## 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 Oak                 | cland Redevelopment           |                             |
| Agency/City Co                                | ouncil                        |                             |
| Oakland City Hall, 1 Frank H                  | H. Ogawa Plaza Council Chamb  | pers, 3rd Floor             |
| City of Oakland We                            | ebsite: http://www.oaklandnet | c.com                       |
| Tuesday, October 18, 2005                     | 6:00 PM                       |                             |
| 1<br>Pledge of Allegiance                     |                               | Oakland City Hall, 3rd Floo |
| A meeting of the Joint Oakland Redevelopment  | Agency and City Council was   |                             |
| held on the above date. Opening with the Pled | ge of Allegiance, the meeting |                             |
| was convened at 6:12 P.M.                     |                               |                             |
| 2<br>Roll Call / ORA & Council                |                               |                             |
| ORA\Councilmember Excused: 1 - Councilment    | mber Chang                    |                             |
| ORA\Councilmember Present: 7 - Vice Mayor     | Brunner, Councilmember Nadel. |                             |

| Councilmember Kernighan, Councilmember Quan, President of the Council De |
|--|
| La Fuente, Councilmember Brooks and Councilmember Reid                   |
| The Roll Call was modified to note Councilmember Brooks present at 6:14  |
| P.M.   |
| 3  |
| Open Forum / Citizens Comments   |
| (Time Available: 15 minutes)   |
| The following individual(s) spoke under Open Forum:                      |
| - Hugh Bassette  |

| - Dorothy Coleman |  |
|-------------------|--|
| - Bakari Olatunji |  |
| - Deloris Allen   |  |
|                   |  |

| - Dale Gierinjer  |     |  |
|-------------------|-----|--|
| - Rebecca Dekeusi | ter |  |
| - Richard Muller  |     |  |
|                   |     |  |

| - Don Konecny |
|---------------|
|               |
| - Jeff Jones  |
|               |

- Richard Lee

| - Hector Reyna  |
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| - Sanjiv Handa  |
|   |
|   |
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|   |
| - Tina Marie  |
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|   |
| 4   |
| Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an    |
| item from the Consent Calendar, shall be scheduled for the next-succeeding City Council |
| meeting as a non-consent item.  |
| There was no action necessary for this item.  |

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. Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Brooks, to schedule the item below to the November 1, 2005 City Council agenda. Subject: Public Works Employees Time Clocks From: Councilmember Nadel Recommendation: Receive A Status Report On The Implementation Of Time Clocks For Certain Public Works Employees Including An Analysis Of The Costs Of Implementation, The

| Rationale For The Program, And Other Alternatives For Achieving The Intended Goals |  |
|--|--|
| (05-0859)  |  |
| At the de  | termination of the Chair and President of the Council, this matter was   |
| referred   | to the Rules and Legislation Committee for scheduling.   |
| Approva  | l of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopmen   |
| Agency/0   | City Council held on October 4, 2005   |
| A motion   | n was made by Councilmember Brooks, seconded by  |
| Councilı   | nember Reid, to *Approve the Minutes. The motion carried by the  |
| following  | g vote:  |
| Vote   | es:  |
| ORA\Co   | uncilmember Excused: 1 - Councilmember Chang   |
| ORA\Co   |  |
|  | uncilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,   |
| Counciln   | uncilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, nember Kernighan, Councilmember Quan, President of the Council De |
|  |  |
| La Fuent   | nember Kernighan, Councilmember Quan, President of the Council De  |

| From: Councilmember Quan   |
|--|
| Recommendation: Adopt A Resolution Supporting the Fukuoka-Oakland Friendship |
| Association (05-0807)  |
| 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 Excused: 1 - Councilmember Chang                           |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                           |
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,         |
| Councilmember Kernighan, Councilmember Quan, President of the Council De     |
| La Fuente and Councilmember Reid   |
| This item was taken out of order.  |
| View Report.pdf,   |
| 79512 CMS.pdf  |

| Subject: Marianna A. Marysheva - Recognition                                    |
|---|
| From: Council President De Le Fuente  |
| Recommendation: Adopt A Resolution Honoring Marianna A. Marysheva For Her       |
| Distinguished Service To The City Of Oakland (05-0815)                          |
| 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 Excused: 1 - Councilmember Chang                              |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,            |
| Councilmember Kernighan, Councilmember Quan, President of the Council De        |
| La Fuente, Councilmember Brooks and Councilmember Reid                          |
|   |
| The following individual(s) spoke and did not indicate a position on this item: |
| - Sanjiv Handa  |
| View Report.pdf,  |
| 79513 CMS.pdf   |

- Colleen Brown

- Charles Porter View Report.pdf, 79514 CMS.pdf 8.4 Subject: Oakland Museum Women's Board 50th Anniversary From: Councilmember Nadel Recommendation: Adopt A Resolution In Recognition Of Oakland Museum Women's Board 50th Anniversary (05-0796) 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 Excused: 1 - Councilmember Chang ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid View Report.pdf,

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79515 CMS.pdf

| Subject: League Of California Cities Award   |  |
|--|--|
| From: Office Of The City Attorney  |  |
| Recommendation: A Presentation Of The 2005 League Of California Cities Helen Putnam    |  |
| Award Of Excellence Grand Prize Winner To The Office Of The City Attorney Neighborhood |  |
| Law Corps Program (05-0822)  |  |
| A motion was made by Councilmember Quan, seconded by                                   |  |
| Councilmember Reid, that this matter be *Received and Filed. The motion                |  |
| carried by the following vote:   |  |
| Votes:   |  |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                     |  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De               |  |
| La Fuente, Councilmember Brooks and Councilmember Reid                                 |  |
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| Agency/Councilmember Brooks took a point of personal privilege and          |  |
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|   |  |
| requested that the meeting be adjourned in memory of Dorothy Reid Pete.     |  |
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| Agency/Councilmember Nadel took a point of personal privilege and requested |  |
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| that the meeting be adjourned in memory of Jamani Robinson.                 |  |
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| Agency/Councilmember Reid and Agency/Councilmember De La Fuente took a                   |
|--|
| point of personal privilege and requested that the meeting be adjourned in               |
| memory of Demarco Baines Jr.   |
| 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 (05-0809)   |

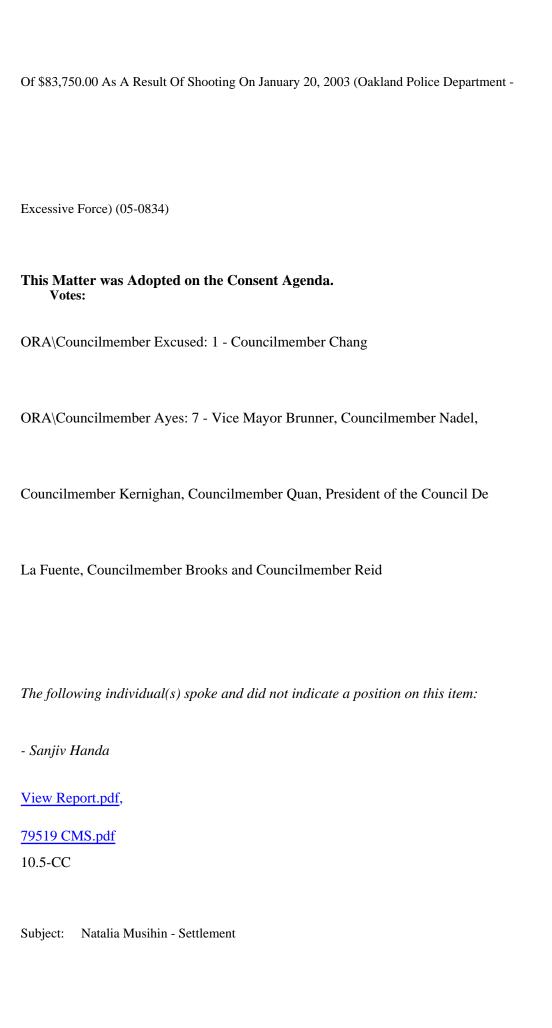
This Matter was Adopted on the Consent Agenda.

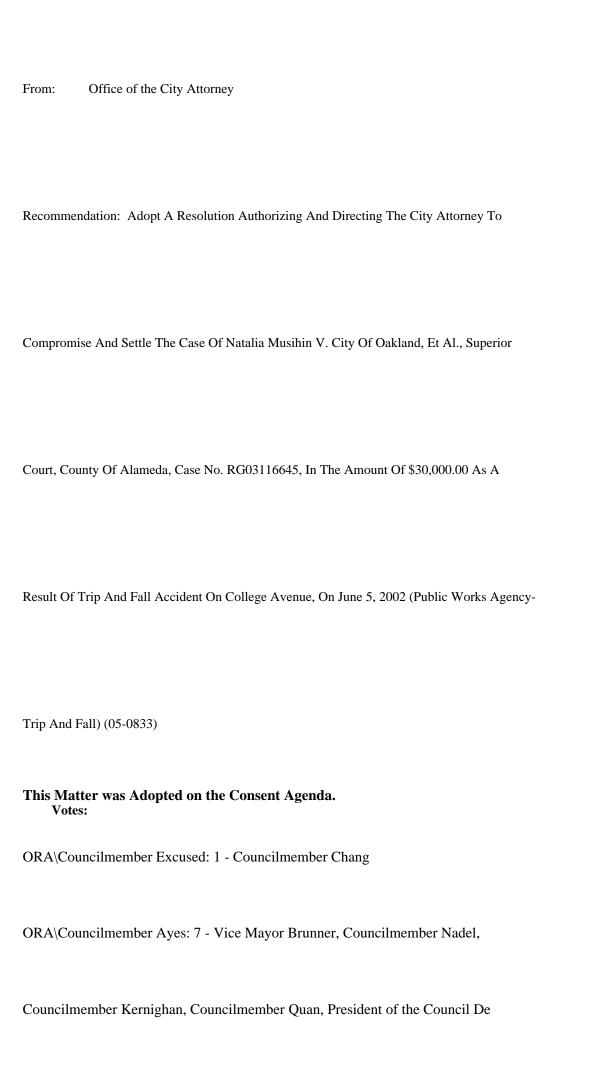
Votes:

| ORA\Councilmember Excused: 1 - Councilmember Chang                                     |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |
| Councilmember Kernighan, Councilmember Quan, President of the Council De               |
| La Fuente, Councilmember Brooks and Councilmember Reid                                 |
| <u>View Report.pdf</u> ,   |
| 79516 CMS.pdf<br>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 (05-0810)  |
| This Matter was Adopted on the Consent Agenda. Votes:                                  |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                     |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |

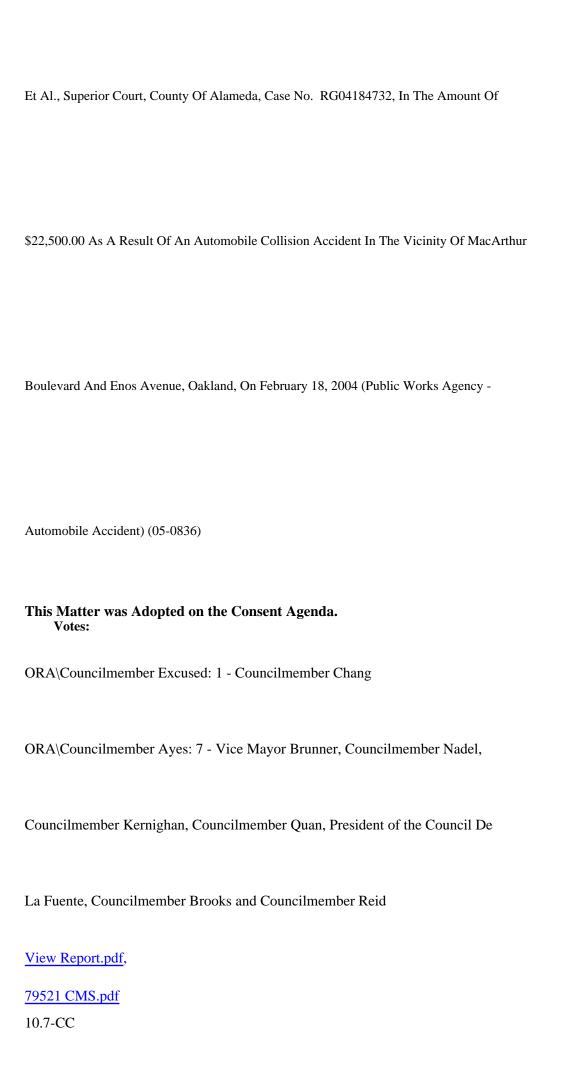
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
|--|
| La Fuente, Councilmember Brooks and Councilmember Reid                                   |
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| 79517 CMS.pdf<br>10.3-CC   |
| Subject: Monterey Mechanical Co Settlement   |
| From: Office Of The City Attorney  |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To        |
| Compromise And Settle The Case Of Monterey Mechanical Co., Et Al. v. City Of Oakland, Et |
| Al., Alameda County Superior Court Case No. RG03103744 In The Amount Of \$25,000         |
| (Public Works Agency) (05-0835)  |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                 |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                       |

| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                         |
|--|
| Councilmember Kernighan, Councilmember Quan, President of the Council De                     |
| La Fuente, Councilmember Brooks and Councilmember Reid                                       |
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| 79518 CMS.pdf  |
| 10.4-CC  |
| Subject: Ramona Ford - Settlement  |
| From: Office Of The City Attorney  |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To            |
| Compromise And Settle The Case Of Ramona Ford, Et Al. v. City Of Oakland, Et Al., United     |
| States District Court, Northern District Of California Case No. C-03-3304-MJJ, In The Amount |
|  |





| La Fuente, Councilmember Brooks and Councilmember Reid                                  |
|---|
|   |
| The following individual(s) spoke and did not indicate a position on this item:         |
| - Sanjiv Handa  |
| View Report.pdf,  |
| 79520 CMS.pdf   |
| 10.6-CC   |
| Subject: Deborah Carney And Aaliyah Carney - Settlement                                 |
| From: Office Of The City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To       |
| Compromise And Settle The Case Of Deborah Carney And Aaliyah Carney v. City Of Oakland, |
|   |



| Subject: Patricia Hill - Settlement   |
|---|
| From: Office Of The City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To     |
| Compromise And Settle The Case Of Patricia Hill v. City Of Oakland, Alameda County    |
| Superior Court Case No. RG03090159 In The Amount Of \$16,000.00 (Public Works Agency) |
| (05-0837)   |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                              |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Brooks and Councilmember Reid                                |
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## 79522 CMS.pdf 10.8-CC Subject: Richard Blakey - Settlement From: Office Of The City Attorney Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of Richard Blakely, In The Amount Of \$17,500, As A Result Of Bodily Injury Sustained In A Bicycle Accident On September 01, 2004 (Public Works Agency) (05-0838) This Matter was Adopted on the Consent Agenda. Votes: ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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|---|
| 79523 CMS.pdf<br>10.9-CC  |
| Subject: Second Hand Smoke Policy   |
| From: President De La Fuente  |
| Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending   |
| Oakland Municipal Code, Title 8, Chapter 8.30, Smoking, To Define The Smoke-Free Area |
| Required Outside Work Buildings As 25 Feet From Any Entrance, Exit, Window And Air    |
| Intake Vent Of Buildings That Serve As Places Of Employment (05-0633)                 |
| This Matter was Approved for Final Passage on the Consent Agenda.<br>Votes:           |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |

| La Fuente, Councilmember Brooks and Councilmember Reid                                  |
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|   |
| The following individual(s) spoke and did not indicate a position on this item:         |
| - Sanjiv Handa  |
| View Report.pdf,  |
| <u>12708 CMS.pdf</u>  |
| 10.10-CC  |
| Subject: Montclair Business Improvement District  |
| From: Community And Economic Development Agency   |
| Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal |
| Year 2006-2007 For The Montclair Business Improvement District, Approving The Annual    |
| Report Of The Montclair Business Improvement District Advisory Board And Scheduling A   |
| Public Hearing For November 15, 2005 (05-0717)  |

This Matter was Adopted on the Consent Agenda. Votes:

| ORA\Councilmember Excused: 1 - Councilmember Chang                                      |
|---|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Brooks and Councilmember Reid                                  |
| View Report.pdf,  |
| 79524 CMS.pdf<br>10.11-CC   |
| Subject: Rockridge Business Improvement District  |
| From: Community And Economic Development Agency   |
| Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal |
| Year 2006-2007 For The Rockridge Business Improvement District, Approving The Annual    |
| Report Of The Rockridge Business Improvement District Advisory Board And Scheduling A   |
|   |

Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Andes

Public Hearing For November 15, 2005 (05-0725)

| Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By |
|---|
| MacArthur Boulevard, 73rd Avenue, Sunkist Avenue And 75th Avenue - Sub-basin 84-105 |
| (Project No. C158010) For The Amount Of One Million Four Hundred Seven Thousand Two |
| Hundred Eight Dollars (\$1,407,208.00) (05-0713)                                    |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                            |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                |
| Councilmember Kernighan, Councilmember Quan, President of the Council De            |
| La Fuente, Councilmember Brooks and Councilmember Reid                              |
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| S-10.13-C   |
| C   |

| Subject: D'arcy And Harty - Sanitary Sewers  |
|--|
| From: Public Works Agency  |
| Recommendation: Adopt A Resolution Authorizing Award Of A Contract To D'arcy & Harty     |
| For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 82nd Avenue, Dowling    |
| Street, And Blandon Road - Sub-basin 85-004 (Project No. C96210) For The Amount Of Two   |
| Million Two Hundred Ninety-One Thousand Eight Hundred Dollars (\$2,291,800.00) (05-0715) |
| This Matter was Adopted on the Consent Agenda. Votes:                                    |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Brooks and Councilmember Reid                                   |
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## 79527 CMS.pdf S-10.14-C C Mocon Corporation - Sanitary Sewers Contract Subject: From: Public Works Agency Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Mocon Corporation For The Rehabilitation Of Sanitary Sewers In The Area Bounded By MacArthur Boulevard, Seneca Street, Dowling Street And Stearns Avenue - Sub-basin 85-212 (Project No. C72910) For The Amount Of Two Million Three Hundred Seventy-Five Thousand Two Hundred Eighty-Eight Dollars (\$2,375,288.00) (05-0763)

This Matter was Adopted on the Consent Agenda. Votes:

| ORA\Councilmember Excused: 1 - Councilmember Chang                       |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De |
| La Fuente, Councilmember Brooks and Councilmember Reid                   |
| View Report.pdf,   |
| 79528 CMS.pdf  |
| S-10.15-C  |
| C  |
| Subject: Temporary Parking at San Leandro Street and 73rd Avenue         |
| From: Community And Economic Development Agency                          |
| Recommendation: Adopt The Following Pieces Of Legislation:               |

| 1) An Agency Resolution Authorizing The Contribution And Allocation Of Redevelopment    |
|---|
| Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not    |
| To Exceed \$50,000 For The Installation Of Temporary Parking On City And Agency Parcels |
| At 7425 San Leandro Street And 728 73rd Avenue To Alleviate Blight, Support Intermodal  |
|   |



