

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/Joint Powers Financing Authority

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

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

Tuesday, September 19, 2006

6:00 PM

Oakland City Hall, 3rd Floor

1
Pledge of Allegiance

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

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

was convened at 6:06pm.

2

Roll Call / ORA & Council

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

Dist. 3; Vice Mayor Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry

Chang, At-Large, and President Ignacio De La Fuente, Dist. 5

ORA\Councilmember Present: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- *Mary Spooner*

- *Kathy Dean*

- *Katherine Castillo*

- *Mrs. Farre*

- *Glenda Hammonds*

- *Hugh Bassette*

- Sanjiv Handa

4

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

No action was necessary for this item

5

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

No action was necessary for this item

6

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

No action was necessary for this item

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on June 20, 27, July 18 and 25, 2006

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment**

Agency / City Council on 10/3/2006

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Recognition Of Brent Clearman

From: Councilmember Larry Reid

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

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

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 10/3/2006

[View Report.pdf](#)
8.2

Subject: Home Buyer Education - Recognition

From: Council President DeLaFuentes

Recommendation: Adopt A Resolution To Commend The Nonprofit Organizations That Provide

Home Buyer Education To Oakland Citizens To Increase The Homeownership Rate In The City

Of Oakland (06-0691)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.3

Subject: Third Annual Carfree Day

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Proclaiming Friday, September 22, 2006, As The City Of

Oakland's Third Annual Carfree Day To Encourage Public Transportation, Bicycling, And

Walking As Alternatives To Driving (06-0694)

A motion was made by Councilmember Nadel, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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

that the meeting be adjourned in memory of Ed Weiss, Patrice Ackerman,

Ferris Patrick Jr. and Acts Mailo.

Agency/Councilmember Brooks took a point of personal privilege and

requested that the meeting be adjourned in memory of Jabari Hill.

Agency/Councilmember Kernighan took a point of personal privilege and

requested that the meeting be adjourned in memory of Robin Wadsworth

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

that the meeting be adjourned in memory of Nello Bianco and Willie Bell

Richards.

10. CONSENT CALENDAR (CC) ITEMS:
10.1-CC

Subject: Declaration Of A Local Emergency Due To AIDS Epidemic

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Renewing And Continuing The City Council's

Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis

With Regard To The AIDS Epidemic (06-0681)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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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10.2-CC

Subject: Medical Cannabis Health Emergency

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local

Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The

City Of Oakland (06-0682)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.3-CC

Subject: Warren And Lorraine Jackson - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Jackson v. City Of Oakland, Alameda County Superior

Court Case No. RG05-207490 In The Amount Of \$7,500 (Public Works Agency) (06-0683)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.4-CC

Subject: Shavonne Reel - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Shavonne Reel v. City Of Oakland, Alameda County

Superior Court Case No. RG04-160759, Our File No. 23978 In The Amount Of \$14,000.00.

This Case Involves A Motor Vehicle Collision Occurring MacArthur Boulevard Near Dimond

Avenue (Public Works Agency) (06-0684)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.5-CC

Subject: Geico Direct - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Claim Of Geico Direct As Subrogee For Paul Doubrava In The

Amount Of \$7,506.00, As A Result Of An Auto Collision Involving A City Of Oakland Vehicle

On March 20, 2006 (Public Works Agency) (06-0685)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.6-CC

Subject: Lionel Jermon - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Lionel Jermon v. City Of Oakland, Et Al., United States

District Court, Northern District Of California Case No. C-05-04269-EMC, In The Amount Of

\$8,000.00 As A Result Of An Arrest On September 18, 2004 (Oakland Police

Department-Excessive Force) (06-0686)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.7-CC

Subject: David Greenslade - Settlement Agreement

From: Office of the City Attorney

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

The Case Of David Greenslade v. City Of Oakland, Et Al., United States District Court Case No.

