

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

1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor

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

Tuesday, June 20, 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 6:04 p.m.

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 Chang, Councilmember

Nadel, Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- Jennifer Mertens

- *Hugh Bassette*

- *Peter Alexander*

- *Orna Sasson*

- *Robert Edward Moreau*

- *Merry Bates*

- *Hector Reyna*

- *Nancy Rieser*

- *Kathy A. Marks*

- *Mrs. Farve*

- *Monso Nitoto*

- *Wendy L. Rogers*

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 May 30, 2006

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Youth Recognition Day

From: Vice Mayor Quan

Recommendation: Adopt A Resolution Declaring June 30, 2006 Youth Recognition Day In The

City Of Oakland To Honor The Contributions And Leadership Of Youth In Making Oakland A

Better Place (06-0450)

A motion was made by Vice Mayor Quan, seconded by President of the

Council De La Fuente, that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Councilmember Brunner was noted absent at 6:41 pm.

Councilmember Kernighan was noted absent at 6:43 pm

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8.2

Subject: Recognition Of Jim And Harriet Schlader

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Honoring Jim And Harriet Schlader And Producers

Associates, Inc. For 40 Seasons Of Musical Theatre In Oakland (06-0405)

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

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

vote:

Votes:

ORA\Councilmember Absent: 2 - Councilmember Kernighan and

Councilmember Brunner

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

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

Brooks and Councilmember Reid

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8.3

Subject: Recreation And Parks Month

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Proclaiming July As Recreation And Parks Month In

The City Of Oakland (06-0342)

A motion was made, seconded by Councilmember Reid, that this matter be

Adopted. The motion carried by the following vote:

Votes:

ORA\Councilmember Absent: 2 - Councilmember Kernighan and

Councilmember Brunner

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

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

Brooks and Councilmember Reid

Councilmembers Brunner and Kernighan were noted present at 6:52 pm.

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Subject: Joint Powers Authority Agreement For Children And Youth Issues

From: Department of Human Services

Recommendation: A Presentation From Safe Passages For The Creation Of A Joint Powers

Authority Agreement For Children And Youth Issues Between The City Of Oakland, Alameda

County, The Oakland Unified School District And The East Bay Community Foundation And

Evaluation Information On Safe Passages (06-0470)

No Action Taken

Council heard a presentation regarding the Joint Powers Authority Agreement

for Children an Youth Issues

The following individual(s) spoke under Open Forum:

Christy V. Anderson

Kalei Meyers

Edward Hannemann

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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

that the meeting be adjourned in memory of Ruth Benson

10. CONSENT CALENDAR (CC) ITEMS:

10.1CC-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 (06-0532)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.2CC-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 (06-0533)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.3CC-CC

Subject: Jo Tak Lau - 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 Csa Insurance A/S/O Jo Tak Lau In The Amount Of

Thirteen Thousand Six Hundred Seventy Four Dollars And 15 Cents (\$13,674.15), As A Result

Of Property Damage Sustained In An Automobile Collision With A City Vehicle On February

19, 2006 (Oakland Police Department) (06-0537)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.4CC-CC

Subject: Cezar And Editha Tingin - Settlement Agreement

From: Office Of The City Attorney

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

Compromise And Settle The Claim Of State Farm Insurance A/S/O Cezar And Editha Tingin

In The Amount Of Fifteen Thousand Eight Hundred Fifty Two Dollars And 34 Cents

(\$15,852.34), As A Result Of Property Damage Sustained In An Automobile Collision With A

City Vehicle On December 6, 2005 (Oakland Police Department) (06-0536)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.5CC-CC

Subject: Luis Saca - 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 Luis Saca V. City Of Oakland, Et Al., Superior Court,

County Of Alameda, Case No. Rg05224708, In The Amount Of \$14,250.00 As A Result Of

Trip And Fall On A Concrete Stair Located Off The 29th Avenue Overpass Over The 880

Freeway (Public Works - Premises Liability) (06-0534)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.6CC-CC

Subject: Judge Gail Bereola - 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 Judge Gail Bereola Alleging That The City Violated

The Americans With Disabilities Act By Failing To Provide Wheelchair Accessibility To An

Event At The Oakland Museum For The City's Payment Of \$4,950 In Attorney's Fees And

Construction Of A Permanent Disability Access Ramp At The Museum (Oakland Museum)

(06-0542)

A motion was made that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Noes: 2 - Councilmember Chang and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Brunner, Vice Mayor Quan, President of the

Council De La Fuente and Councilmember Reid

The following individual(s) spoke under Open Forum:

Sanjiv Handa

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10.7CC-CC

Subject: Conflict Of Interest Waiver - Farella, Braun And Martel

From: Office Of The City Attorney

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

Farella Braun And Martel, Which Currently Represents The City Of Oakland On Various

Insurance Coverage Matters, To Allow The Firm To Represent Desilva Group, LLC And