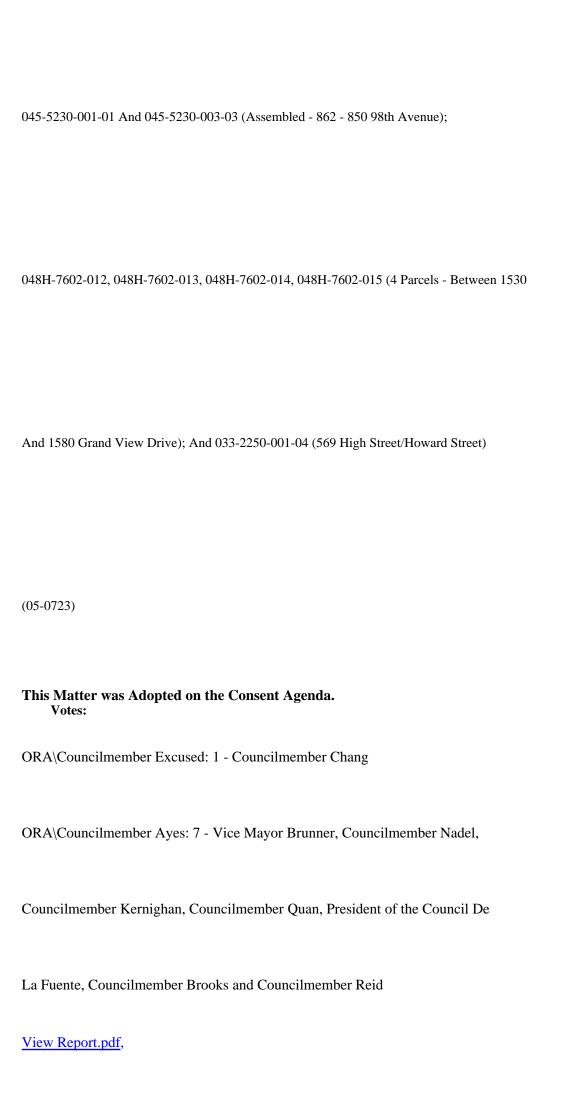
| Exceed \$50,00          | 0 For The Installation Of Temporary Parking On City And Agency Parcels At |
|-------------------------|---|
| 7425 San Lean           | ndro Street And 728 73rd Avenue To Alleviate Blight, Support Intermodal   |
| Transit, And P          | rovide Additional Parking Capacity In The Coliseum Redevelopment Area     |
| (05-0701-1)             |   |
| This Matter<br>Votes:   | was Adopted on the Consent Agenda.  |
| ORA\Counci              | lmember Excused: 1 - Councilmember Chang                                  |
| ORA\Counci              | lmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                |
| Councilmem              | ber Kernighan, Councilmember Quan, President of the Council De            |
| La Fuente, Co           | ouncilmember Brooks and Councilmember Reid                                |
| View Report.            | pdf,  |
| 79529 CMS. <sub>I</sub> | <u>odf</u>  |
| S-10.16-C               |   |
| C                       |   |
| Subject: City           | y Attorney Annual Report  |
| From: Of                | ffice Of The City Attorney  |

| This Matter was *Received and Filed on the Consent Agenda.<br>Votes:            |  |  |
|---|--|--|
| ORA\Councilmember Excused: 1 - Councilmember Chang                              |  |  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,            |  |  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De        |  |  |
| La Fuente, Councilmember Brooks and Councilmember Reid                          |  |  |
|   |  |  |
| The following individual(s) spoke and did not indicate a position on this item: |  |  |
| - Sanjiv Handa  |  |  |
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| S-10.17-C   |  |  |
| C   |  |  |
| Subject: Gerald Cheney - Purchase And Sales Agreement                           |  |  |

Recommendation: Receive The City Attorney's Annual Report (05-0739)

| From: Community And Economic Development Agency                                       |
|---|
| Recommendation: Approve The Introduction (First Reading) Of An Ordinance Authorizing  |
| The City Administrator To Enter Into A Purchase And Sales Agreement To Sell To Gerald |
| Cheney, The Adjoining Property Owner Approximately 10,600 Square Feet Of City Owned   |
| Surplus Real Property Located At The Terminus Of Northwood Court (APN#                |
| 048E-7319-043-05) For The Fair Market Value Of \$125,000.00 (05-0721)                 |
| This Matter was Approved for Final Passage on the Consent Agenda. Votes:              |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |

| La Fuente, Councilmember Brooks and Councilmember Reid                              |
|---|
| <u>View Report.pdf</u><br>S-10.18-C   |
| C   |
| Subject: Sale Of City Owned Surplus Properties                                      |
| From: Community And Economic Development Agency                                     |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Conduct A  |
| Public Auction For The Sale Of Eight City-Owned Surplus Properties; Assessor Parcel |
| Numbers 005-0421-00 (20th And Mandela Parkway); 003-0071-024 (632 - 14th Street);   |



## 79530 CMS.pdf S-10.19-C C Permanent Storm Drain Easements Subject: From: Community And Economic Development Agency Recommendation: Approve The Introduction (Second Reading) Of An Ordinance Authorizing The City Administrator To Acquire Permanent Storm Drain Easements From Mortimer Howard For Properties Located At 3761 Park Boulevard Way (Assessor Parcel Number 024-0532-043-01) And 3829 Greenwood Avenue (Assessor Parcel Number 024-0532-035-01) For The Appraised Fair Market Value Of \$57,200.00 Plus Closing Costs Of \$4,800 (05-0726)

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

| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
|---|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Brooks and Councilmember Reid                                |
| View Report.pdf   |
| S-10.20-C   |
| C   |
| Subject: Phoenix Programs - 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 \$326,000 With Phoenix Programs, Inc. To Operate    |
|--|
| The Oakland Army Base Temporary Winter Shelter (OABTWS), And A Six Month Lease For       |
| \$1.00 With The Oakland Base Reuse Authority (OBRA) For Use Of Building 740 At The       |
| Army Base, And Accept And Appropriate Funds From Alameda County (\$125,000) And The      |
| City Of Berkeley (\$56,000) To Establish And Operate The Temporary Winter Shelter At The |
| Oakland Army Base (05-0728)  This Matter was Adopted on the Consent Agenda               |
| This Matter was Adopted on the Consent Agenda. Votes:                                    |

| ORA\Councilmember Excused: 1 - Councilmember Chang                                   |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                 |
| Councilmember Kernighan, Councilmember Quan, President of the Council De             |
| La Fuente, Councilmember Brooks and Councilmember Reid                               |
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| S-10.21-C  |
| C  |
| Subject: City-County Neighborhood Initiative   |
| From: Department Of Human Services   |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And  |
| Appropriate A Grant From The East Bay Community Foundation In The Amount Of \$10,000 |
| For A Twelve Month Period, June 15, 2005 Through June 15, 2006, To Support The       |

| City-County Neighborhood Initiative (05-0735)                                       |
|---|
| This Matter was Adopted on the Consent Agenda.<br>Votes:                            |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                |
| Councilmember Kernighan, Councilmember Quan, President of the Council De            |
| La Fuente, Councilmember Brooks and Councilmember Reid                              |
| The following individual(s) spoke and did not indicate a position on this item:     |
| - Sanjiv Handa  |
| View Report.pdf,  |
| 79532 CMS.pdf   |
| S-10.22-C   |
| C   |
| Subject: Head Start Federal Review Results  |
| From: Department of Human Services  |
| Recommendation: Receive A Report To The City Council On The 2005 Head Start Federal |

| This Matter was *Received and Filed on the Consent Agenda.<br>Votes:                 |
|--|
| ORA\Councilmember Excused: 1 - Councilmember Chang                                   |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                 |
| Councilmember Kernighan, Councilmember Quan, President of the Council De             |
| La Fuente, Councilmember Brooks and Councilmember Reid                               |
| View Report.pdf  |
| S-10.23-C  |
| C  |
| Subject: Head Start Advisory Panel   |
| From: Department Of Human Services   |
| Recommendation: Adopt A Resolution Confirming The Appointment Of Krishen Laetsch And |
| Jeffrey Thomas To The Head Start Advisory Panel To Fill Vacancies (05-0737)          |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                             |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                   |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                 |

Review Results And Follow-Up Quality Improvement Plan (05-0734)

| Councilmember Kernighan, Councilmember Quan, President of the Council De                  |
|---|
| La Fuente, Councilmember Brooks and Councilmember Reid                                    |
| View Report.pdf,  |
| <u>79533 CMS.pdf</u>  |
| S-10.24-C   |
| C   |
| Subject: 2005 Forensic Casework DNA Backlog Reduction Program                             |
| From: Oakland Police Department   |
| Recommendation: Adopt A Resolution Authorizing The City Administrator Accept And          |
| Appropriate Grant Funds In The Amount Of Sixty Nine Thousand Five Hundred And             |
| Twenty-Four Dollars (\$69,524) From The U.S. Department Of Justice, National Institute Of |

| Justice (US       | SDOJ/NIJ) For The 2005 Forensic Casework DNA Backlog Reduction Program In |
|-------------------|---|
| The Police        | Department (05-0750)  |
| This Mat<br>Votes | ter was Adopted on the Consent Agenda.                                    |
| ORA\Cou           | ncilmember Excused: 1 - Councilmember Chang                               |
| ORA\Cou           | ncilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,             |
| Councilm          | ember Kernighan, Councilmember Quan, President of the Council De          |
| La Fuente         | , Councilmember Brooks and Councilmember Reid                             |
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| 79534 CM          | <u>IS.pdf</u>   |
| S-10.25-C         |   |
| C                 |   |
| Subject:          | 2005 DNA Capacity Enhancement Grant                                       |
| From:             | Oakland Police Department   |

| Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And   |
|---|
| Appropriate Eighty-Three Thousand Nine Hundred Four Dollars (\$83,904) In Grant Funds |
| From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) To The |
| Police Department For The 2005 DNA Capacity Enhancement Grant (05-0751)               |
| This Matter was Adopted on the Consent Agenda. Votes:                                 |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Brooks and Councilmember Reid                                |
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| 79535 CMS.pdf   |
| S-10.26-C   |
| C   |

| Subject: Family Violence Intervention Unit   |
|--|
| From: Oakland Police Department  |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And      |
| Appropriate Ninety-Five Thousand Seven Hundred And One Dollars (\$95,701) From The State |
| Of California, Office Of Emergency Services, Law Enforcement Specialized Units Grant     |
| Program And Authorize A Professional Services Agreement With The Family Violence Law     |