C 05 01205 JSW, Our File No. 24665, In The Amount Of \$17,500.00 This Case Involves Use

Of Excessive Force (Oakland Police Department - Alleged Civil Rights Violation) (06-0687)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.8-CC

Subject: Catherine Pearson - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Catherine Pearson, Et Al. v. City Of Oakland, Et Al.,

Alameda County Superior Court, Case No. RG04183325, In The Amount Of \$20,000.00 (Public

Works Agency) (06-0688)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.9-CC

Subject: Elenna Rubin Goodman - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Claim Of Elenna Rubin Goodman In The Amount Of Seven

Thousand Nine Hundred Eighty Six Dollars And No Cents (\$7,986.00), As A Result Of Bodily

Injury And Property Damages Sustained In An Automobile Collision With A City Vehicle On

September 30, 2005 (Fire Service Agency) (06-0689)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.10-CC

Subject: Omar Alvarez - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Omar Alvarez Et. Al. v. City Of Oakland, United States

District Court Case No. C04-5053 CW, Our File No. 24139 In The Amount Of \$52,500. This

Case Involves An Alleged Use Of Excessive Force And False Arrest At The Oakland Coliseum

(Police Services Agency) (06-0690)

Adopted
Votes:

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10.11-CC

Subject: Pacific Renaissance - Settlement Agreement

From: Office of the City Attorney

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Settlement Of Litigation In The Matter Of The City Of

Oakland Et Al., v. Pacific Renaissance Associates II, Et Al., And Related Cases, And

Authorizing The Negotiation And Execution Of Documents To Effectuate The Settlement,

Including An Option To Purchase Portions Of Pacific Renaissance Plaza On 9th Street Between

Franklin And Webster For \$40 Million; And (06-0692)

**A motion was made that this matter be Adopted. The motion carried by
the following vote:**

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Recused: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Nadel, Councilmember Quan,

Councilmember Reid and Councilmember Chang

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2) A Resolution Authorizing Settlement Of Litigation In The Matter Of The City OF Oakland Et

Al., v. Pacific Renaissance Associates II, Et Al., And Related Cases (06-0692-1)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Recused: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Nadel, Councilmember Quan,

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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10.12-CC

Subject: Oakland Airport Connector Project

From: Community And Economic Development Agency

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

The City Administrator To Negotiate And Convey Real Property Interests To BART As Required

For The Oakland Airport Connector Project Without Returning To Council (06-0456)

A motion was made that this matter be Approve as Amended on

Introduction for Final Passage. The motion carried by the following vote:

Votes:

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

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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10.13-CC

Subject: Commercial Vehicles Ordinance

From: Public Works Agency

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

Through Commercial Vehicles Exceeding Twenty-Two (22) Feet Long On Brookside Avenue

Between Ocean View Drive And Eustice Avenue (06-0503)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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-10.14-C

C

Subject: Gerald Cheney Sales Agreement

From: Community and Economic Development Agency

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

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

Cheney, The Adjoining Property Owner, A City Owned Parcel Containing Approximately 7,200

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

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

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.15-C

C

Subject: Urban Search And Rescue Material Storage Agreement

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend A Lease

With Willard And Celeste Korn For An Additional 3 Years And 3 Months Beginning July 2006,

At 35 Hegenberger Place In The Amount Of \$63,960 Per Year Plus An Annual 4% Rent

Escalator, For The Storage Of Urban Search And Rescue Material For The Oakland Fire

Department (06-0671)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.16-C

C

Subject: Ingress And Egress At 4683 And 4689 Benevides Avenue

From: Community and Economic Development Agency

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

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

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

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

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

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

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.17-C

C

Subject: Public Art Design - Measure DD Lake Merritt-Estuary Channel Project

From: Cultural Arts And Marketing

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

Execute Professional Services Agreements With Artists John Roloff And Lewis DeSoto For

Public Art Design And Fabrication Services For The Lake Merritt-Oakland Estuary Channel

Project In An Amount Not To Exceed Seventy Seven Thousand Five Hundred Dollars (\$77,500)

Per Artist (06-0423)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.18-C

C

Subject: Humanitarian Monument - Proposed Gift To The City

From: Cultural Arts And Marketing Department

Recommendation: Adopt A Resolution Accepting A Privately Funded Monument Titled

"Remember Them: Champions For Humanity" By Mario Chiodo As A Gift To The City Of

Oakland For Permanent Installation In Fox Square Park, To Be Located At 19th Street And Fox

Court Within The Uptown Redevelopment Area (06-0466)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- Joe Haraburda

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

- *Sanjiv Handa*

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S-10.19-C

C

Subject: Grant Applications For Various Projects

From: Public Works Agency

Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate

Grant Funds From The California Department Of Parks And Recreation Recreational Trails

Program, For The Oakland Waterfront Trail At The Oakland Museum Women's Board Trail Up