Desilva Gates Construction, LP In Responding To Millsmont Homeowners Association's

Notice Of Intent To File A Citizens' Suit Alleging Violations Of The Clean Water Act At The

Leona Quarry Project, And Any litigation Arising From The Claim (06-0543)

A motion was made that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Kernighan, Councilmember Brunner, Vice Mayor Quan, President of the

Council De La Fuente, Councilmember Brooks and Councilmember Reid

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10.8CC-CC

Subject: Analysis Of Assembly Bill 2384

From: Department of Human Services

Recommendation: Adopt A Resolution Declaring The City Of Oakland's Position On The

Following 2006 State Legislation: Support: AB 2384 - Healthy Purchase Pilot Program

(06-0386)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.9CC-CC

Subject: Final Map For Tract 7605 At 3829 Webster Street

From: Community and Economic Development Committee

Recommendation: Adopt A Resolution Approving The Final Map For Tract 7605 For A

Residential Condominium Project At 3829 Webster Street For Webster Street Properties LLC

(06-0467)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.10CC-C

C

Subject: Panoramic Hill - Rezoning

From: Community and Economic Development Agency

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

The Panoramic Hill Neighborhood, Comprising Approximately 30 Acres Of Land, In An Area

Generally Located North of Dwight Way, South Of Panoramic Place, East Of The Oakland

Berkeley Border, And West Of Panoramic Way, From The R-20 Low Density Residential Zone

/ S-4 Design Review Combining Zone and S-18 Mediated Residential Design Review

Combining Zone To R-10 Estate Residential Zone / S-4 Design Review Combining Zone and

S-18 Mediated Residential Design Review Combining Zone (Case File Number RZ04-042)

(06-0280)

A motion was made that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Councilmember Nadel and

Councilmember Brooks

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Kernighan, Councilmember Brunner, Vice Mayor Quan, President of the

Council De La Fuente and Councilmember Reid

The following individual(s) spoke under Open Forum:

Bashir Anastas

Shahab Laal

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10.11CC-C

C

Subject: Repeal Of Ordinance 12728

From: Office Of The City Attorney

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

Ordinance No. 12728, Which Amended Title 5 Of The Oakland Municipal Code To Add

Chapter 5.82, To Require Franchises In Which The City Has An Proprietary Interest To Enter

Into A Card Check Agreement, A Procedure For Determining Employee Preference On

Representation By A Labor Organization That Requests Such An Agreement (06-0445)

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

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke under Open Forum:

Sanjiv Handa

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S-10.12CC

-CC

Subject: Hydrology And Creek Restoration Design Services

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Amendment No. 1 To Increase The

Not-To-Exceed Amounts Of Professional Services Agreements Previously Awarded For

As-Needed Creek Restoration Design Services And Related Technical Assistance, As Follows:

To Moffatt And Nichol Engineers, An Increase From \$200,000 To \$350,000; To Wolfe Mason

Associates, Inc., An Increase From \$200,000 To \$350,000; To Wreco, An Increase From

\$200,000 To \$350,000; To Jones And Stokes Associates, An Increase From \$250,000 To

\$400,000, and; To Amphion Environmental, An Increase From \$250,000 To \$400,000

(06-0337)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.13CC

-CC

Subject: Tree View Ordinance

From: Vice Mayor Jean Quan

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

Oakland Municipal Code Chapter 15.52, The View Ordinance Governing The Rights Of View

And Tree Owners, To Provide That Tree Ownership Includes Trees That Are Allowed To

Sprout On The Owner's Land As A Result Of Natural Regeneration As Well As Trees That Are

Planted By The Owner (06-0425)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.14CC

-CC

Subject: Revocable And Conditional Permit For 2847 Peralta Street

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Granting Peralta Street LLC A Revocable And

Conditional Permit To Allow Electrical Transformer Vaults For New Buildings At 2847 Peralta

Street To Encroach Under The Public Sidewalk Along Hannah Street and Peralta Street

(06-0431)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.15CC

-CC

Subject: Rising Sun Energy Center Grant

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Authorizing A Grant In An Amount Not To Exceed

Forty-Five Thousand (\$45,000) To Rising Sun Energy Center For Their Youth Energy Services

Efforts In Oakland In 2006 (06-0527)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.16CC

-CC

Subject: Investment Policy For Fiscal Year 2006-2007

From: Finance And Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting The City Of Oakland Investment Policy For Fiscal Year 2006-2007

(06-0469)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) An Agency Resolution Adopting The Oakland Redevelopment Agency's Investment Policy

For Fiscal Year 2006-2007 (06-0469-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.17CC

-CC

Subject: Real Estate Exchange Agreement - Project 5110 LLC

From: Community and Economic Development Agency

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

Ordinance No. 12698 C.M.S. To Authorize The City Administrator To 1) Negotiate And