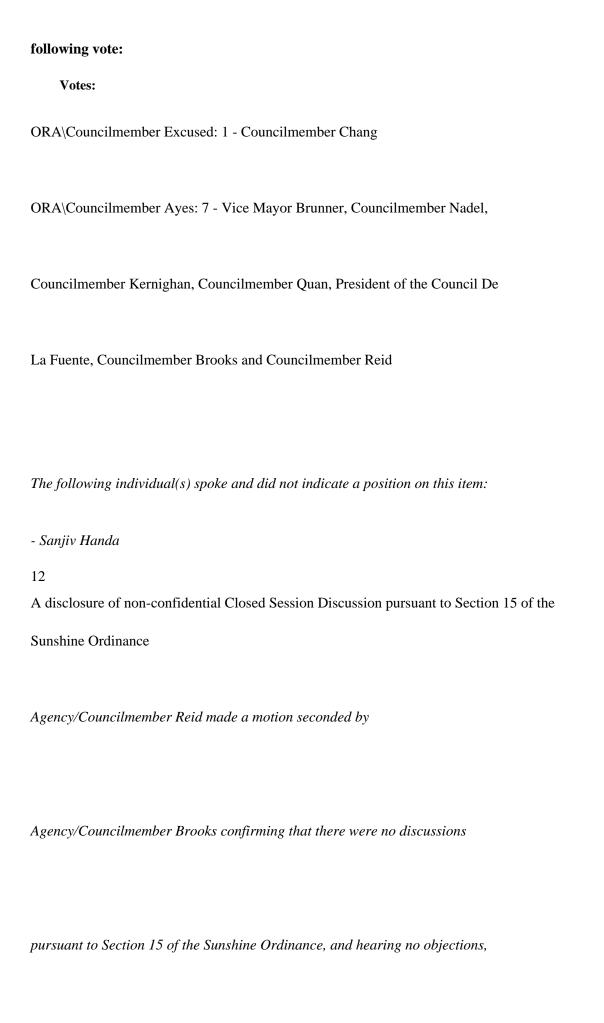
| Center In The Amount Of One Hundred Ten Thousand Dollars (\$110,000) For Continued        |
|---|
| Services Associated With The Police Department's Family Violence Intervention Unit (FVIU) |
| For The Period July 1, 2005 Through June 30, 2006 (05-0753)                               |
| This Matter was Adopted on the Consent Agenda. Votes:                                     |
| ORA\Councilmember Excused: 1 - Councilmember Chang  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                      |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                  |
| La Fuente, Councilmember Brooks and Councilmember Reid                                    |
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| 79536 CMS.pdf   |
| S-10.27-C   |
| C   |

| Subject: Reckless Driving And Sideshow Prevention                                       |  |
|---|--|
| From: Oakland Police Department   |  |
| Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The |  |
| City Of Oakland, To Enter Into A Contract For Services With, And Receive Twenty-Five    |  |
| Thousand Dollars (\$25,000) From, The California Highway Patrol For Increased Traffic   |  |
| Enforcement Operations Targeted At Preventing Reckless Driving And Exhibitions Of Speed |  |
| Commonly Referred To As Sideshows (05-0785)   |  |
| This Matter was Adopted on the Consent Agenda. Votes:                                   |  |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                      |  |

| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |
|--|
| Councilmember Kernighan, Councilmember Quan, President of the Council De               |
| La Fuente, Councilmember Brooks and Councilmember Reid                                 |
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| <u>79537 CMS.pdf</u>   |
| S-10.28-C  |
| C  |
| Subject: Opposition To State Proposition 75  |
| From: Council President De La Fuente   |
| Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 75 Titled |
| "Public Employee Union Dues. Restrictions On Political Contributions. Employee Consent |
| Requirement. Initiative Statute." (05-0798)  |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                               |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                     |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |

| Councilmember Kernighan, Councilmember Quan, President of the Council De                   |
|--|
| La Fuente, Councilmember Brooks and Councilmember Reid                                     |
|  |
| The following individual(s) spoke and did not indicate a position on this item:            |
| - Sanjiv Handa   |
| View Report.pdf,   |
| 79538 CMS.pdf  |
| S-10.29-C  |
| C  |
| Subject: Opposition To State Proposition 76  |
| From: Council President De La Fuente   |
| Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 76 Titled     |
| "State Spending And School Funding Limits. Initiative Constitutional Amendment." (05-0802) |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                   |
| ORA\Councilmember Excused: 1 - Councilmember Chang   |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                       |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                   |

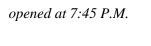
| La Fuente, Councilmember Brooks and Councilmember Reid                                |
|---|
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| 79539 CMS.pdf   |
| Passed The Consent Agenda   |
| A motion was made by Councilmember Quan, seconded by                                  |
| Councilmember Reid, including all the preceding items marked as having                |
| been adopted on the Consent Agenda. The motion carried by the following               |
| vote:   |
| Votes:  |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Brooks and Councilmember Reid                                |
| 11  |
| An oral report from the Agency Counsel / City Attorney of final decisions made during |
| Closed Session  |
| A motion was made by Councilmember Quan, seconded by                                  |
| Councilmember Reid, to *Received and Filed. The motion carried by the                 |



| the motic  | on passed by Ayes: Agency/Councilmember: Brooks, Brunner, Nadel,  |
|------------|---|
| Reid, Qu   | an, Kernighan and President of the Council De La Fuente -7, Excused:  |
| Agency/C   | Councilmember Chang -1  |
| COMMI      | ENCING AT 7:00 P.M. OR AS SOON AS REASONABLY PRACTICAL  |
| THERE      | AFTER:  |
| TI.        | deration of Ordinances pursuant to Charter Section 216 as no action necessary for this item.  sideration of items with statutory Public Hearing Requirements: |
| Subject:   | Tree Appeal - 335 Hanover Avenue  |
| From:      | Public Works Agency   |
| Recomme    | endation: Conduct A Public Hearing And Adopt A Resolution Denying The Appeal  |
| Filed By J | Jesse Kupers, Kim Goodwin, Deborah Cowder, Keith Wilson And Jessica Seaton  |

| Against The Decision Of The Public Works Agency Approving The Issuance Of Tree Removal   |
|--|
| Permit DRO4-019 For 335 Hanover Avenue, In Order To Build A Nine Unit Condominium  |
| Building (05-0635)   |
| A motion was made by Councilmember Nadel, seconded by  |
| Councilmember Kernighan, that this matter be Adopted. The motion   |
| carried by the following vote:   |
|  |
| Votes:  ORA\Councilmember Excused: 1 - Councilmember Chang   |
|  |
| ORA\Councilmember Excused: 1 - Councilmember Chang   |
| ORA\Councilmember Excused: 1 - Councilmember Chang  ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,   |
| ORA\Councilmember Excused: 1 - Councilmember Chang  ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,  Councilmember Kernighan, Councilmember Quan, President of the Council De |































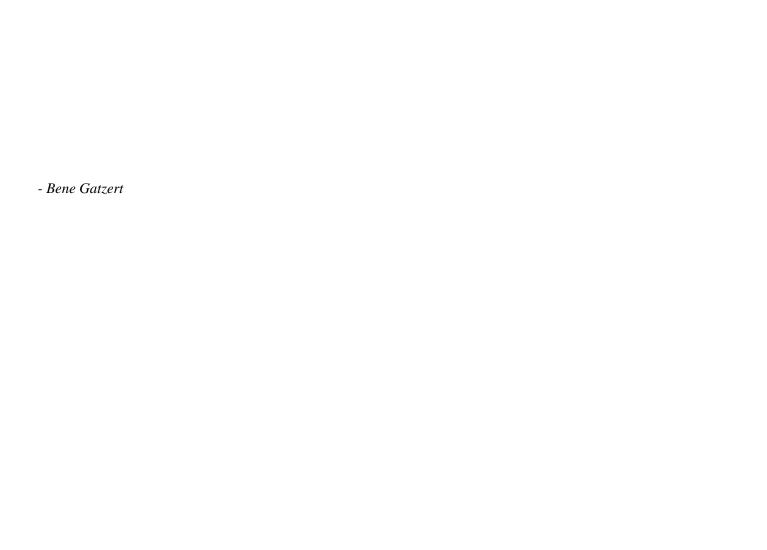
| Ayes: Agency/Councilmember Brooks, Brunner, Kernigan, Nadel, Quan, Reid |  |
|---|--|
| J   |  |
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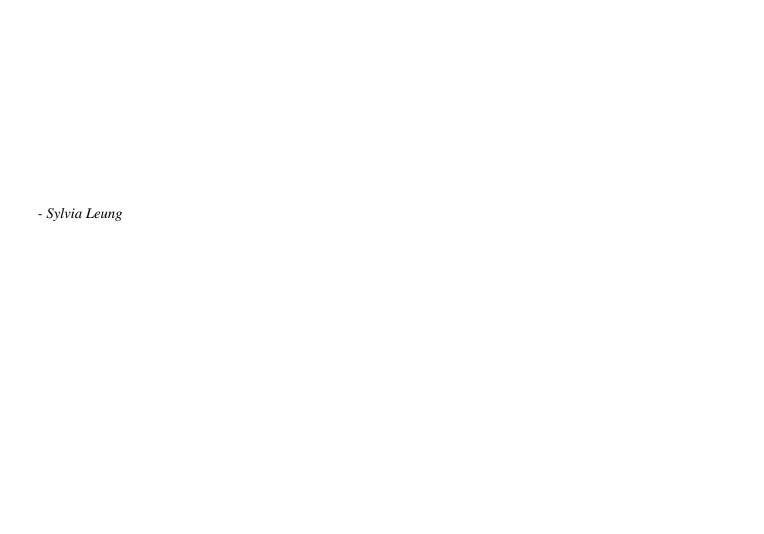