To The Amount Of Six Hundred Thousand Dollars (\$600,000); And (06-0667)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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2) Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant

Funds From The California Department of Parks And Recreation Recreational Trails Program,

For The Peralta Hacienda Historical Park De Anza Trail Up To The Amount Of Seven Hundred

Ninety-Two Thousand Dollars (\$792,000.00); And (06-0667-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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3) Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant

Funds Up To One Hundred Thousand Dollars (\$100,000.00) For Raimondi Fields From The

California Environmental Protection Agency Integrated Waste Management Board (CIWMB)

Tire-Derived Product (TDP) Grant Program For Recycled-Rubber, Synthetic-Turf Surface

(06-0667-2)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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-10.20-C

C

Subject: Digital Patroller In-Car Video Management System

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Negotiate

And Enter Into A Contract With Digital Patroller In An Amount Not-To-Exceed \$1,665,664.00

To Purchase An In-Car Video Management System ("ICVMS") For Approximately Eighty (80)

Police Department Vehicles, A 3-Year Maintenance Contract, A Video Network, Security

Equipment To Support Secure Video Transmission And Related Installation Services, And 2)

Waive The City Of Oakland's Competitive Bid Process For The Digital Patroller Contract, and 3)

Enter Into Additional, Competitively Bid Maintenance Contracts With Other Vendors For

Sustained Annual Maintenance, Without Returning To Council, In A Cumulative Amount

Not-To-Exceed \$75,000.00, At The End Of Digital Patroller's 3-Year Maintenance Period, And

4) Add One Full-Time Civilian Position To The Police Department For Management And

Operation Of The ICVMS, And 5) Appropriate \$900,000.00 In Accrued Interest From The

Equipment Master Lease-Purchase Agreement To The ICVMS Project (06-0665)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.21-C

C

Subject: Frontline Policing Services Grant

From: Oakland Police Department

Recommendation: Adopt A Resolution Amending Resolution No. 79764 C.M.S. Authorizing The

Acceptance And Appropriation Of Three Hundred Sixty-Six Thousand Five Hundred And

Twenty-Three Dollars (\$366,523) From The U.S. Department Of Justice, Office Of Justice

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

(JAG) Program, To Support Frontline Policing Services By Providing Supplemental Funding For

Implementation Of The In-Car Video Management System In The Police Department (06-0673)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.22-C

C

Subject: 2006 Forensic Casework DNA Backlog Reduction

From: Oakland Police Department

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

City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One

Hundred Ten Thousand Dollars (\$110,000) From The U.S. Department Of Justice, National

Institute Of Justice (USDOJ/NIJ) For Implementation Of The 2006 Forensic Casework DNA

Backlog Reduction Grant Program In The Police Department (06-0663)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.23-C

C

Subject: Selective Traffic Enforcement Program Grant

From: Oakland Police Department

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

City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred

Three Thousand Three Hundred And Seventy-Four Dollars (\$503,374) From The State Of

California, Office Of Traffic Safety, For Implementation Of The Selective Traffic Enforcement

Program In The Police Department (06-0674)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.24-C

C

Subject: Propositions 1A and 1B

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Declaring The City Of Oakland's Support For Proposition 1A (Transportation

Funding Protection Legislative Constitutional Amendment); And (06-0627)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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2) A Resolution Declaring The City Of Oakland's Support For Proposition 1B (Highway Safety,
Traffic Reduction, Air Quality, And Port Security Bond Act Of 2006) (06-0627-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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-10.25-C

C

Subject: Support of Proposition 1C

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution To Support Proposition 1C, The Housing And Emergency

Shelter Trust Fund Act Of 2006 (06-0677)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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 Brunner, seconded by

Councilmember Nadel, including all the preceding items marked as having

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

11

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

Closed Session

A motion was made by Councilmember Brunner, seconded by

Councilmember Nadel, to *Approve as Submitted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- Sanjiv Handa

12

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

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, to *Approve as Submitted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

Agency/Councilmember Chang made a motion seconded by

Agency/Councilmember Reid confirming that there were no discussions

pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections,

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

COMMENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL

THEREAFTER:

13

Reconsideration of Ordinances pursuant to Charter Section 216

No action was necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Delinquent Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding Delinquent Mandatory Garbage Fees

For January/February/March 2006, Monthly Accounts And April/May/June 2006, Quarterly

Accounts And Upon Conclusion Adopt One Of The Following Resolutions:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs

Incurred By The City Of Oakland For Delinquent Garbage Service Fees, And Confirming The

Recordation Of Liens, Administrative Charges, And Assessment Charges, As Necessary -

Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien

And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; or

(06-0042)

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 Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 7:13pm

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

- Sanjiv Handa

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

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2) A Resolution Overruling Protests And Objections, And Accepting And Confirming Reports Of

The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage

Service Fees, And Authorizing The Recordation Of Liens, Administrative Charges, As Necessary

- Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien

And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; or

(06-0042-1)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent

Garbage Services Fees And Confirming Of The Recordation Of Liens, Administrative Charges,

And Assessment Charges, As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal

Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The

Alameda County Tax Collector For Collections (06-0042-2)

Not Adopted
14.2

Subject: Delinquent Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following

Resolutions:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs

Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes, And Confirming

The Recordation Of Liens, Administrative Charges, And Assessment Charges, As Necessary -

Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien

And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; or

(06-0045)

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 Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

opened at 7:17

AT 7:18pm PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE,

RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER REID

PRESIDED AS PRESIDENT PRO TEMPORE.

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

- Sanjiv Handa

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, Kernighan, Nadel, Reid, and Quan -I Absent: President of the

Council De La Fuente -I

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of

The City Administrator On The Cost Incurred By The City Of Oakland For Delinquent Real

Property Transfer Taxes, And Authorizing The Recordation Of Liens, Administrative Charges As

Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The

Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; or (06-0045-1)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent

Real Property Transfer Taxes And Confirming Of The Recordation Of Liens, Administrative

Charges, And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland

Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned

Over To The Alameda County Tax Collector For Collections (06-0045-2)

Not Adopted

14.3

Subject: Coliseum Area - Brownfields Grant Program

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Accept And Appropriate An Assessment

Grant In The Amount of \$200,000 From The United States Environmental Protection Agency

Under The Brownfields Grant Program For Assessment Of Petroleum Substances In Soil And

Groundwater In The Coliseum Area; And (06-0629)

A motion was made by Councilmember Chang, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

opened at 7:20pm

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

- Sanjiv Handa

Agency/Councilmember Chang made a motion, seconded by

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

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

Brunner, Chang, Kernighan, Nadel, Reid, and Quan - 7 Absent: President of

the Council De La Fuente -1

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2) A Resolution Authorizing The City Administrator To Accept And Appropriate An Assessment

Grant In The Amount Of \$200,000 From The United States Environmental Protection Agency

Under The Brownfields Grant Program For Assessment Of Hazardous Substances In Soil And

Groundwater In The Coliseum Area (06-0629-1)

A motion was made by Councilmember Chang, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Absent: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

PRESIDENT OF THE COUNCIL DE LA FUENTE WAS NOTED PRESENT

AT 7:50 P.M. AND RESUMED PRESIDING AS CHAIRPERSON

[80137 CMS.pdf](#)
14.4

Subject: Consolidated Annual Performance And Evaluation Report

From: Community And Economic Development Agency

Recommendation: Receive An Informational Report Presenting The Review Of Oakland's

Consolidated Annual Performance And Evaluation Report (CAPER) For Community

Development Block Grant HOME, Housing Opportunities For People With AIDS And

Emergency Shelter Grant Programs Performance For The Year 2005-2006 (06-0592)

A motion was made by Councilmember Brunner, seconded by

Councilmember Quan, that this matter be *Received and Filed Direction

was provided to staff to work on the consideration of action to amend the

facade improvement program to include churches and to return to

committee to report Council the accomplishments, if this program has met

their goals with matching details on how the met their goals. The motion

carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 7:53

Agency/Councilmember Brunner made a motion, seconded by

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

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

Brunner, Chang, Kernighan, Nadel, Reid, and Quan - 7 Absent: President of

the Council De La Fuente -1

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

- Sanjiv Handa

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14.5

Subject: PG&E Underground Utility Easement

From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Granting Of A Non-Exclusive

Permanent Underground Utility Easement To Pacific Gas And Electric Company For

Transmission Of Electric Energy Within And Adjacent To Parcels In The Uptown Project Area

(APN 008-0644-023, 024,031,032,033 And 045-1) (06-0670)

A motion was made by Councilmember Brunner, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 7:56pm

Agency/Councilmember Brunner made a motion, seconded by

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

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

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

De La Fuente -8

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[2006-0066 CMS.pdf](#)