Execute A Real Estate Exchange Agreement With Project 5110 LLC To Exchange 4,636

Square Feet Of City-Owned Surplus Properties At 51st Street And Telegraph Avenue For 3,114

Square Feet Of Property On An Adjacent Lot Owned By Project 5110 LLC, Plus Cash For The

Market Value Of Approximately 1,522 Square Feet Of Property, And Take All Other Actions

Necessary To Effectuate The Exchange; 2) Negotiate And Execute An Agreement Designating

A Public Walkway/Greenbelt Area On The Tentative Parcel Map 9074 For A Public Walkway;

And 3) Negotiate And Execute A Maintenance Agreement For On-Going Maintenance Of The

Walkway By Project 5110 LLC Or The Condominium Homeowners Association Or Designee

(06-0409)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.18CC

-CC

Subject: East Bay Law Center

From: Community And Economic Development Agency

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

Contract Between The City Of Oakland And The East Bay Community Law Center For One

Year In The Amount Of \$75,000 For Legal Services To Low Income Rent Adjustment Clients

(06-0376)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke under Open Forum:

Linda Maranzana

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S-10.19CC

-CC

Subject: Broadway/MacArthur/San Pablo Redevelopment Project

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing Funding For Various Improvement Projects In An

Amount Not To Exceed \$200,000 Under The Broadway/MacArthur/San Pablo Neighborhood

Project Initiative Program, Authorizing A Contribution Of Agency Funds To The City Under

The Cooperation Agreement In An Amount Not To Exceed \$151,100 For City Public

Improvements Under The Program, And Authorizing The Agency Administrator To Enter Into

Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects

Funded Under The Program Without Returning To The Agency; And (06-0377-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The

Cooperation Agreement In An Amount Not To Exceed \$151,100 For City Public

Improvements Within The Broadway/MacArthur/San Pablo Redevelopment Project Area

Under The Neighborhood Project Initiative Program (06-0377)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.20CC

-CC

Subject: Fruitvale Property Business Improvement District

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute The Ballot For The Four (4)

City-Owned Properties On Which Assessments Are To Be Levied (APN 025-0722-026-00,

APN 033-2130-035-02, APN 035-2352-001-02, And APN 033-2135-026-02) To Support The

Formation Of The Fruitvale Property Business Improvement District Of 2006; And (06-0400)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke under Open Forum:

Sanjiv Handa

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2) An Agency Resolution Appointing The Fruitvale Property Business Improvement District

Advisory Board As The Advisory Board For The Fruitvale Property Business Improvement

District Of 2006 (06-0400-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.21CC

-CC

Subject: Kindergarten And Pre-School Library Transport Services

From: The Oakland Public Library

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

City Of Oakland To Apply For, Accept, And Appropriate A Grant In The Amount Of \$150,000

From The Alameda County Lifeline Transportation Program For Fiscal Years 2006-2007

Through 2008-2009 To Transport Pre-School And Kindergarten Children By Bus To Oakland

Public Library's West Oakland Branch Library (06-0471)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.22CC

-CC

Subject: Senior Companion Program

From: Department Of Human Services

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

Accept And Appropriate Grant Funds From The Corporation For National And Community

Services (CNCS) In The Amount Of \$330,474; And The Alameda County Area Agency On

Aging In The Amount Of \$21,742; And The City Of Berkeley \$14,825 Senior Companion

Program (SCP) And Foster Grandparent Program (FGP) For The Fiscal Year 2006-2007

(06-0364)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.23CC

-CC

Subject: Linkages Programs

From: Department of Human Services

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

Accept Grant Funds From The Alameda County Area Agency On Aging In The Amount Of

\$220,034 For The Linkages Program And \$8,945 For The Respite Program For Fiscal Year

2006-2007; And Authorizing The City Administrator To Apply For And Accept \$280,000

From Alameda County For Targeted Case Management Claims; And Authorizing The

Appropriation Of A Balance Of \$23,888 Linkages Handipark Funds For The Linkages Program

Fiscal Year 2006-2007 (06-0388)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.24CC

-CC

Subject: Multipurpose Senior Services Program

From: Department of Human Services

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

Accept A Grant In The Amount Of \$1,582,540.00, From The State Department Of Aging For

The Multipurpose Senior Services Program (MSSP) For Fiscal Year 2006-2007 (06-0389)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.25CC

-CC

Subject: Library Literacy Services

From: Oakland Public Library

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

City Of Oakland, To Apply For And Accept A Grant In The Amount Of \$78,462 From The

California State Library California Library Literacy Service For Fiscal Year 2006-2007 To

Support The Oakland Public Library Second Start Adult Literacy Program (06-0398)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.26CC

-CC

Subject: Arts and Cultural Services In Oakland

From: Cultural Arts And Marketing Division

Recommendation: Adopt The Following Pieces Of Legislation:

