds; (C) Transfer Of \$2,887,500 Of State Of California Proposition 40 Grant

Funds; (D) Transfer Of \$1,300,00 Insurance Proceeds For Fire Damage At The Fox Theater,

And (E) Transfer Of A \$375,000 California Heritage Grant (05-0369-1)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*opened at 8:33 P.M.*



*Agency/Councilmember Brooks 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, Quan, Kernighan and President of the Council*

*De La Fuente -8*

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

*- Naomi Schiff*

- *Joyce Roy*

- *Eddie Dillard*

- *Craig Vega*

*The following individual(s) spoke and indicated a neutral position on this item:*

*- Hugh Bassette*

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14.3.1

Subject: Oakland Renaissance - Agreement

From: Office Of The City Auditor

Recommendation: Receive A Report From The City Auditor On The Redevelopment Agency

and City Resolutions Authorizing Approval and Execution Of A Disposition And Development

Agreement And Related Documents Between The Redevelopment Agency Of The City Of

Oakland And Oakland Renaissance NMTC, A Non-profit Entity (Renaissance), For The Sale

And Development Of The Fox Theater As A Mixed Use Entertainment, Office And School

Development; In Which The Agency Appropriates The Following Financial Assistance To

Renaissance For Development Of The Project: (A) An Agency Loan Of \$13 Million; (B)

Transfer Of \$4,985,00 Of State Of California Proposition 55 Grant Funds; (C) Transfer Of

\$2,887,500 Of State Of California Proposition 40 Grant Funds; (D) Transfer Of \$1,300,00



Insurance Proceeds For Fire Damage At The Fox Theater, And (D) Transfer Of A \$375,000

California Heritage Grant (05-0369-2)

**\*Received and Filed**

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

- *Steve Lowe*

- *Steve Wugbbens*

- *Andrew Jimenez*

- *Tom Hart*

- *Peter Van Kleeef*

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14.4

Subject: Shorenstein Realty Investors Three, L.P.-Agreement

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 To Enter Into An Eleventh Amendment To

The Disposition And Development Agreement With Shorenstein Realty Investors Three, L.P.,

Regarding The City Center Project: (1) Allowing For A Residential Land Use Option On Block

T-12; (2) Establishing Eight Million One- Hundred Thousand Dollars (\$8,100,000) As The

Residential Sales Price For Block T-12; (3) Reducing The Time Limit To Develop Block T-12

By Three Years, To A One Year Option To Purchase; And (4) Extending The Time Limit To

Develop Blocks T-5/6 By Four Years To December 31, 2013(TITLE CHANGE) (05-0368)

**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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) Adopt A Resolution Approving And Authorizing The City To Enter Into An Eleventh

Amendment To The Disposition And Development Agreement With Shorenstein Realty

Investors Three, L.P., Regarding The City Center Project: (1) Allowing For A Residential Land

Use Option On Block T-12; (2) Establishing Eight Million One Hundred Thousand Dollars

(\$8,100,000) As The Residential Sales Price For Block T-12; (3) Reducing The Time Limit To

Develop Block T-12 By Three Years, To A One Year Option To Purchase; And (4) Extending

The Time Limit To Develop Blocks T-5/6 By Four Years To December 31, 2013 (TITLE

CHANGE) (05-0368-1)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*opened at 9:14 P.M*

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

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



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

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

*De La Fuente -8*

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

*- Eddie Dillard*

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

*- Steve Wugbbens*

- *Phil Tagami*

- *Patricia Dedekian*

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**ACTION ON NON-CONSENT ITEMS:**

*The Council made, seconded and passed a motion to extend the meeting past*

*10:30 P.M.*

15

Subject: Emergency Ordinance Extension

From: Office Of The City Attorney

Recommendation: Approve The Introduction And Adoption Of An Emergency Ordinance

Extending Emergency Ordinance No. 12566 C.M.S. Pursuant To City Charter Section 213,

Extending Interim Controls For Conditional Use Permits, Variance And Related Findings For

Signs And Suspending Conflicting Provisions, To Take Effect Immediately Upon Introduction

and Adoption (05-0575)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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16