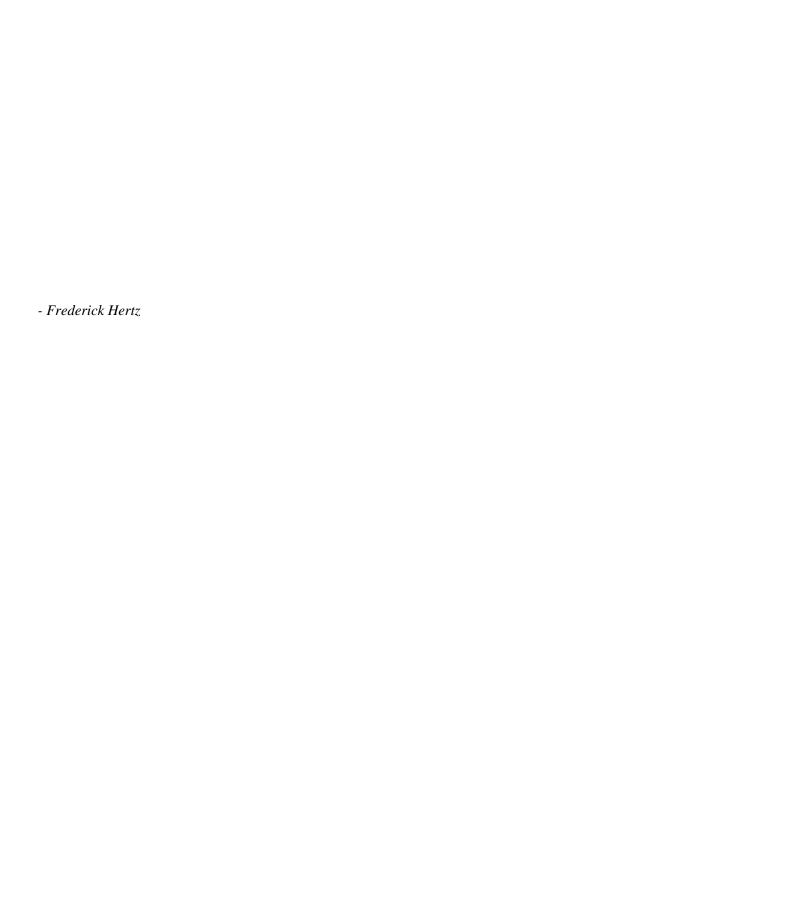














- Jess Kupers

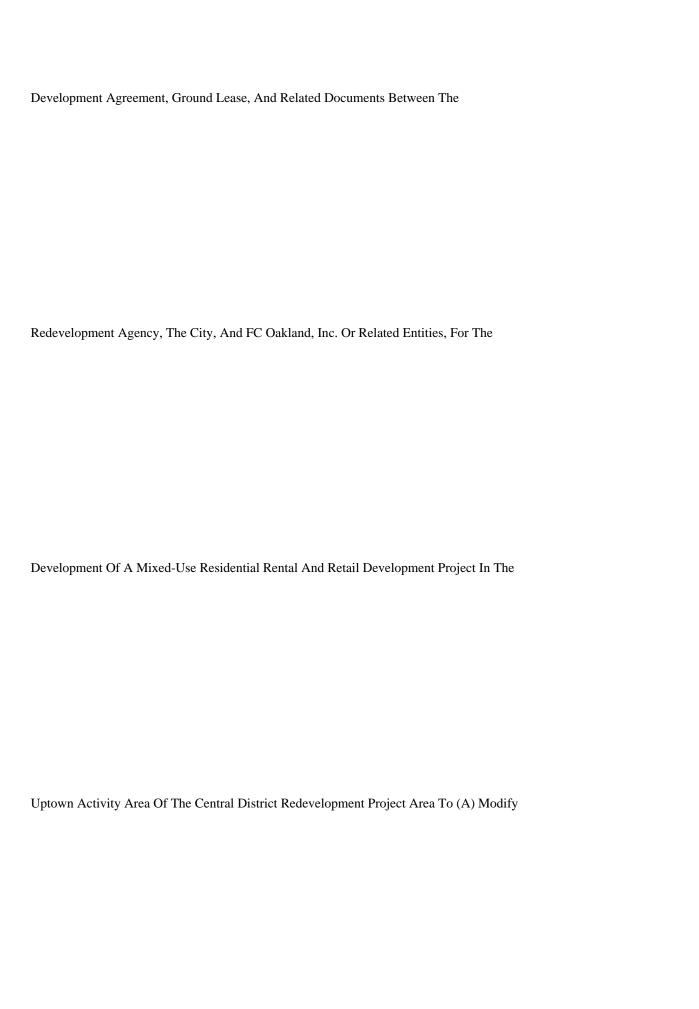
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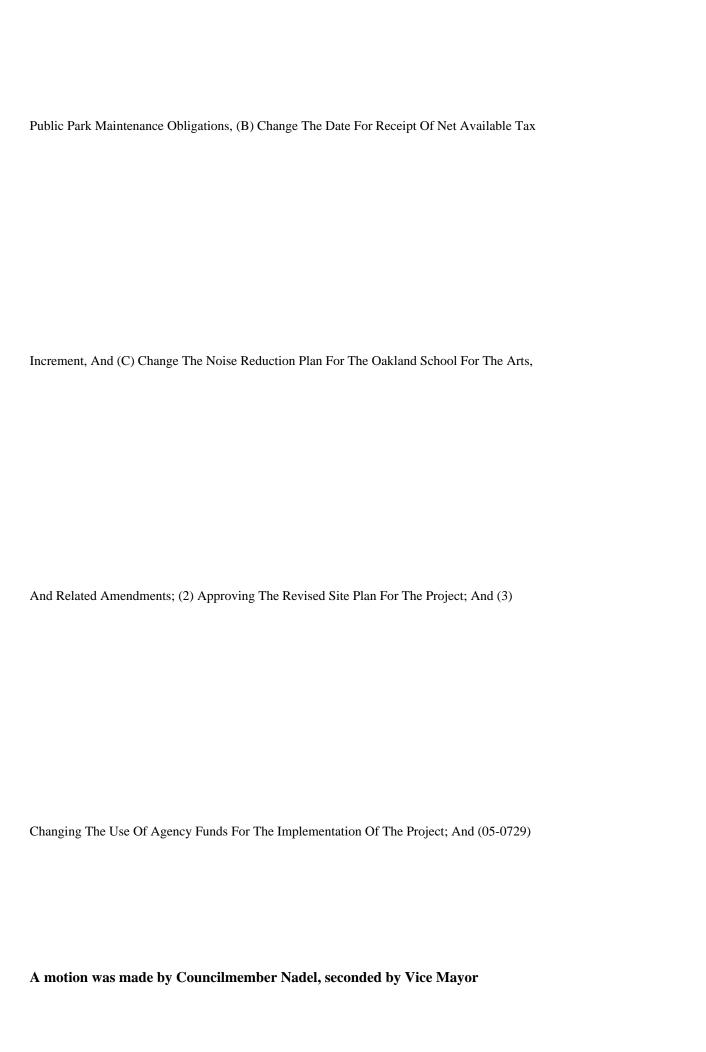
79540 CMS.pdf

14.2

Subject: Forest City Residential West - Amendments

| From:     | Community And Economic Development Agency                             |
|-----------|---|
|           |   |
| Recomme   | endation: Adopt The Following Pieces Of Legislation:                  |
|           |   |
|           |   |
|           |   |
|           |   |
| 1) An Age | ency Resolution (1) Approving Amendments To The Lease Disposition And |
|           |   |





| Brunner, that this matter be Adopted as Amended. The motion carried by   |
|--|
| the following vote:  Votes:  |
| ORA\Councilmember Abstained: 1 - Councilmember Brooks                    |
| ORA\Councilmember Excused: 1 - Councilmember Chang                       |
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De |
| La Fuente and Councilmember Reid   |
|  |



opened at 8:10 P.M.