A Resolution Authorizing The City Administrator To Enter Into Cultural Services Contracts

With Seventy-Two (72) Oakland-Based Nonprofit Organizations And Individual Artists

Providing Arts And Cultural Services In Oakland During Fiscal Year 2006-2007 In A Total

Amount Not To Exceed \$1,148,261.96 (TITLE CHANGE) (06-0424)

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 Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

The following individual(s) spoke under Open Forum:

Sanjiv Handa

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2) A Resolution Authorizing The City Administrator To Enter Into A Cultural Services

Contract With Oakland Leaf, An Oakland-Based Nonprofit Organization, Providing Arts And

Cultural Services In Oakland During Fiscal Year 2006-2007 In A Total Amount Not To Exceed

\$32,000.00 (06-0424-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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Passed The Consent Agenda

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

Quan, 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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor 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 Brunner, seconded by Vice Mayor

Quan, to *Approve as Submitted the verbal report from the City Attorney

that there were no final actions from the Closed Session.

The following individual(s) spoke under Open Forum:

Sanjiv Handa

Hugh Bassette

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

12

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

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

Reid, to *Approve as Submitted the verbal report from the City Attorney

that there was no non-confidential Closed Session discussion. The motion

carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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 October/November/December 2005, Monthly Accounts And January/February/March

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

(06-0034)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

opened at 7:35pm

The following individual(s) spoke under Open Forum:

Arthur Levy

Leonor Godinez

Frances Chary

Evangelina Lara

Andrew Nelson

Agency/Councilmember Chang made a motion, seconded by

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

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

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

De La Fuente -8

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2) A Resolution 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 (06-0034-1)

No Action Taken

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 (06-0034-2)

No Action Taken

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 (06-0041)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

opened at 7:44 pm

The following individual(s) spoke under Open Forum:

Sanjiv Handa

Agency/Councilmember Reid made a motion, seconded by

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

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

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

De La Fuente -8

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2) A Resolution 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 (06-0041-1)

No Action Taken

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 (06-0041-2)

No Action Taken
14.3

Subject: Delinquent Business Taxes - Public Hearing

From: Finance and Management Agency

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

Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of

Legislation:

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

Incurred By The City Of Oakland For Delinquent Business Taxes And Confirming The

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

Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice

Of Lien And Assessment Charges To Be Turned Over To The County For Collection; or

(06-0035)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

opened at 7:46pm

The following individual(s) spoke under Open Forum:

Sanjiv Handa

Agency/Councilmember Reid 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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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City

Administrator On The Delinquent Business Taxes, And Confirming The Recordation Of Liens,

Administrative Charges, And Assessment Charges As Necessary - Pursuant To Title 5, Chapter

5.04 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 (06-0035-1)

No Action Taken

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

Business Taxes, And Confirming Of The Recordation Of Liens, Administrative Charges And

Assessment Charges, As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland

Municipal Code (06-0035-2)

No Action Taken

14.4

Subject: Landscaping And Lighting Assessment District

From: Office Of The City Administrator

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

Ordering Improvement To The City Of Oakland Landscape And Lighting Assessment District

And Confirming The Levying Of The Assessments And Directing The Fiscal Year 2006-2007

Assessment To Be Turned Over To The County Auditor For Billing And Collection

(06-0194-1)

Continued to Concurrent Meeting of the Oakland Redevelopment Agency /

City Council on 7/18/2006

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

opened at 7:49pm

The following individual(s) spoke under Open Forum:

Sanjiv Handa

Jim Ratcliff

Jacquee Castain

Jane E. Powell

Ken Katz

Alyce Kimerling

Richard Albert Gregory

Brad Ricards

Susan Montauk

Carl N. Anderson

Rbur F. Kidd

David Mix

Ron Bishop

Frances J. Rotolo

Sanjiv Handa

Carl A. Martin

Sharon Rose

Agency/Councilmember Chang made a motion, seconded by

Agency/Councilmember Reid, 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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14.5

Subject: Oak To Ninth Mixed Use Development Project

From: Community and Economic Development Agency

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

Pieces Of legislation:

1) A Resolution Denying The Appeal Filed By Arthur D. Levy And Sustaining The March 15,

2006 Planning Commission Actions In Connection With The Approvals, And Certification Of

The Environmental Impact Report, For The Oak To Ninth Avenue Mixed Use Development

Project; (06-0276)

Adopted
Votes:

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

opened at 8:20pm

The following individual(s) spoke under Open Forum:

Sanjiv Handa

Jim Ratcliff

Jacquee Castain

Jane E. Powell

Ken Katz

Alyce Kimerling

Richard Albert Gregory

Brad Ricards

Susan Montauk

Carl N. Anderson

Rbur F. Kidd

David Mix

Ron Bishop

Frances J. Rotolo

Sanjiv Handa

Carl A. Martin

Sharon Rose

Laura Chung

Kate O'Hara

Carl Chan

Barbara T. Newcombe

Helen Hutchinson

John Sutter

Naomi Schiff

Rajiv Bhatia

Sandra Threlfall

James Vann

Alison Finlay

Monsa Nitoto

Richard DePalma

Rene Mendieta

Ron Silva

Ellen W. Parkinson

Ethan A. Silva

Wilson Riles

Emily Montan

Brian Wiese

Aimee Allison

Simon Waddington

Jan Arnold

Randolph Charles Belle

Jesse Roseman

Billy Ray Trile Jr.