14.6

Subject: The Uptown Area - Brownfields Grant Program

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To

Accept And Appropriate A Clean-Up Grant In The Amount Of \$200,000 From The United

States Environmental Protection Agency Under The Brownfields Grant Program For

Environmental Remediation Of The Fox Courts Site In The Uptown Area (06-0631)

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 Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

opened at 8:01pm

Agency/Councilmember Nadel made a motion, seconded by

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

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

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

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[2006-0067 CMS.pdf](#)

ACTION ON NON-CONSENT ITEMS:

15

Subject: CALReUse Brownfields Loan Program

From: Community and Economic Development Agency

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

Continue Its Contract As Strategic Partner For The State Of California Pollution Control

Financing Authority CALReUse Loan Program (06-0693)

A motion was made by Councilmember Quan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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16

Subject: Vice Mayor Quan and Councilmember Reid - Travel To San Diego

From: Vice Mayor Quan and Councilmember Reid

Recommendation: Adopt A Resolution Authorizing Vice Mayor Jean Quan And Councilmember

Larry Reid To Travel To San Diego, California To Attend The National League Of California

Cities 2006 Annual Conference And Exposition, September 6-9, 2006 (06-0695)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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](#),

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17

Subject: Library Advisory Commission Appointment

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Appointing Marilyn Citron As A Member Of The Library

Advisory Commission (06-0652)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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18

Subject: Parks And Recreation Advisory Commission Appointment

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Appointing Susan Montauk As A Member Of The Parks

And Recreation Advisory Commission (06-0653)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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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19

Subject: Parks And Recreation Advisory Commission Appointment

From: Councilmember Jane Brunner

Recommendation: Adopt A Resolution Amending Resolution No. 80002 C.M.S. Appointing

Howard Matis As A Member Of The Parks And Recreation Advisory Commission (06-0654)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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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20

Subject: City Planning Commission Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Appointing Madeleine Zayas Mart And Michael Colbruno

As Members Of The City Planning Commission (06-0698)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

- *Steve Lowe*

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21

Subject: Oakland Housing Authority Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Moses Mayne And Robert Pittman And

Appointing Gregory Hartwig As Members Of The Oakland Housing Authority (06-0699)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

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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22

Subject: Library Advisory Commission Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Appointing Thomas Manley And Susan Yascolt As

Members Of The Library Advisory Commission (06-0700)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

Councilmember Reid and Councilmember Chang

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23

Subject: Police And Fire Retirement Board Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Ken Bullock As A Member Of The Police

And Fire Retirement Board (06-0701)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

Councilmember Reid and Councilmember Chang

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[80146 CMS.pdf](#)

24

Subject: Cultural Affairs Commission Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Appointing Velfrances Young-Dillard And Uday Joshi As

Members Of The Cultural Affairs Commission (06-0702)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

Councilmember Reid and Councilmember Chang

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25

Subject: Civil Service Board Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Reappointing Gwen McDonald And Cheryl Stevens, And

Appointing Charles Hahn As Members Of The Civil Service Board (06-0703)

A motion was made by Councilmember Quan, seconded by

Councilmember Reid, that this matter be Adopted as Amended to exclude

the appointment of Charles Hahn The motion carried by the following

vote:

Votes:

ORA\Councilmember Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Noes: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 5 - Councilmember Kernighan, Councilmember

Brunner, Councilmember Quan, Councilmember Reid and Councilmember

Chang

The following individual(s) spoke against this item:

- Jeffrey Levin

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

- *Sanjiv Handa*

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26

Subject: Oakland Museum Of California Foundation Board Appointment

From: The Office of the Mayor

Recommendation: Adopt A Resolution Confirming Steven Douglas And Darren Oliver As

Trustees Of The Oakland Museum Of California Foundation Board (06-0704)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan,

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-27

Subject: Priority Project Funds - District Four

From: Vice Mayor Quan

Recommendation: Adopt A Resolution Authorizing For Immediate Allocation of Councilmember

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

Woodminster Music Series (06-0721)

Withdrawn and Rescheduled to Concurrent Meeting of the Oakland

Redevelopment Agency / City Council on 9/26/2006

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

- Sanjiv Handa

- *David Mix*

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[View Revised Report.pdf](#)

S-28

Subject: Safe Routes To School

From: Public Works Agency

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

Appropriate Caltrans' Safe Routes To School Sixth Cycle Grant In The Amount Of Three