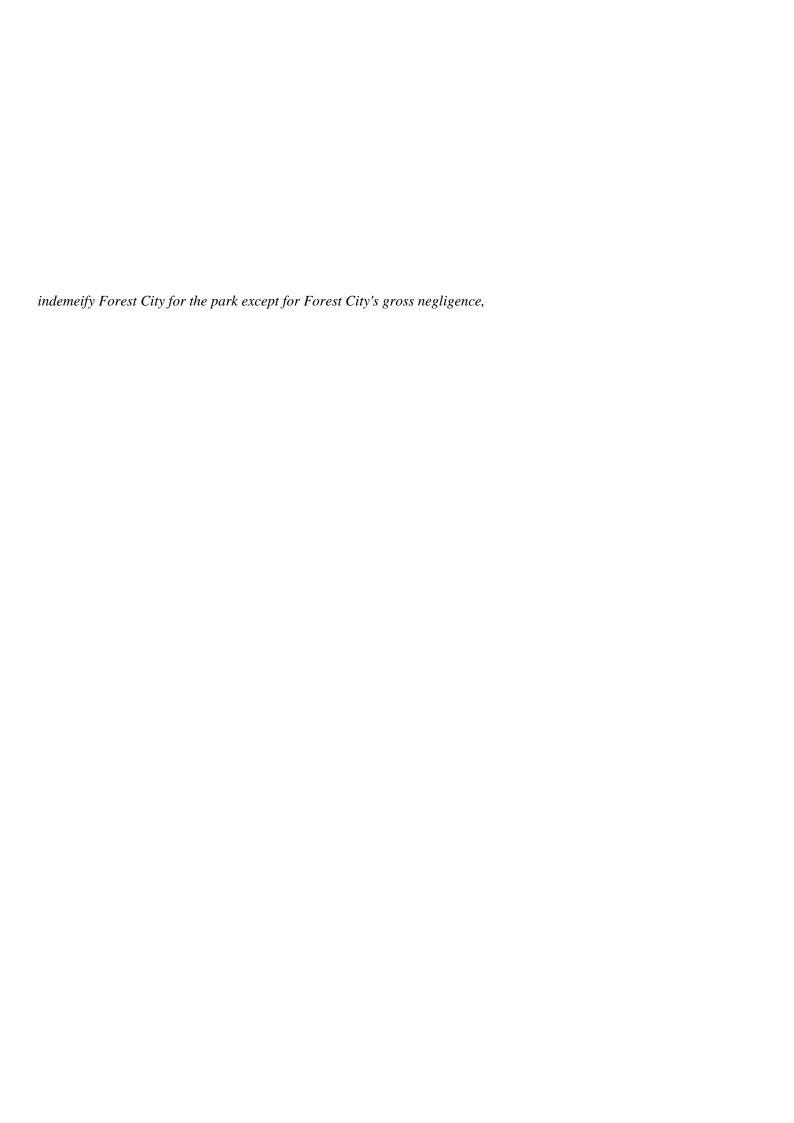


| Fuente -7; Excused: Agency/Councilmember Chang -1 |  |  |
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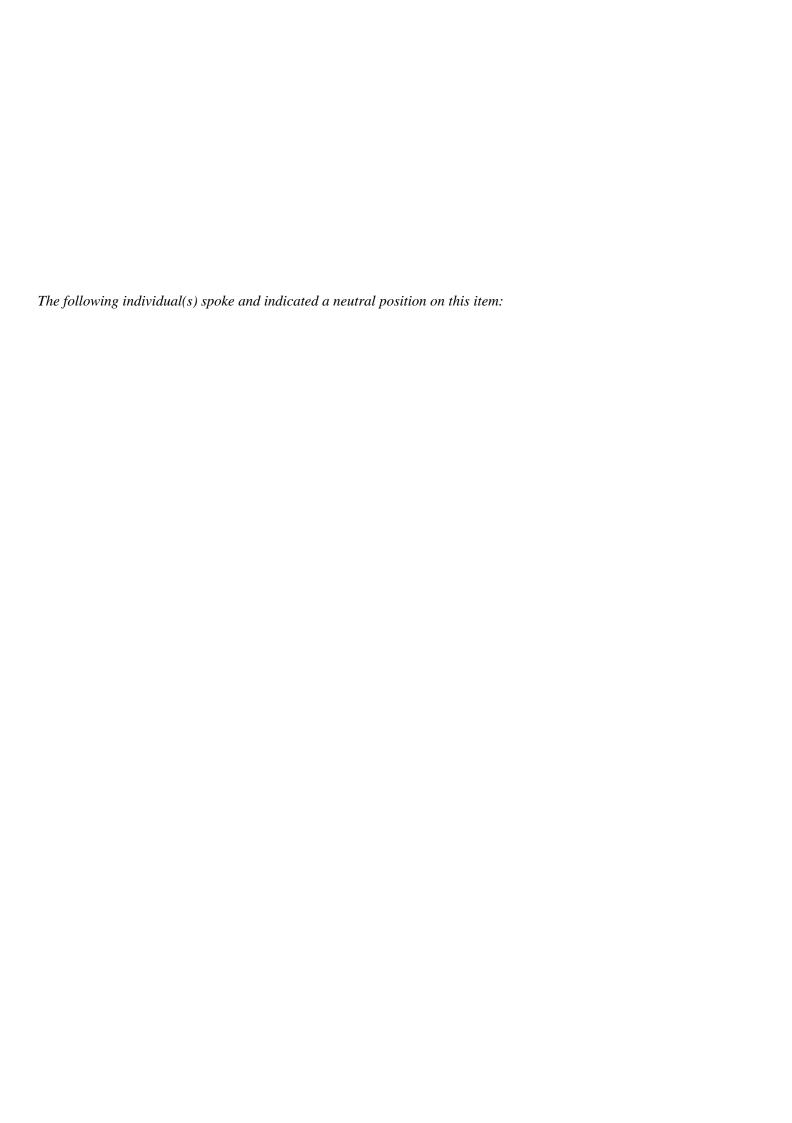




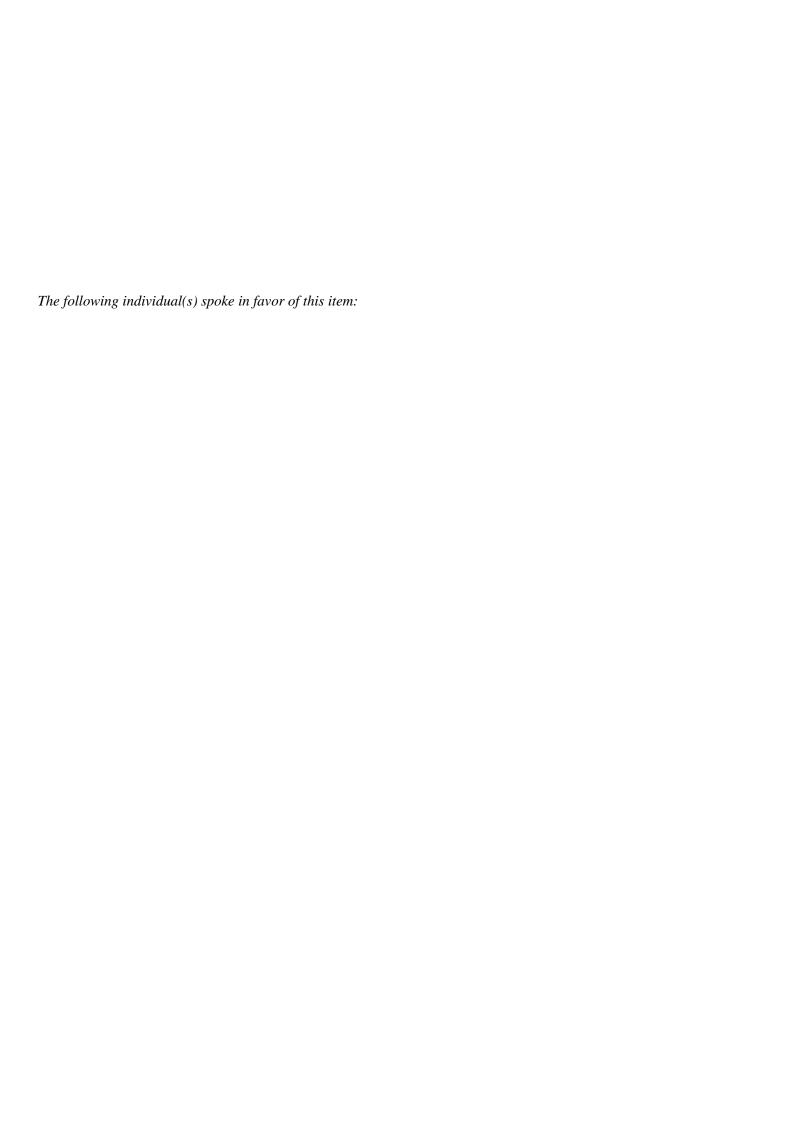


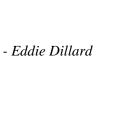






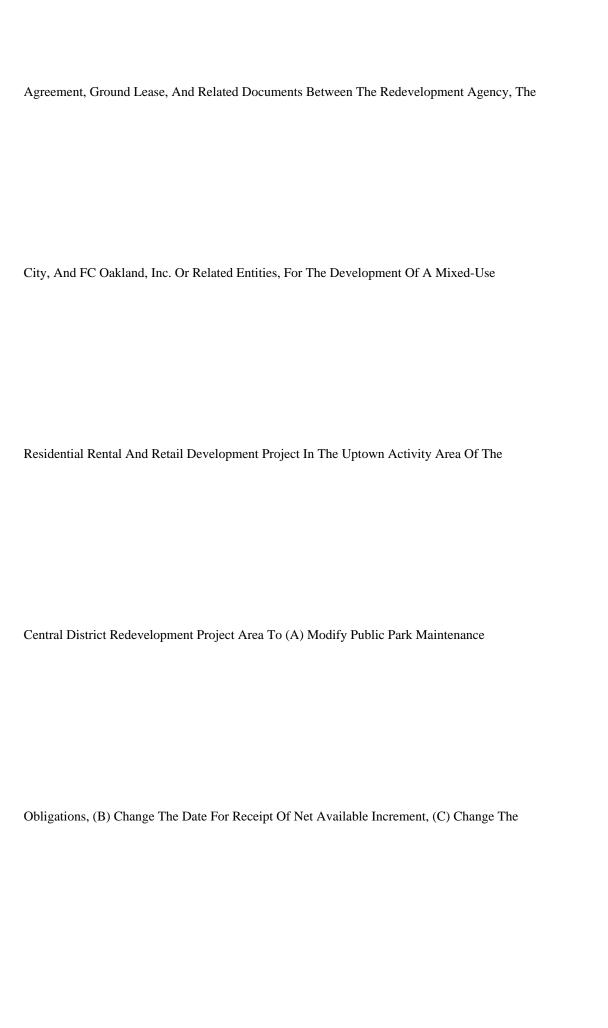


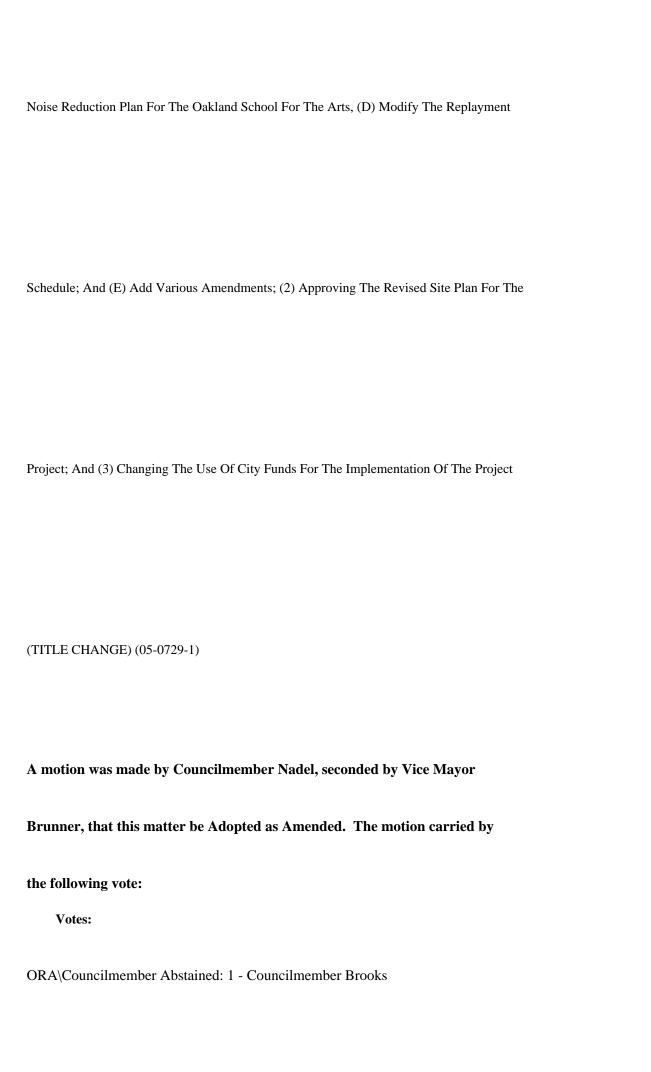






| - Sanjiv Handa  |
|---|
|   |
| View Report.pdf,  |
| View Revised Resolution.pdf,  |
| View Supplemental Report.pdf,   |
| 2005-0059 CMS.pdf   |
| 2) A Resolution (1) Approving Amendments To A Lease Disposition And Development |