Subject: Oakland Workforce Investment Board

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Implement The

Actions Of The Oakland Workforce Investment Board As Follows: 1) To Negotiate And Enter

Into A Memorandum Of Understanding With The Oakland Private Industry Council, Inc. For

Up To Three Years To Serve As The Oakland Workforce Investment Board's (Oakland WIB)

System Administrator With An Operating Budget Not To Exceed \$1,300,000 For Fiscal Year

2005-2006; 2) To Enter Into A Memorandum Of Understanding With The Oakland Private



Industry Council, Inc. For Up To Three Years To Serve As The Oakland WIB's One Stop

Career Center Operator With An Operating Budget Not To Exceed \$1,900,000 For Fiscal Year

2005-2006; And 3) To Authorize The Disbursement Of Additional Funds To The Oakland

Private Industry Council, Inc. Under The Following Conditions: A) For Subcontracts With

Adult And Youth Service Providers As Directed By The Oakland WIB; B) For The Delivery Of

Support Services And Training For The Direct Benefit Of Job Seeker And Business Clients;

And C) For The Implementation Of Other Grant Agreements And Programs For Which The

Oakland Private Industry Council, Inc. Acts As System Administrator On Behalf Of The

Oakland WIB (05-0470)

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

**the Council De La Fuente, that this matter be Not Adopted. The motion**

**carried by the following vote:**

**Votes:**

ORA\Councilmember Noes: 2 - Councilmember Nadel and Councilmember

Brooks

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

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Reid and Councilmember Chang

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

- *Dan Siebel*

- *Gene Hazzard*

- *Eddie Dillard*

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

- *Enitan Adesanya*

- *Art Scott*



*The following individual(s) spoke and indicated a neutral position on this item:*

- *Monsa Nitoto*

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

- *Michail Kilian*

- *Bishop Bob Jackson*

- *Gild Gonzales*

- *Greg Hodge*

- *Frank Tucker*

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

*De La Fuente, to not adopt the resolution on Item 16 and to approve funding to*

*the Oakland Private Industry Council at \$1,325,000; funding to the Allen*

*Temple and Acts Full Gospel at \$300,000 for each organization; execution of*

*the attached Memorandum of Understanding between the Oakland Private*

*Industry Council and Acts Full Gospel; and the Memorandum of Understanding*



*between the Oakland Private Industry Council and Allen temple; and to direct*

*staff to return with a resolution consistent with this motion and consistent with*

*the City Attorney's opinion on the City Council's authority to change the WIB*

*recommendations, and upon call of the roll, the motion passed by Ayes:*

*Agency/Councilmember: Brunner, Chang, Reid, Quan, Kernighan and*

*President of the Council De La Fuente -6, Noes, Brooks, Nadel - 2*

[View Report.pdf,](#)

[Item 16 Motion.pdf](#)

17

Subject: Disparity Study Contract

From: Office Of The City Administrator

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

Execute A Contract With Mason Tillman Associates LTD, In An Amount Not-To-Exceed Four

Hundred Eighty Nine Thousand Six Hundred Twenty Dollars (\$489,620.00) To Complete The

Fairness In Contracting And Purchasing Study (Disparity Study) For The City Of Oakland And

Oakland Redevelopment Agency (05-0532)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And

Execute A Contract with Mason Tillman Associates LTD, In An Amount Not-To-Exceed Four

Hundred Eighty Nine Thousand Six Hundred Twenty Dollars (\$489,620.00) To Compete The

Fairness In Contracting And Purchasing Study (Disparity Study) For The City Of Oakland And

Oakland Redevelopment Agency (05-0532-1)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Greg Hodge*

- *Eleanor Ramsey*

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

- *Ron Silva*

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[2005-0048 CMS.pdf](#)

18

Subject: Neighborhood Commercial Revitalization Façade Improvement Program

From: Community and Economic Development Agency

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

Execute Design Contracts For The Neighborhood Commercial Revitalization Façade

Improvement Program In An Amount Not To Exceed \$300,000 For The Period Of July 1, 2005

Through June 30, 2009, Without Returning To The City Council (05-0593)