Jane E. Powell

Valerie Winemiller

Joanna Adler

Arlinda J. Beford

Leal Charonnat

David Mix

Lee Huo

Michael Rufin

Margaret Elizares

Richard Orlando

Steve Lowe

Jim Ratcliff

Ken Katz

John Wilson

Ron Bishop

Orna Sasson

Joyce Roy

Alison N. Finlay

Pamela Drake

Dan Sawslak

Amaha Kassa

Rber F. Kidd

Richard Albert Gregory

Jim Musbach

Mike Ruffolo

Pete S. Wilson

Scott Peterson

Agency/Councilmember Kernighan made a motion, seconded by

Agency/Councilmember Brunner, 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

Agency/Councilmember Kernighan, made a motion, seconded by

Agency/Councilmember Quan, to adopt the resolutions and introduce the

ordinances on Item 14.5. Additionally, staff were directed to make the following

changes to the agreement and associated attachments where necessary,

1) By September 15, 2006 the City shall issue a Request For Proposals

soliciting project uses and funding sources for the preservation of the 9th

Avenue Terminal building in an amount greater than 40,000 but no more than

90,000 square feet. The uses suggested must be consistent with the Tidelands

Trust. The building shall be preserved and rehabilitated consistent with

standards set by the Secretary of Interior and it need to be clear that the city

does not have financial capacity to subsidize this project. The proposals shall

be received by February 15, 2007 and shall return to Council for final

determination by June 30, 2007.

If the RFP does not result in the alternative reuse of a 40,000 to 90,000 square

foot portion of the Terminal shed building, the developer shall rehabilitate

20,000 square feet at the developer's cost.

2) The City shall enter into a Cooperation Agreement with the Oak to Ninth

Community Benefits Coalition to ensure development of the affordable housing

units.

3) The developer shall install a temporary trail during Phase I of the project,

with exception to the area inaccessible as part of Phase IV held under lease.

4) A Transportation Demand Management Plan must be developed and shall

state that parking on streets next to the parks, excluding the parking garages,

shall permit two to four hours of free parking and that secure bicycle parking is

included for residents, with return to council for final approval

5) The Development Agreement shall require compliance with the City's

Integrated Pest Management Program.

6) *The agreement shall include the reference that the Planning Commission's*

Decision may be appealed to the City Council

7) The 300 unit residential dwelling units will be removed from Parcel N and

relocated to other parcels

8) The Master Sign Plan should return to Council for approval and the design

review decision regarding the Master Sign Plan shall be appealable to the City

Council

9) *The corner of the building located in Parcel M will be pulled back to enable*

an expanded view of the Estuary and Council is recommending the flexibility in

the design review to pick up any units that might be lost due to the cut off of the

building.

10) City Council must approve any land transfer to another developer which

includes a development or improvement of public land that provides for the

release of Oakland Harbor Partners to develop the open space

11) The City shall have representatives on both the Community Services

District Board and Community Facilities District Board

12) City Staff will present a report on Project Compliance with the local hiring

and job training requirements annually to the City Council

13) Staff will return to Council with the general form of the assumption

agreement before it goes final.

14) Staff will prepare revisions to the Hazardous Materials section of the

development agreement consistent with proposed amendments.

and upon call of the roll, the motion passed by Ayes: Agency/Councilmember:

Brunner, Chang, Kernighan, Nadel, Reid, and President of the Council De La

Fuente -6, Abstain: Brooks, Quan - 2

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[79981 CMS.pdf](#)

2) A Resolution Amending The General Plan Estuary Policy Plan To Create A New Land Use

Designation, Planned Waterfront Development-4, And To Adopt Land Use Map And Text

Changes In Connection With The Oak To Ninth Avenue Mixed Use Development Project;

(06-0276-1)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[79982 CMS.pdf](#)

3) An Agency Resolution Approving And Recommending Adoption Of The Second

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

For The Oak To Ninth Project Site; (06-0276-2)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[2006-0045 CMS.pdf](#)

4) Introduction (First Reading) Of An Ordinance Adopting The Second Amendment To The

Central City East Redevelopment Plan To Revise Land Use Designations For The Oak To

Ninth Project Site; (06-0276-3)