Hundred Eighty-Four Thousand Nine Hundred Twelve Dollars (\$384,912.00) For Pedestrian

Safety Improvements At Various School Locations Citywide (06-0661)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *BernaDette Ja'Net*

- *Evangelina Lara*

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

- *Sanjiv Handa*

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[80150 CMS.pdf](#)

S-29

Subject: Coliseum Area Redevelopment Project Bonds

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And

Forms Of Not To Exceed \$30,555,000 Principal Amount Of The Redevelopment Agency Of The

City Of Oakland Coliseum Area Redevelopment Project Tax Allocation Bonds, Series 2006B

And \$77,850,000 Principal Amount Of The Redevelopment Agency Of The City Of Oakland

Coliseum Area Redevelopment Project Tax Allocation Bonds, Series 2006B-T (Federally

Taxable), Authorizing The Refunding Of The Outstanding Coliseum Area Redevelopment

Project Tax Allocation Bonds, Series 2003, Approving The Form Of And Authorizing The

Execution And Delivery Of An Indenture of Trust, A Bond Purchase Contract And An Escrow

Agreement; Approving The Form Of An Authorizing The Distribution Of A Preliminary Official

Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The

Selection And Retention Of A Financing Team; Authorizing Payment Of Costs Of Issuance;

Allocating Bond Proceeds To Finance Redevelopment Activities In The Redevelopment Project

Area; And Authorizing And Approving Necessary Actions In Connection Therewith; And

(06-0658)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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[2006-0068 CMS.pdf](#)

2) A Resolution Of The Oakland Joint Powers Financing Authority Authorizing The Purchase

And Sale Of Not To Exceed \$30,555,000 Principal Amount Of Redevelopment Agency Of The

City Of Oakland Coliseum Area Redevelopment Project Tax Allocation Bonds, Series 2006B

And Not To Exceed \$77,850,000 Principal Amount Of Redevelopment Agency Of The City Of

Oakland Coliseum Area Redevelopment Project Tax Allocation Bonds, Series 2006B-T

(Federally Taxable), Upon Certain Terms And Conditions, Approving Distribution Of Official

Statement Relating Thereto, And Providing Other Matters Properly Relating Thereto; And

(06-0658-1)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

[2006-0003 CMS.pdf](#)

3) A Resolution Of The City Council Of The City Of Oakland Approving Issuance By The

Redevelopment Agency Of The City Of Oakland Of Not To Exceed \$30,555,000 Principal

Amount Of The Redevelopment Agency Of The City Of Oakland Coliseum Area Redevelopment

Project Tax Allocation Bonds, Series 2006B, And \$77,850,000 Principal Amount Of The

Redevelopment Agency Of The City Of Oakland Coliseum Area Redevelopment Project Tax

Allocation Bonds, Series 2006B-T (Federally Taxable), And Providing Other Matters Properly

Relating Thereto (06-0658-2)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

[80151 CMS.pdf](#)

S-30

Subject: Central City East Redevelopment Project Bonds

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And

Forms Of Not To Exceed \$15,800,000 Principal Amount Of The Redevelopment Agency Of The

City Of Oakland Central City East Redevelopment Project Tax Allocation Bonds, Series 2006A

And \$66,550,000 Principal Amount Of The Redevelopment Agency Of The City Of Oakland

Central City East Redevelopment Project Tax Allocation Bonds, Series 2006A-T (Federally

Taxable), Approving The Form Of And Authorizing The Execution And Delivery Of An

Indenture Of Trust And A Bond Purchase Contract; Approving The Form Of And Authorizing

The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery

Of An Official Statement; Approving The Selection And Retention Of A Financing Team;

Authorizing Payment Of Costs Of Issuance; Allocating Bond Proceeds To Finance

Redevelopment Activities In The Redevelopment Project Area; And Authorizing And Approving

Necessary Actions In Connection Therewith; And (06-0659)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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[2006-0069 CMS.pdf](#)

2) A Resolution Of The Oakland Joint Powers Financing Authorizing The Purchase And Sale Of

Not To Exceed \$15,800,000 Principal Amount Of Redevelopment Agency Of The City Of

Oakland Central City East Redevelopment Project Tax Allocation Bonds, Series 2006A And Not

to Exceed \$66,550,000 Principal Amount Of Redevelopment Agency of The City Of Oakland