| ORA\Councilmember Excused: 1 - Councilmember Chang                       |
|--|
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De |
| La Fuente and Councilmember Reid   |
| View Report.pdf,   |
| View Revised Resolution.pdf,   |
| View Supplemental Report.pdf,  |
| 79541 CMS.pdf  |
| 14.3   |
| Subject: Rental Assistance For Hurricane Katrina                         |
|  |
| From: Office Of The City Administrator                                   |

| Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution          |
|--|
| Establishing A Rental Assistance Program To Provide Temporary Assistance To Families     |
| Displaced By Hurricane Katrina, Reallocating \$250,000 In Home Program Income Funds From |
| The Housing Rehabilitation Program For This Purpose, Authorizing A Contract With The     |
| Oakland Housing Authority To Administer The Program, And Amending The 2005-2010          |
| Five-Year Consolidated Plan Accordingly (05-0840)  |
| A motion was made by Councilmember Nadel, seconded by Vice Mayor                         |
| Brunner, that this matter be Adopted. The motion carried by the following                |
| vote:  |

| ORA\Councilmember Abstained: 1 - Councilmember Nadel                     |
|--|
| ORA\Councilmember Excused: 1 - Councilmember Chang                       |
| ORA\Councilmember Absent: 1 - Councilmember Reid                         |
| ORA\Councilmember Ayes: 5 - Vice Mayor Brunner, Councilmember            |
| Kernighan, Councilmember Quan, President of the Council De La Fuente and |
| Councilmember Brooks   |
| Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was  |

Votes:



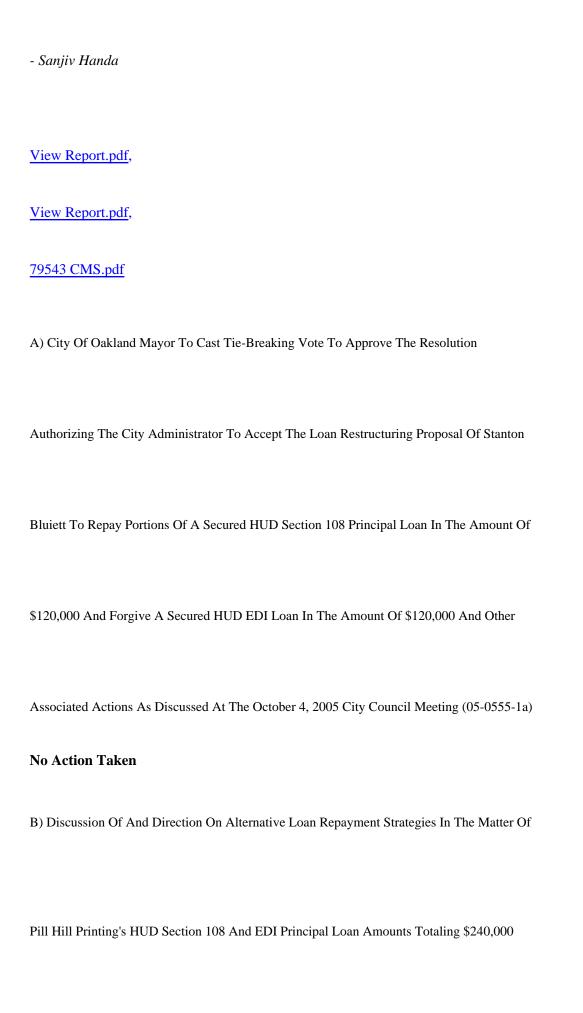
| Brunner, Nadel, Reid, Quan, Kernighan and President of the Council De La        |
|---|
|   |
|   |
|   |
|   |
| Fuente -7; Excused: Agency/Councilmember Chang -1                               |
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|   |
| The following individual(s) spoke and did not indicate a position on this item: |
|   |
|   |
|   |
| - Sanjiv Handa  |
| - Sunjiv Hunuu  |
|   |

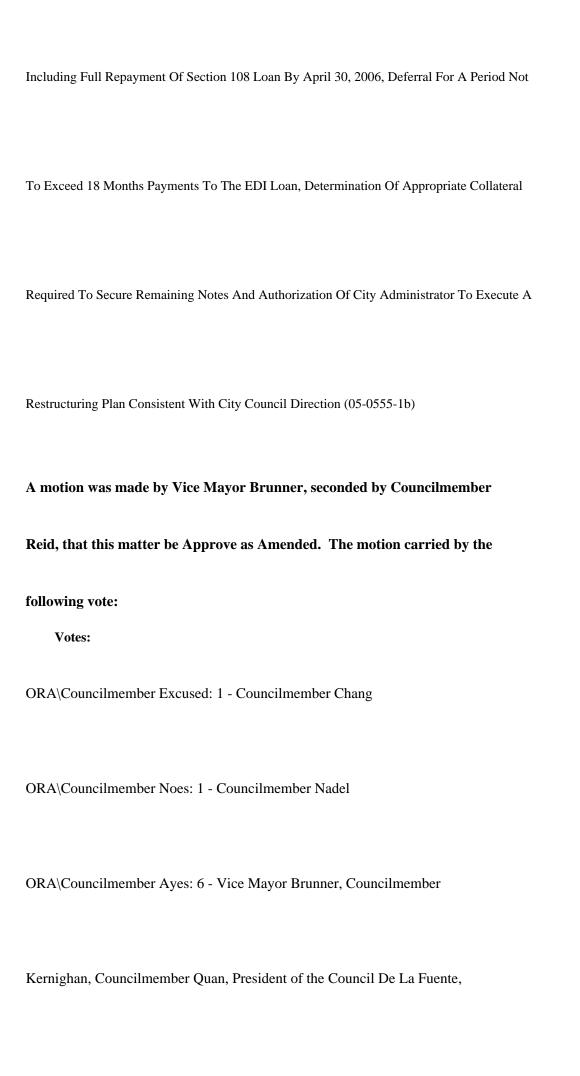
| ACTION ON NON-CONSENT ITEMS: 15   |
|---|
| Subject: Stanton Bluiett Contract Restructuring   |
| From: Community And Economic Development Agency   |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate A        |
| Loan Restructuring With Stanton D. Bluiett DBA Pill Hill Printing For Outstanding Principal |
| Notes Totaling \$240,000 (05-0555)  |
| 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 Excused: 1 - Councilmember Chang  |
| ORA\Councilmember Noes: 1 - Councilmember Nadel   |
| OR A\Councilmember Aves: 6 - Vice Mayor Brunner Councilmember                               |

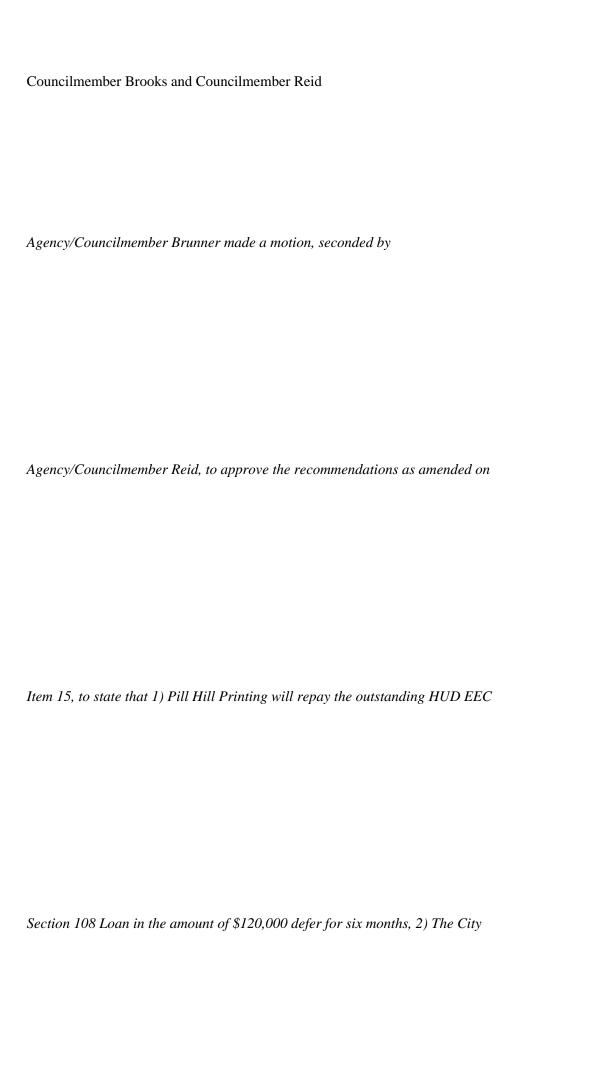
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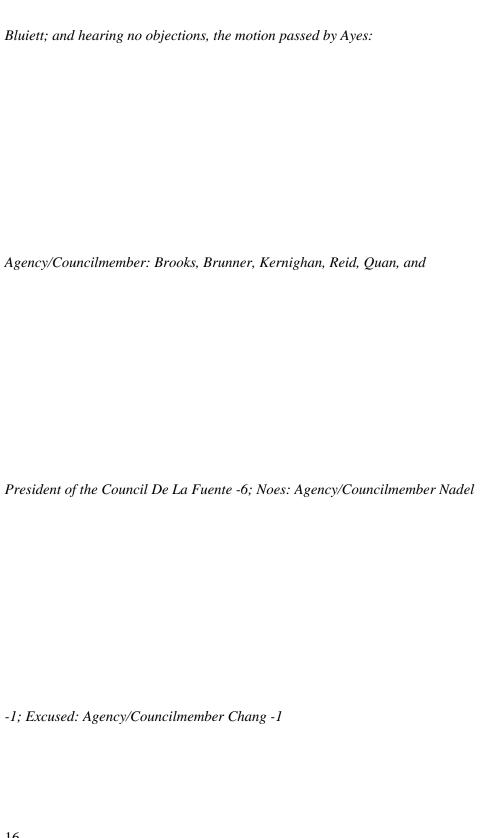
| Kernighan, Councilmember Quan, President of the Council De La Fuente,           |
|---|
| Councilmember Brooks and Councilmember Reid                                     |
|   |
|   |
| The following individual(s) spoke in favor of this item:                        |
| - Eddie Dillard   |
| - Stan Bluiett  |
|   |
|   |
| The following individual(s) spoke and did not indicate a position on this item: |
|   |