**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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[79386 CMS.pdf](#)

Subject: Measure Z

From: Office of the City Attorney/ Councilmember Nadel

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

The Procedures Of The Community Oversight Committee Created By Measure Z, Entitled

"Oakland Cannabis Regulation And Revenue Ordinance" (Measure Z) And Providing The

Terms And Responsibilities Of The Committee Members (05-0338)

**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 Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

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[View Supplemental Report.pdf,](#)

[12694 CMS.pdf](#)

20

Subject: Hong Lok Senior Center

From: Department Of Human Services

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

Two-Year Contract With Family Bridges, Inc. To Fund Their Programs And Operations At The



Hong Lok Senior Center For Fiscal Years 2005-2006 And 2006-2007 In An Amount Not To

Exceed \$200,000 (TITLE CHANGE) (05-0508)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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[79387 CMS.pdf](#)

21

Subject: Fruitvale/ San Antonio Senior Center

From: Department Of Human Services

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

Two-Year Contract With The Unity Council, Inc. To Fund Their Programs And Operations At

The Fruitvale/San Antonio Senior Center For Fiscal Years 2005-2006 And 2006-2007 In An

Amount Not To Exceed \$400,000 (TITLE CHANGE) (05-0505)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Absent: 3 - Vice Mayor Brunner, President of the

Council De La Fuente and Councilmember Brooks

ORA\Councilmember Ayes: 5 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, Councilmember Reid and Councilmember

Chang

*Staff was directed to schedule for a Fall Life Enrichment Committee a report*

*outlining the operating cost per capita for all senior centers.*

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

- *Jacquee Castain*

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[View Supplemental Report.pdf,](#)

[79388 CMS.pdf](#)

~~22~~

~~Subject: Community Meeting and Police Station 530 Lake Park Avenue~~

~~From: Community and Economic Development Agency~~

~~Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A~~

~~Two Year Lease With Peter And Helen Shiu For Real Property Located At 530 Lake Park~~

~~Avenue, For Use As A Community Meeting Facility And Community Police Station In The~~

~~Annual Amount Of \$30,000, Plus Telephone And Utility Costs And One Time Tenant~~

~~Improvement Cost Of \$2,000 For A Total Amount Not To Exceed \$40,000 Annually (05-0222)~~

*This item can be found under Item S-10.49CC*

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79371 CMS.pdf](#)

Subject: Pay-Go Funded Contracts

From: Vice Mayor Brunner

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

Oakland Municipal Code Title 2, Chapter 2.04 To Add Section 2.04.018 Authorizing The City

Administrator To Execute Pay-Go Funded Contracts In Accord With Oakland's Contracting

Rules And Procedures Without City Council Approval (05-0541)

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

**Quan, that this matter be Approved on Introduction for Final Passage to**

**the Concurrent Meeting of the Oakland Redevelopment Agency/City**

**Council, due back on September 20, 2005. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Absent: 2 - President of the Council De La Fuente and

Councilmember Brooks

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

Councilmember Kernighan, Councilmember Quan, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

[View Report.pdf](#)

24

Subject: Sideshow Activities

From: Oakland City Council

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

Title 9 Of The Oakland Municipal Code To Add Chapter 9.60 Declaring Vehicle Sideshows A

Public Nuisance, Prohibiting The Gathering Of Spectators At Such Public Nuisance Events

And Providing For The Forfeiture Of Vehicles Involved In Sideshow Events (TITLE

CHANGE) (05-0429-1)

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

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

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

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*- Ora Knowell*



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

- *Michael Rubin*

*The following individual(s) spoke and indicated a neutral position on this item:*

- *Rebecca Kaplan*

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

- *Greg Hodge*

- *Stanford Robinson*

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[12695 CMS.pdf](#)

~~25~~

~~Subject: 7th Street Community Partners~~

~~From: Community and Economic Development Agency~~

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

-

~~1) An Agency Resolution Authorizing A Lease From Caltrans And A Parking Operations~~

~~Agreement With The Alliance For West Oakland Development And 7th Street Community~~

~~Partners, LLC, For the Block Bounded By 5th, 7th and Kirkham And Union Streets In West~~