A motion was made by Councilmember Kernighan, seconded by

Councilmember Brunner, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

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[12756 CMS.pdf](#)

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

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

Ninth Project Site; (06-0276-4)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[2006-0046 CMS.pdf](#)

6) Introduction (First Reading) Of An Ordinance Adopting An Amendment To The Central

District Urban Renewal Plan To Revise Land Use Designations For The Oak To Ninth Project

Site; (06-0276-5)

A motion was made by Councilmember Kernighan, seconded by

Councilmember Brunner, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[12757 CMS.pdf](#)

7) Introduction (First Reading) Of An Ordinance Adopting The Planned Waterfront Zoning

District (PWD-4) For The Oak To Ninth Mixed Use Development Project; (06-0276-6)

A motion was made by Councilmember Kernighan, seconded by

Councilmember Brunner, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[12758 CMS.pdf](#)

8) Introduction (First Reading) Of An Ordinance Rezoning Property In The Oak To Ninth

Avenue Mixed Used Development Project Site From Heavy Industrial (M-40) To The Planned

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

From Civic Center Design Review Combining Zone (S-2/S-4) To The Planned Waterfront

Zoning District (PWD-4 And Open Space-Region Serving Park (OS-RSP); (06-0276-7)

A motion was made by Councilmember Kernighan, seconded by

Councilmember Brunner, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[12759 CMS.pdf](#)

9) A Resolution Approving Vesting Tentative Map (No. 7621) For The Oak To Ninth Mixed

Use Development Project; (06-0276-8)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[79983 CMS.pdf](#)

10) Resolution Approving A Preliminary Development Plan And Design Guidelines For The

Oak-To-Ninth Mixed Use Development Project; (06-0276-9)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[79984 CMS.pdf](#)

11) Introduction (First Reading) Of An Ordinance Approving A Development Agreement

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

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

Development Agreement On Behalf Of The City; and (06-0276-10)

A motion was made by Councilmember Kernighan, seconded by

Councilmember Brunner, that this matter be Approved on Introduction

for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on July 18, 2006. The

motion carried by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[12760 CMS.pdf](#)

12) An Agency Resolution Authorizing A Redevelopment Agreement With The City Of
Oakland And Oakland Harbor Partners, LLC (06-0276-11)

A motion was made by Councilmember Kernighan, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Vice Mayor Quan and Councilmember

Brooks

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

Councilmember Kernighan, Councilmember Brunner, President of the Council

De La Fuente and Councilmember Reid

[2006-0047 CMS.pdf](#)

A motion was moved, seconded and carried to continue the meeting past 10:30

pm.

14.5.1

Subject: The Oak To Ninth Development Agreement

From: Councilmember Pat Kernighan

Recommendation: Adopt A Resolution Authorizing And Directing The Redevelopment Agency

Administrator To Execute An Agreement That Ensures That The City And Redevelopment

Agency's Commitment To Build Affordable Housing At Oak To Ninth Pursuant Is Legally

Enforceable By The Public (06-0455)

A motion was made by Councilmember Kernighan, seconded by

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

the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

[View Report.pdf,](#)

[79985 CMS.pdf](#)

14.6

Subject: Six Unit Residential Project - 1158 14th Street

From: Community And Economic Development Agency

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

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

Approving The Application For A Minor Conditional Use Permit, Tentative Tract Map, Minor

Variance And Design Review For A Six Unit Residential Project At 1158, 14th Street

(06-0374)

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, that this matter be Not Adopted adding the

requirement to the conditions of approval that the soils be tested for

contamination The motion failed by the following vote:

Votes:

ORA\Councilmember Abstained: 2 - Councilmember Kernighan and

Councilmember Brunner

ORA\Councilmember Noes: 2 - Councilmember Nadel and Vice Mayor Quan

ORA\Councilmember Ayes: 4 - Councilmember Chang, President of the

Council De La Fuente, Councilmember Brooks and Councilmember Reid

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

opened at 12:34 am

The following individual(s) spoke on the following:

Regina Davis

Ellen W. Parkinson

Tim Thomas

Linda Roberts

Adeline Sweeney

Carl Gaard

Ernestine Nettle

Arrece Jameson

Debo Sodipo

Scott Peterson

Agency/Councilmember Chang made a motion, seconded by

Agency/Councilmember Reid, 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

Agency/Councilmember Chang made a motion, seconded by

Agency/Councilmember Reid, adopt the resolution under item 14.6, and upon

call of the roll, the motion failed by Ayes: Agency/Councilmember: Brooks,

Chang, Reid, and President of the Council De La Fuente -4, Noes: Nadel, Quan

-2, Abstained: Kernighan, Brunner- 2

[View Report.pdf](#),

~~Subject: Inclusionary Housing Requirement~~

~~From: Community and Economic Development Agency~~

~~Recommendation: Conduct A Public Hearing And Upon Conclusion Approve The Introduction~~