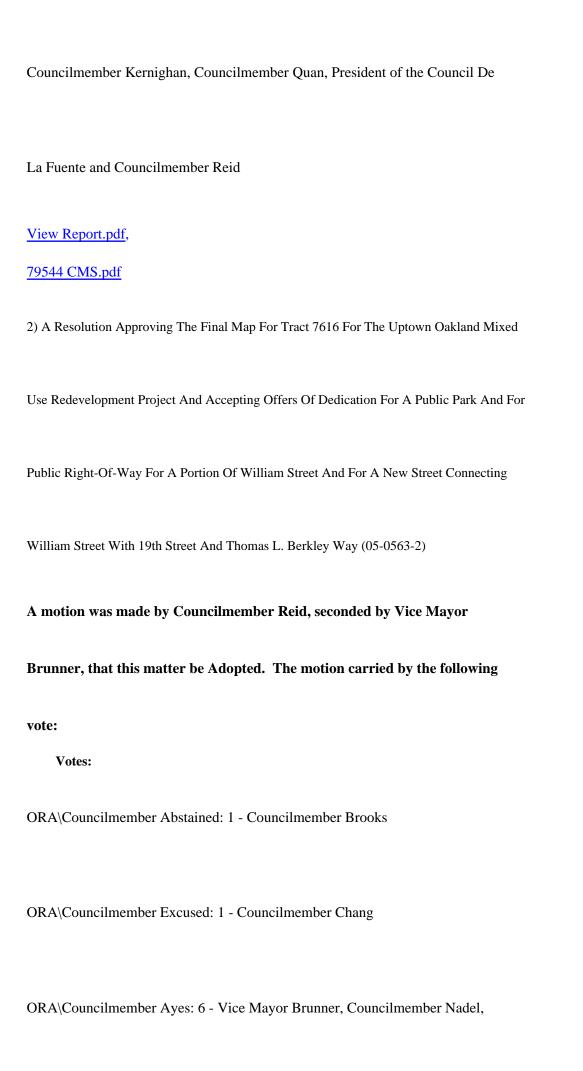




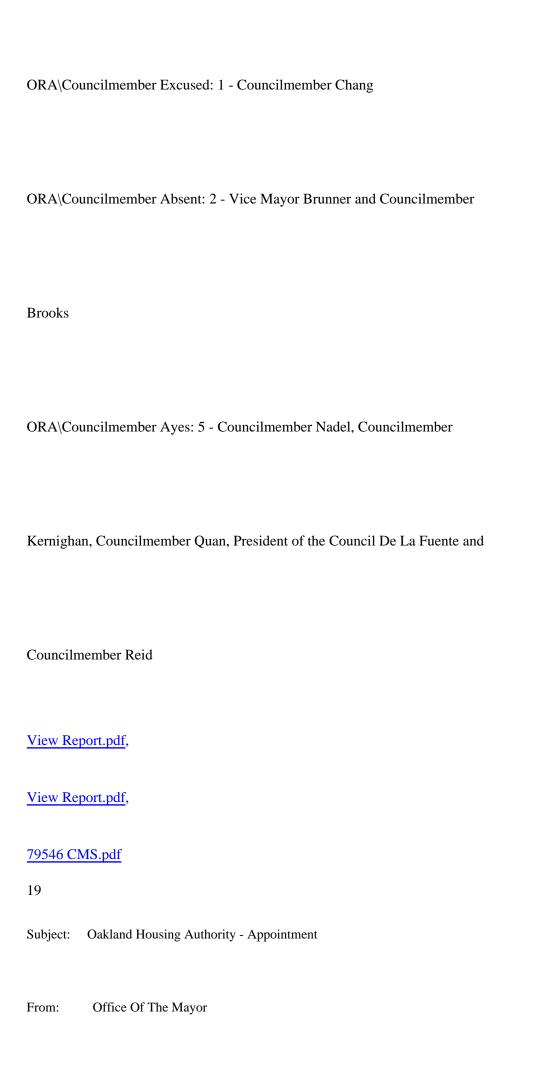
| Subject: Opus West Exclusive Negotiating Agreement - Extension                        |  |
|---|--|
| From: Community And Economic Development Agency                                       |  |
| Recommendation: Adopt An Agency Resolution Amending The Exclusive Negotiating         |  |
| Agreement With Opus West Developer Group For The Development Of Approximately 50      |  |
| Acres Within The Former Oakland Army Base, In Order To: (1) Change The Developer Name |  |
| To Oakland West Wind, LLC; And (2) Extend The Term Of The Agreement From 6 Months     |  |
| To 12 Months (05-0687)  |  |
| A motion was made by Councilmember Reid, seconded by Vice Mayor                       |  |
| Brunner, that this matter be Adopted. The motion carried by the following             |  |

| vote:   |
|---|
| Votes:  |
| ORA\Councilmember Excused: 1 - Councilmember Chang                              |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,            |
| Councilmember Kernighan, Councilmember Quan, President of the Council De        |
| La Fuente, Councilmember Brooks and Councilmember Reid                          |
|   |
| The following individual(s) spoke and did not indicate a position on this item: |
| - Sanjiv Handa  |
| View Report.pdf<br>17   |
| Subject: Public Utilities And Right-Of- Way Improvements For Uptown Project     |
| From: Community And Economic Development Agency                                 |
| Recommendation: Adopt The Following Pieces Of Legislation:                      |

| 1) A Resolution Approving A Subdivision Improvement Agreement With FC Oakland, Inc.,   |
|--|
| For Deferred Construction Of Public Infrastructure Improvements For The Final Map From |
| Tract 7616 For The Uptown Oakland Mixed Use Redevelopment Project; And (05-0563)       |
| A motion was made by Councilmember Reid, seconded by Vice Mayor                        |
| Brunner, that this matter be Adopted. The motion carried by the following              |
| vote:  |
| Votes:  ORA\Councilmember Abstained: 1 - Councilmember Brooks                          |
| ORA\Councilmember Excused: 1 - Councilmember Chang                                     |
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,                   |



| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
|---|
| La Fuente and Councilmember Reid  |
|   |
| The following individual(s) spoke in favor of this item:                                |
| - Eddie Dillard   |
| 79545 CMS.pdf<br>18   |
| Subject: Paramount Theater - Appointments   |
| From: Office Of The Mayor   |
| Recommendation: Adopt A Resolution Providing The City Council's And Mayor's Concurrence |
| With The Paramount Theatre Of The Arts, Inc., Board's Appointments Of Davis Foulkes,    |
| Michael Panico And Robert McKean To The Board (TITLE CHANGE) (05-0770)                  |
| A motion was made by Councilmember Reid that this matter be Adopted.                    |
| The motion carried by the following vote:  Votes:                                       |



| Recommendation: Adopt A Resolution Appointing Michael Colbruno As A Member OF The   |
|---|
| Oakland Housing Authority (05-0841)  *Withdrawn with No New Date                    |
| The following individual(s) spoke and did not indicate a position on this item:     |
| - Sanjiv Handa  View Report.pdf S-20  |
| Subject: Forest City Residential West - Agreement                                   |
| From: Community And Economic Development Agency                                     |
| Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To  |
| Negotiate And Execute An Exclusive Negotiating Agreement For A Term Of 90 Days From |

| Council Action, Between The Oakland Redevelopment Agency And Forest City Residential      |
|---|
| West, Inc. Or A Related Entity, To Develop A Market Rate, Mixed-Use Project Consisting Of |
| Housing And Retail On A Parcel Bounded By William Street In The North, Telegraph Avenue   |
| On The East, 19th Street On The South And A New Public Park On The West (05-0792)         |
| A motion was made by Councilmember Nadel, seconded by President of                        |
| the Council De La Fuente, that this matter be Adopted as Amended. The                     |
| motion carried by the following vote:  Votes:   |
| ORA\Councilmember Abstained: 1 - Councilmember Brooks                                     |
| ORA\Councilmember Excused: 1 - Councilmember Chang  |





| - Eddie Dillard  |
|--|
|  |
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| <u>2005-0061 CMS.pdf</u>   |
| Continuation of Open Forum ADJOURNMENT OF COUNCIL SESSION                                    |
| There being no further business, and upon the motion duly made, the                          |
| Agency/Council adjourned the meeting at 9:37 p.m.  NOTE                                      |
| Americans With Disabilities Act  |
| If you need special assistance to participate in Oakland City Council and Committee meetings |
|  |
| please contact the Office of the City Clerk. When possible, please notify the City Clerk 48  |

| hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.  |  |
|---|--|
|   |  |
| Also, in compliance with Oakland's policy for people with environmental illness or multiple |  |
|   |  |
| chemical sensitivities, please refrain from wearing strongly scented products to meetings.  |  |
|   |  |
|   |  |

Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

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

THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE

SAFETY OF THOSE ATTENDING MEETINGS. (...)

City Clerk and Clerk of the Council