~~Oakland (05-0349)~~

[View Report.pdf,](#)

[2005-0042 CMS.pdf](#)

~~2) An Agency Resolution Authorizing An Exclusive Negotiating Agreement With 7th Street~~

~~Community Partners, LLC, To Develop The Block Bounded By 5th, 7th and Kirkham And~~

~~Union Streets In West Oakland (05-0349-1)~~

[View Report.pdf,](#)

[2005-0043 CMS.pdf](#)

~~Subject: Neighborhood Project Initiative~~

~~From: Community Economic Development Agency~~

~~Recommendation: Adopt An Agency Resolution On The Coliseum Neighborhood Project~~

~~Initiative Program, Allocating One Hundred And Eighty Thousand Dollars (\$180,000) From~~

~~Fiscal Year 2004-2005 For The Program From Coliseum Redevelopment Project Area Funds,~~

~~Authorizing The Agency Administrator To Fund Non-Public Projects Under The Program~~

~~Without Returning To The Agency, And Rescinding Resolution No. 2005-0002 C.M.S.~~

~~(05-0337)~~

[View Report.pdf,](#)

[2005-0044 CMS.pdf](#)

~~2) A Resolution Authorizing Funding Under The Cooperation Agreement In An Amount Not~~

~~To Exceed One Hundred And Fifty Thousand Dollars (\$150,000) For Certain Public~~

~~Improvements Within The Coliseum Redevelopment Project Area Under The Neighborhood~~

~~Project Initiative Program (05-0337-1)~~

[View Report.pdf,](#)

[79372 CMS.pdf](#)

~~3) An Agency Resolution Authorizing Funding Under The Cooperation Agreement In An~~

~~Amount Not To Exceed One Hundred And Fifty Thousand Dollars (\$150,000) For Certain~~

~~Public Improvements Within The Coliseum Redevelopment Project Area Under The~~

~~Neighborhood Project Initiative Program (05-0337-2)~~

[View Report.pdf,](#)

[2005-0045 CMS.pdf](#)

Subject: Draft Development Alternatives for the Oakland Army Base Project

From: Oakland Base Reuse Authority

Recommendation: Action On A Report Requesting Council And Agency Considerations Of

Draft Development Alternatives For the Oakland Army Base Project (TITLE CHANGE)

(05-0469)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- Sanjiv Handa

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Subject: San Francisco Bay Trail

From: Community Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Amending Resolution No. 66328 C.M.S. By Adopting Changes To The

Bay Trail Alignment Through Oakland (05-0332)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De



La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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2) A Resolution Authorizing The Application, Acceptance and Appropriation Of Up To

\$300,000 From The San Francisco Bay Trail Project For Cryer Segment Of The Oakland

Waterfront Bay Trail (05-0332-1)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[79390 CMS.pdf](#)

3) A Resolution Authorizing The Application, Acceptance and Appropriation Of Up To

\$200,000 From The San Francisco Bay Trail Project For The Alameda Avenue Segment Of

The Oakland Waterfront Bay Trail (05-0332-2)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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4) A Resolution Authorizing The Application, Acceptance and Appropriation Of Up To

\$200,000 From The San Francisco Bay Trail Project For The Lake Merritt Bicycle/Pedestrian

Path Project (05-0332-3)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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5) A Resolution Authorizing The Application, Acceptance and Appropriation Of Up To

\$200,000 From The San Francisco Bay Trail Project For The West Oakland Bay Trail Gap

Closure Project (05-0332-4)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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29

Subject: Rockridge Greenbelt Phase II Project

From: Public Works Agency

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

To: 1) Increase The Scope Of Work And Contract Amount For The Rockridge Greenbelt Phase

II Project Design-Build Contract With BBI Construction, Inc., By An Amount Not-To-Exceed

\$212,000.00 (For A Total Contract Amount Not-To-Exceed \$635,081.00) For Additional ADA

Improvements, Planting And Irrigation, 2) Waive Competitive Bidding Or RFP/RFQ

Requirements, And 3) Accept A Gift-In-Place Of Additional Swings, Benches And Other