Central City East Redevelopment Project Tax Allocation Bonds, Series 2006A-T (Federally

Taxable), Upon Certain Terms And Conditions, Approving Distribution Of Official Statement

Relating Thereto, And Providing Other Matters Properly Relating Thereto; And (06-0659-1)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

[2006-0004 CMS.pdf](#)

3) A Resolution Of The City Council Of The City Of Oakland Approving Issuance By The

Redevelopment Agency Of The City Of Oakland Of Not To Exceed \$15,800,000 Principal

Amount Of The Redevelopment Agency Of The City Of Oakland Central City East

Redevelopment Project Tax Allocation Bonds, Series 2006A, And \$66,550,000 Principal

Amount Of The Redevelopment Agency Of The City Of Oakland Central City East

Redevelopment Project Tax Allocation Bonds, Series 2006A-T (Federally Taxable), And

Providing Other Matters Properly Relating Thereto (06-0659-2)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

[80152 CMS.pdf](#)
S-31

Subject: Broadway/MacArthur/San Pablo Redevelopment Project Bonds

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Issuance And Prescribing The Terms, Conditions And

Form Of Not To Exceed \$6,940,000 Principal Amount Of The Redevelopment Agency Of The

City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Tax Allocation Bonds,

Series 2006C And \$14,330,000 Principal Amount Of The Redevelopment Agency Of The City

Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Tax Allocation Bonds,

Series 2006C-T (Federally Taxable), Approving The Form Of And Authorizing The Execution

And Delivery Of An Indenture Of Trust And A Bond Purchase Contract; Approving The Form

Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing

Execution And Delivery Of An Official Statement; Approving The Selection And Retention Of A

Financing Team; Authorizing Payment of Costs Of Issuance; Allocating Bond Proceeds To

Finance Redevelopment Activities In The Redevelopment Project Area; And Authorizing And

Approving Necessary Actions In Connection Therewith; And (06-0660)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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[2006-0070 CMS.pdf](#)

2) A Resolution Of The Oakland Joint Powers Financing Authority Authorizing The Purchase

And Sale Of Not To Exceed \$6,940,000 Principal Amount Of Redevelopment Agency Of The

City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Tax Allocation Bonds,

Series 2006C And Not To Exceed \$14,330,000 Principal Amount Of Redevelopment Agency Of

The City Of Oakland Broadway/MacArthur/San Pablo Redevelopment Project Tax Allocation

Bonds, Series 2006C-T (Federally Taxable), Upon Certain Terms And Conditions, Approving

Distribution Of Official Statement Relating Thereto, And Providing Other Matters Properly

Relating Thereto; And (06-0660-1)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

[2006-0005 CMS.pdf](#)

3) A Resolution Of The City Council Of The City Of Oakland Approving Issuance By The

Redevelopment Agency Of The City Of Oakland Of Not To Exceed \$6,940,000 Principal

Amount Of The Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San

Pablo Redevelopment Project Tax Allocation Bonds, Series 2006C, And \$14,330,000 Principal

Amount Of The Redevelopment Agency Of The City Of Oakland Broadway/MacArthur/San

Pablo Redevelopment Project Tax Allocation Bonds, Series 2006C-T (Federally Taxable), And

Providing Other Matters Properly Relating Thereto (06-0660-2)

A motion was made by Councilmember Quan, seconded by

Councilmember Brooks, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

Subject: City's Industrial Land Policy

From: Councilmember Jane Brunner

Recommendation: Action On A Report and Recommendations On The City's Industrial Land

Policy (06-0303)

A motion was made by Councilmember Quan, seconded by

Councilmember Nadel, that this matter be Approve as Amended on the

Substitute Motion The motion carried by the following vote:

Votes:

ORA\Councilmember Noes: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

- *Richard Hulbert*

- *Bob Lawlor*

- *Marcuc Swinford*

- *Robert Swinford*

- *Joe DeCredico*

The following individual(s) spoke against this item:

- *Elizabeth Hinckle*

- *Toby Anderson*

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

- *Kevin Mein*

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

- *George Burt*

- *Dean DiGiovanni*

- *David Keystone*

- *Steve Lowe*

- *Bob Teal*

- *Scott Peterson*

- *George Nesbitt*

- *Karen Engel*

Agency/Councilmember Quan made a substitute motion, seconded by

Agency/Councilmember Nadel, to approve keeping Subareas 2, 6, 7 and 14

solely as industrial and keeping the following subareas as industrial with the

specified provisions accordingly: 3 and 13 - with taking advantage of

visibility to permit retail along freeway, and 4 - with keeping industrial between

freeway and tidewater, and upon call of the roll, the motion passed by Ayes:

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

Quan - 7, No: President of the Council De La Fuente -1

Council also direct staff to prepare a financial and economic analysis, update

the June 2005 study from the Army Base to address areas of non-managment

for review by the Planning Commission.