~~(First Reading) Of An Ordinance Adding Chapter 17.109 To The Oakland Planning Code To~~

~~Establish An Inclusionary Housing Requirement And Establish Two New Homeownership~~

~~Programs For Oakland Teachers, Making Related Amendments To The Oakland Planning~~

~~Code, Amending Section 15.68.100 Of The Oakland Municipal Code, And Amending The~~

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

[View Report.pdf,](#)

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[View Supplemental Report.pdf,](#)

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~~14.8~~

~~Subject: — Dissolution Of The Oakland Base Reuse Authority~~

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

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

~~Pieces of Legislation:~~

-

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

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

~~Necessary To Complete The Dissolution Of OBRA Including:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~To OBRA By The United States Department Of Commerce Economic Development~~

~~Administration; And (06-0397)~~

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[2006-0049 CMS.pdf](#)

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

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

~~(1) Creation And Budgeting Of A Reimbursable Clearing Fund; And~~

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

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

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

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

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~~14.9~~

~~Subject: Tree Removal Permit Appeal 981 Grosvenor Place~~

~~From: Public Works Agency~~

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

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

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

~~Grosvenor Place (06-0461)~~

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ACTION ON NON-CONSENT ITEMS:

Subject: Youth Employment Partnership - Litter Program Services

From: Councilmember Jane Brunner

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

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

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

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

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

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

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

**Withdrawn and Rescheduled to Special Concurrent Meeting of the
Oakland Redevelopment Agency/City Council on 6/27/2006**

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[79999 CMS.pdf](#)

16

Subject: Oakland General Plan

From: Community And Economic Development Agency

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

Interim Controls For The Implementation Of The Oakland General Plan To December 31, 2007

(06-0348)

A motion was made by Councilmember Chang, seconded by

Councilmember Reid, that this matter be Approve as Amended on

Introduction for Final Passage to the Concurrent Meeting of the Oakland

Redevelopment Agency / City Council, due back on June 27, 2006 with the

date changed from December 31, 2007 to June 30, 2006. The motion

carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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17

Subject: Geologic Hazard Abatement District

From: Community and Economic Development Agency

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

Consider Initiate Formation Of The Oakland Area Geological Hazard Abatement District

(GHAD) And Setting A Public Hearing For July 18, 2006 To Consider Formation Of The

GHAD (06-0278)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Staff were directed to return on July 18, 2006 with actuarial figures in response to the legal issues and information on the GHAD procedure.

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18

Subject: Final Map Tract - 1000 Apgar Street

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving The Final Map For Tract 7672 For A Residential

Home Subdivision At 1000 Apgar Street And Conditionally Accepting An Irrevocable Offer Of

Dedication For An On-Site Public Access Easement (06-0433)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Conditionally Approving A Subdivision Improvement Agreement With Apgar

LLC For The Final Map For Tract 7672 For Construction Of Public Infrastructure

Improvements At 1000 Apgar Street (06-0433-1)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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19

Subject: Development Service Fund

From: Finance And Management Agency

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

The City Administrator To Establish The Development Service Fund, Effective July 1, 2006,

And To Implement The Fund By January 1, 2007 (06-0486)

A motion was made by Councilmember Brunner, seconded by

Councilmember Nadel, that this matter be Approved for Final Passage.

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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20

Subject: Emergency Medical Services Retention Act Of 1997

From: Finance And Management Agency

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

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

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

(06-0489)

A motion was made by Councilmember Brunner, seconded by

Councilmember Nadel, that this matter be Approved on Introduction for

Final Passage to the Concurrent Meeting of the Oakland Redevelopment

Agency / City Council, due back on June 27, 2006. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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21

Subject: Paramedic Services Act Of 1997

From: Finance And Management Agency

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

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

Services In Accordance With The Paramedic Services Act Of 1997 (Measure N) (06-0490)

A motion was made by Councilmember Brunner, seconded by

Councilmember Nadel, that this matter be Approved for Final Passage.

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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22

Subject: Library Services Retention And Enhancement Act Of 2004

From: Finance And Management Agency

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

A Fiscal Year 2006-2007 Increase To A Special Tax Imposed For Library Services In

Accordance With The Library Services Retention And Enhancement Act Of 2004 (Measure Q)

(06-0491)

A motion was made by Councilmember Brunner, seconded by Councilmember Nadel, that this matter be Approved for Final Passage.

The motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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23

Subject: Violence Prevention And Public Safety Act Of 2004

From: Finance And Management Agency

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

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

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

2004 (Measure Y) (06-0492)

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

Reid, that this matter be Approve as Amended on Introduction for Final

Passage to the Concurrent Meeting of the Oakland Redevelopment Agency

/ City Council, due back on June 27, 2006 with language that states there

will be no tax increase to the citizens. The motion carried by the following

vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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From: Finance And Management Agency

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

Ordinance Number 12676 C.M.S. (Master Fee Schedule), As Amended, To Establish, Modify

And Delete Fees Assessed By The Office Of The City Council, Office Of The City

Administrator, Office Of The City Attorney, Office Of The City Clerk, Community And

Economic Development Agency, Finance And Management Agency, Fire Services Agency,

Office Of Parks And Recreation, Police Services Agency, And Public Works Agency

(06-0493)

A motion was made by Councilmember Reid, seconded by Councilmember

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

carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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Subject: Parks And Recreation Advisory Commission Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Appointing Calvin Wong, Junaid Mohiuddin And

Michael Hammock As Members Of The Parks And Recreation Advisory Commission

(06-0540)

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

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

vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

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26

Subject: Citizen's Police Review Board Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Appointing Cara Kopowski And Nooshin Movassaghi

As Members Of The Citizen's Police Review Board (06-0541)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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27

Subject: Cultural Affairs Commission Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Devin Satterfield, Michael Liener, Lori

Zook And Hershell West As Members Of The Cultural Affairs Commission (06-0539)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-28

Subject: Wachovia Bank In Oakland

From: Council President De La Fuente

Recommendation: Adopt A Resolution Urging The Federal Government To Delay The

Proposed Acquisition Of Golden West Bank (A.K.A. World Savings) Headquartered In The

City Of Oakland By Wachovia Bank Headquartered In North Carolina Until Wachovia Agrees

To Hold Public Hearings In Oakland On Issues Important To Oakland Residents Including, But

Not Limited To, Wachovia Reinvesting In Oakland, Retaining Jobs In Oakland, Retaining

Affordable Financial Services In Oakland, And Establishing A Top-Tier Position At The

Bank's Office In Oakland That Reports Directly To The Chief Executive Officer Of Wachovia

In North Carolina; On The June 20, 2006 City Council Agenda (06-0546)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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S-29

Subject: Opposition To Assembly Bill 2987

From: Office Of The City Administrator

Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Opposing

Assembly Bill 2987, Known As “The Digital Infrastructure And Video Competition Act Of

2006”; On The June 20, 2006 City Council Agenda (06-0549)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

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[79993 CMS.pdf](#)

S-30

Subject: Disposable Food Service Ware

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

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

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

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

Facilities (06-0430)

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

Nadel, that this matter be Approve as Amended on Introduction for Final

Passage to the Concurrent Meeting of the Oakland Redevelopment Agency

/ City Council, due back on June 27, 2006 with the requirement that the

program be reviewed one (1) year from implementation. The motion

carried by the following vote:

Votes:

ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

Scott Peterson

Jonnise Downs

Tim James

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Subject: City Council Expenses

From: Vice Mayor Jean Quan

Recommendation: Discussion And Action On A Report On The Use Of Funds Appropriated

For City Council Personnel Expenses For Non-Personnel Purposes And Conditions For Grants

To External Organizations (06-0434)

A motion was made by Vice Mayor Quan, seconded by President of the

Council De La Fuente, that this matter be Approved. The motion carried

by the following vote:

Votes:

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente and Councilmember Reid

The following individual(s) spoke on the following item:

Sanjiv Handa

Toni Cook

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[View Supplemental Report City Attorney.pdf](#)

S-32

Subject: Telegraph Avenue And Latham Square Streetscape

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Accepting And Appropriating \$2,469,700 Of Federal Funds For The Telegraph

Avenue And Latham Square Streetscape Improvement Project Through The Metropolitan

Transportation Commission's Transportation For Livable Communities Housing Incentive

Program, Stating The Assurance Of The City To Complete The Project, And Accepting And

Appropriating \$435,830 From The Redevelopment Agency Under The Cooperation Agreement

As The Local Match; And (06-0347)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

-Sanjiv Handa

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2) An Agency Resolution Authorizing A Contribution Of \$435,830 From The Downtown

Streetscape Improvement Project To The City Of Oakland Under The Cooperation Agreement

To Fund The Telegraph Avenue And Latham Square Streetscape Improvement Project As

Matching Funds For A Metropolitan Transportation Commission's Transportation For Livable

Communities Housing Incentive Program Grant (06-0347-1)

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[2006-0048 CMS.pdf](#)

Subject: Dog Leash Ordinance

From: Vice Mayor Quan

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

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

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

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

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

Brunner, that this matter be Approve as Amended on Introduction for

Final Passage to the Concurrent Meeting of the Oakland Redevelopment

Agency / City Council, due back on June 27, 2006 to include the following

language under "c" "in a writing by the... The motion carried by the

following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke on the following item:

-Sanjiv Handa

-Nancy Rieser

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

Council)

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

Agency/Council adjourned the meeting in memory of Ruth Benson at 2:46 a.m.

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please contact the Office of the City Clerk. When possible, please notify the City Clerk 48

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