Improvements With An Estimated Value Of \$45,000.00 From The Friends Of The Rockridge

Greenbelt And Friends Of Parks And Recreation (05-0514)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[79394 CMS.pdf](#)

29.1

Subject: Rockridge Greenbelt Phase II Project

From: Office Of The City Auditor

Recommendation: Receive A Report From the Office Of The City Auditor On A Resolution

Authorizing The City Administrator, Or Her Designee, To: 1) Increase The Scope Of Work

And Contract Amount For The Rockridge Greenbelt Phase II Project Design-Build Contract

With BBI Construction, Inc., By An Amount Not-To-Exceed \$212,000.00 (For A Total

Contract Amount Not-To-Exceed \$635,081) For Additional ADA Improvements, Planting And

Irrigation, 2) Waive Competitive Bidding Or RFP/RFQ Requirements, And 3) Accept A

Gift-In-Place Of Additional Swings, Benches And Other Improvements With An Estimated

Value Of \$45,000.00 From The Friends Of The Rockridge Greenbelt And Friends Of Parks

And Recreation (05-0514-1)

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

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

**motion carried by the following vote:**

**Votes:**



ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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30

Subject: Five Year Implementation Plan for Oakland Army Base

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution On The 2005-2010 Implementation Plan For The

Oakland Army Base Redevelopment Project (05-0471)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[2005-0052 CMS.pdf](#)

31

Subject: Costco Negotiations - Oakland Army Base

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Approving An Exclusive Negotiation Agreement

Between The Oakland Redevelopment Agency, The Oakland Base Reuse Authority And

Costco Wholesale Corporation For A Term of 180 Days To Develop A Wholesale And Retail

General Merchandise Facility In The North Gateway Development Area Of The Former

Oakland Army Base (05-0295)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- *John Becker*

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

- *Steve Lowe*

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[2005-0049 CMS.pdf](#)

32

~~Subject: —Oakland-Alameda County Coliseum Corporation, Inc.~~

~~From: —Office of the City Attorney~~

~~Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Indemnify,~~

~~Defend And Hold Harmless The Directors Of The Oakland-Alameda County Coliseum-~~

~~Corporation, Inc., ("Corporation") Who The City And County Recently Appointed, From Legal~~

~~Expenses, Including Costs, Attorney's Fees And Judgments Incurred In Litigation And~~

~~Administrative Proceedings Arising Out Of The Performance Of Their Duties Pertaining To~~

~~The Operation And Maintenance Of The Corporation (05-0524)~~

**\*Withdrawn with No New Date**

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33

Subject: Amicus Brief - Council of the City Of New York V. Bloomberg

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing The City Attorney To Sign An Amicus

Brief Submitted By The City Of San Francisco In Support Of The Council Of The City Of New

York V. Bloomberg In An Action To Determine The Enforceability Of The New York City

Equal Benefits Law, New York Court Of Appeals, County Clerk's Index No. 115214/04

(05-0598)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[79396 CMS.pdf](#)

34

Subject: Theodore Frey - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Theodore Frey As A Member Of The

Budget Advisory Committee (05-0599)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[Revised Resolution.pdf,](#)

[79397 CMS.pdf](#)

Subject: Civil Service Board Reappointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Reappointing Nooshin Saadat And Renee Rungis As

Members Of The Civil Service Board (05-0600)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

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[79398 CMS.pdf](#)



Subject: Carol Gonsalves DeSilva - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Carol Gonsalves DeSilva As A Member Of

The Commission On Persons With Disabilities (05-0601)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[79399 CMS.pdf](#)

Subject: Cultural Affairs Commission - Re-Appointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Stephen Goldstine And Nicole Neditch

As Members Of The Cultural Affairs Commission (05-0602)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

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[79400 CMS\\_V2.pdf](#)

38

Subject: Caleb Duarte - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Caleb Duarte As A Member Of The

Cultural Affairs Commission (05-0603)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[79401 CMS\\_V2.pdf](#)

39

Subject: Laura Arreola - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Laura Arreola As A Member Of The

Housing, Residential Rent And Relocation Board (05-0604)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember

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

Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79402 CMS.pdf](#)

40

Subject: Deborah Taylor - Re-Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Deborah Taylor As a Member Of The

Housing, Residential Rent And Relocation Board (05-0605)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

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41

Subject: Mohammed Alabi - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Mohammed Alabi As A Member Of The

Library Advisory Commission (05-0606)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

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42

Subject: Eli Naor - Appointment

From: Councilmember Kernighan

Recommendation: Adopt A Resolution Appointing Eli Naor As A Member Of The Violence

Prevention And Public Safety Oversight Committee (05-0607)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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43

Subject: Ronald Owens - Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Ronald Owens As A Member Of The

Violence Prevention And Public Safety Oversight Committee (05-0608)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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44

Subject: Fhatima Paulino - Re-Appointment

From: President De La Fuente

Recommendation: Adopt A Resolution Re-Appointing Fhatima Paulino As Youth

Representative For District Five As A Member Of The Children's Fund Planning And

Oversight Committee (05-0609)



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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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45

Subject: Viola Gonzales - Re-Appointment

From: Councilmember Chang

Recommendation: Adopt A Resolution Re-Appointing Viola Gonzales As The At-Large Adult

Representative Of The Children's Fund Planning And Oversight Committee (05-0610)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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46

Subject: Leslie J. Situ - Re-Appointment

From: Councilmember Quan

Recommendation: Adopt A Resolution Re-Appointing Leslie J. Situ As The District Four

Youth Representative Member Of The Children's Fund Planning And Oversight Committee

(05-0611)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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47

Subject: Monica Montenegro - Re-Appointment

From: President De La Fuente

Recommendation: Adopt A Resolution Re-Appointing Monica Montengro As The District Five

Representative Member Of The Children's Fund Planning And Oversight Committee (05-0612)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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48

Subject: Marcia Henry - Re-Appointment

From: Councilmember Quan

Recommendation: Adopt A Resolution Re-Appointing Marcia Henry As The District Four

Representative Member Of The Children's Fund Planning And Oversight Committee (05-0613)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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49

Subject: Patrick Daughton - Re-Appointment

From: Vice Mayor Brunner

Recommendation: Adopt A Resolution Re-Appointing Patrick Daughton As The District One

Representative Member Of The Children's Fund Planning And Oversight Committee (05-0614)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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50

Subject: Barbara Goldenberg - Appointment

From: Councilmember Quan

Recommendation: Adopt A Resolution Appointing Barbara Goldenberg As A Member Of The

Wildfire Prevention Assessment District Advisory Board (05-0615)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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51

Subject: Appointments to the Landmarks Preservation Advisory Board

From: Office of the Mayor

Recommendation: Adopt A Resolution Re-appointing Neal Parish And Appointing Kirk

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[79413 CMS.pdf](#)

S-52

Subject: Rajappan And Meyer Consulting Engineers Inc.

From: Public Works Agency

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

Enter Into A Professional Services Agreement With Rajappan & Meyer Consulting Engineers

Inc. For Design Services For The 10th Street Bridge Project At The Lake Merritt Channel For

An Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00)

(05-0556)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner



ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[79414 CMS.pdf](#)

S-53

Subject: Rajappan And Meyer Consulting Engineers Inc. - 7th Street Flood Control Station

From: Public Works Agency

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

Enter Into A Professional Services Agreement With Rajappan And Meyer Consulting

Engineers Inc. For Design Services For The Lake Merritt Channel Improvement Project At The

7th Street Flood Control Station For An Amount Not To Exceed One Million Fifty Thousand

Dollars (\$1,050,000.00) (05-0557)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79415 CMS.pdf](#)

S-54

Subject: AJW Construction

From: Public Works Agency

Recommendation: Adopt A Resolution To Reject All Bids As Non-Responsive And Authorize

The City Administrator To Negotiate, Award And Execute A Construction Contract To AJW

Construction For On-Call Sidewalk And Curb Ramp Work At Various Locations Throughout

The City Of Oakland In 2005 And 2006, In An Amount Not To Exceed \$525,000.00 Without

Return To The City Council (05-0580)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