Agency/Councilmember Brunner made a motion, seconded by

Agency/Councilmember Nadel, to have staff to return with a funding allocation

complete the study of all other areas with involvement of the Workforce

Investment Board or Economic Development Staff 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

Subject: Lake Merritt Municipal Boathouse - Proposed Tenant Improvements

From: Community And Economic Development Agency

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

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

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

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

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

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

A motion was made by Councilmember Brunner, seconded by

Councilmember Kernighan, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on October 3, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Noes: 3 - Councilmember Nadel, Councilmember Brooks

and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Quan and

Councilmember Chang

The following individual(s) spoke against this item:

- *Hugh Bassette*

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

- *Sanjiv Handa*

- *David Mix*

Subject: Wireless Communications Facilities

From: Director, Community and Economic Development Agency

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

Oakland Planning Code Sections 17.10.860 Through 17.10.910, 17.128.010 Through

17.128.130, And 17.134.020 Through 17.134.030 To Revise The Citywide Telecommunications

Regulations (06-0679)

A motion was made by Councilmember Nadel, seconded by

Councilmember Reid, that this matter be Approved on Introduction for

Final Passage to the Concurrent Meeting of the Oakland Redevelopment

Agency / City Council, due back on October 3, 2006. The motion carried

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Nicole Mason*

The following individual(s) spoke against this item:

- *Dan Reidy*

- *Leah Emerson*

- *Lewis Loeven*

- *Rod DeLaRosa*

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

- *Charles Garcia*

- *Corey Alvin*

- *Scott Peterson*

- *Sanjiv Handa*

A MOTION WAS MOVED, CARRIED AND SECONDED TO EXTEND THE

MEETING PAST 10:30 PM.

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S-35

Subject: Temporary Winter Shelter Agreement

From: Department of Human Services

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

Month Agreement In The Amount Of \$306,000 With Anka Behavioral Health, Inc. To Operate

The Oakland Army Base Temporary Winter Shelter (OABTWS), And A Six Month Lease For

\$1.00 With The Oakland Redevelopment Agency For Use Of Building 821 Or Another Suitable

And Appropriate Building At The Army Base, And Accept And Appropriate \$133,000 From

Alameda County And \$64,000 From The City Of Berkeley To Establish And Operate The

Temporary Winter Shelter At The Oakland Army Base (06-0668)

A motion was made by Councilmember Brooks, seconded by

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

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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[80154 CMS.pdf](#)

S-36

Subject: Oakland Museum Agreement

From: Oakland Museum of California

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

Ten-Year Management/Operations Agreement Between The City Of Oakland And The Oakland

Museum Of California Foundation (06-0669)

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 Abstained: 2 - Councilmember Nadel and Councilmember

Brooks

ORA\Councilmember Noes: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 5 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Quan, Councilmember Reid and

Councilmember Chang

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

-Lance Gyorfi

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

- Sanjiv Handa

- David Mix

[View Report.pdf,](#)

[80155 CMS.pdf](#)

S-37

Subject: Tobacco Control Enforcement Program Grant

From: Oakland Police Department

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

City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed

Thirty-Five Thousand Dollars (\$35,000) From The Alameda County Public Health Department,

Tobacco Control Program, For Implementation Of The 2006 Tobacco Control Enforcement

Project In The Police Department, And Authorizing The Department To Enter Into A Contract

For Service With The Alameda County Public Health Department In An Amount Not To Exceed

Thirty-Five Thousand Dollars (\$35,000) For Implementation Of This Initiative (06-0675)

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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, 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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ADJOURNMENT OF COUNCIL SESSION

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

Council)

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

Agency/Council adjourned the meeting in memory of Ed Weiss, Patrice

Ackerman, Ferris Patrick Jr., Acts Mailo, Jabhari Hill, Robin Wadsworth,

Nello Bianco and Will Bell Ricards at 11:26 p.m.

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