[View Report.pdf,](#)

[79416 CMS.pdf](#)

S-55

Subject: KPA Group Agreement Amendment

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 1 To The Agreement

With The KPA Group For Additional As-Needed Architectural Services For An Amount Not

To Exceed One Hundred Thousand Dollars (\$100,000) For A Total Contract Amount Not To

Exceed Three Hundred Fifty Thousand Dollars (\$350,000) (05-0581)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[79417 CMS.pdf](#)

S-56

Subject: Supplies, Services And Contracts During Agency/Council Recess

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Authorizing The City Administrator To Take Action

On Procurement Of The Following Supplies And Services Exceeding \$500,000 And

Professional Services Contracts Exceeding \$300,000 During The Agency/Council Summer

2005 Recess:



a) Resolution Authorizing The City Administrator To Enter Into A Service Agreement With

The Oakland Unified School District In An Estimated Amount Of \$510,862.00 To Fund

Measure Y Violence Prevention Programs, Specifically Conflict Resolution Programs And

Second Step Curriculum Implementation, During The 2005-2006 School Year With Two One

Year Options To Renew At An Estimated Amount Of \$510,862 Plus Cost Of Living

Adjustment Annually Without Further Council Approval, And

b) Resolution Authorizing The Award Of A Contract To Lovett And Lovett Roofing Company,

The Lowest Responsible Bidder, In An Amount Of Not To Exceed Five Hundred Sixty Eight

Thousand Four Hundred Seventy Seven Dollars (\$568,477.00) For A One-Year Term Contract

In Accordance With Specifications Dated November 5, 2004 For Roofing And Waterproofing

Installation At Various City-Owned Facilities, Rejecting All Other Bids And Authorizing A

1-Year Extension Under The Same Terms And Conditions In An Amount Not-To-Exceed Five

Hundred Sixty Eight Thousand Four Hundred Seventy Seven Dollars (\$568,477.00) Without

Further Council Approval (TITLE CHANGE) (05-0567)

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

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

**the following vote:**

**Votes:**



ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

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[View Supplemental Report.pdf,](#)

[79418 CMS.pdf](#)

S-57

Subject: Volunteers Of America Bay Area Inc- Contract

From: Community And Economic Development Agency

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

Execute A Contract For Professional Services With Volunteers Of America Bay Area, Inc. To

Operate The Oakland Day Labor Program From July 1, 2005 Through June 30, 2007 In An

Amount Not To Exceed \$194,000 Per Year And Not To Exceed \$388,000 For The Total

Contract Term (05-0516)

**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 Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[View Report.pdf](#),

Subject: Broadway/ Macarthur/ San Pablo Redevelopment Project

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project

Area Committee For The Broadway/ Macarthur/ San Pablo Redevelopment Project Area To

July 25, 2006 (05-0404)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

Subject: Oakland Film Center

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces of Legislation:

1) Adopt An Agency Resolution Appropriating \$133,000 As Matching Funds For A Grant of

\$200,000 To The City Of Oakland From the U.S. Department of Commerce Economic

Development Administration To Fund A Feasibility Study For The Development Of A

Full-Service Film And Television Production Facility And Authorizing The Agency

Administrator To Expend And Transfer The Funds To The City Of Oakland For This Purpose

(05-0414)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

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[2005-0050 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Pre-Apply For, Apply For, Accept And

Appropriate Funds In The Amount Of \$200,000 From The U.S. Department Of Commerce

Economic Development Administration And To Accept, Appropriate And Expend Matching

Funds In The Amount Of \$133,000 From The Oakland Redevelopment Agency To Fund A

Feasibility Study For The Development Of A Full-Service Film And Television Production

Facility (05-0414-1)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

[79421 CMS.pdf](#)  
S-60

Subject: Stanton Bluiett Contract Restructuring/Comet Skateboards

From: Community and Economic Development Agency

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

Execute Loan Restructuring Request By Union Street Manufacturing, LLC, DBA Comet

Skateboards For Outstanding Principal Notes Totaling \$225,000 (05-0555-1)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

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[79422 CMS.pdf](#)

S-61

Subject: Homeownership Programs



From: Community And Economic Development Agency

Recommendation: Action On A Report And Recommendations On Policies For

Homeownership Programs And Development Of Affordable Owner Occupied Housing

(05-0507)

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

**Councilmember Quan, that this matter be Approve as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Noes: 1 - Vice Mayor Brunner

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Reid and Councilmember Chang

*Council approved the Committee recommendations to support the Calaveras*

*Townhomes and Mandela Gateway Ownership Housing projects and further*

*directed staff to transfer \$1,000,000 from the housing development program to*

*the Mortgage Assistance Program (MAP).*

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

- *Joshua Simon*

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

- *Billy Smith*

Subject: Oakland's Sustainable Development Initiative

From: Office of the Mayor and Community and Economic Development Agency

Recommendation: Receive a Supplemental Status Report on the City of Oakland's efforts to

foster socially and environmentally sustainable economic growth and recommendations for

proposed strategies to augment those efforts (05-0059)

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

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

**following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

- *Sanjiv Handa*

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[Item s-62 Motion from Committee.pdf](#)

S-63

Subject: Arts And Cultural Services For Fiscal Year 2005-2006

From: Cultural Arts And Marketing Department

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

Cultural Services Contracts With Sixty-eight (68) Oakland-Based Nonprofit Organizations And

Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year

2005-2006 In A Total Amount Not To Exceed \$1,180,261.96. (05-0528)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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[79423 CMS.pdf](#)

S-64

Subject: Oakland City Stables Operations

From: Office of Parks and Recreation

Recommendation: Action On A Report And Recommendations For The Management Of

Operations Of Oakland City Stables (05-0312)

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

**Brunner, that this matter be Approve as Amended. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*Agency/Councilmember Brunner, to approve the recommendations as amended*

*on Item S-64 to release the RFQ before Fall and immediately release \$10,000*

*to be used to make safety repairs. After 90 days, staff is to release the RFP and*

*is directed to return to committee to discuss the further distribution of funds.*



*Also staff was directed to show the following changes: to demonstrate financial*

*responsibility and the removal of the five year requirement, and hearing no*

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

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

*De La Fuente -8*

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

- *Matthew Webb*

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

- *Judi Bank*

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[View Supplemental Report.pdf](#)

S-65

Subject: Truancy Prevention Program Implementation

From: Oakland Police Department

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

Appropriate Grant Funds In An Amount Not To Exceed Eighty Thousand Dollars (\$80,000)

From The U.S. Department Of Justice, Office Of Justice Programs, Community Capacity

Development Office, Weed And Seed Support Grant Program To The Police Department, And

Authorize A Funding Agreement In An Amount Not To Exceed Forty Thousand Dollars

(\$40,000) With Safe Passages For Implementation Of The Truancy Prevention Program

(05-0564)

**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 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember

Chang

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

*- Sanjiv Handa*

[View Report.pdf](#),

[View Supplemental Report.pdf](#),

[79424 CMS.pdf](#)

Subject: Animal Definition Amendments

From: Councilmember Reid

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

City's Animal Control Regulations-Chapter 6.04 Of The Oakland Municipal Code To (1)

Prohibit The Keeping Of Roosters In The City; (2) Limit The Number Of Dogs Per Household

To Three; (3) Require "Chipping" As A Condition To Obtain A Dog License; And (4)

Amending The List Of Definitions And Exemptions (05-0574)

**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 September 20, 2005. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks, Councilmember Reid and Councilmember Chang



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

*- Hannah James*

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

- *Karin Mac Donald*

- *Mary Eisenhart*

- *Anita Runyan*

- *Merry Bates*

- *Nancy Sidebotham*

- *Douglas Kolozsvari*

- *Kathy Marks*

- *Emily Rosenberg*

*The following individual(s) spoke and indicated a neutral position on this item:*

- *Marba Riddle*

- *Elliott Katz*



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

- *Judi Bank*

- *Nancy Rieser*

- *Leslie Mayes*

- *Ralph Kayz*

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**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**

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

*Agency/Council adjourned the meeting at 2:05 am.*

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*City Clerk and Clerk of the Council*