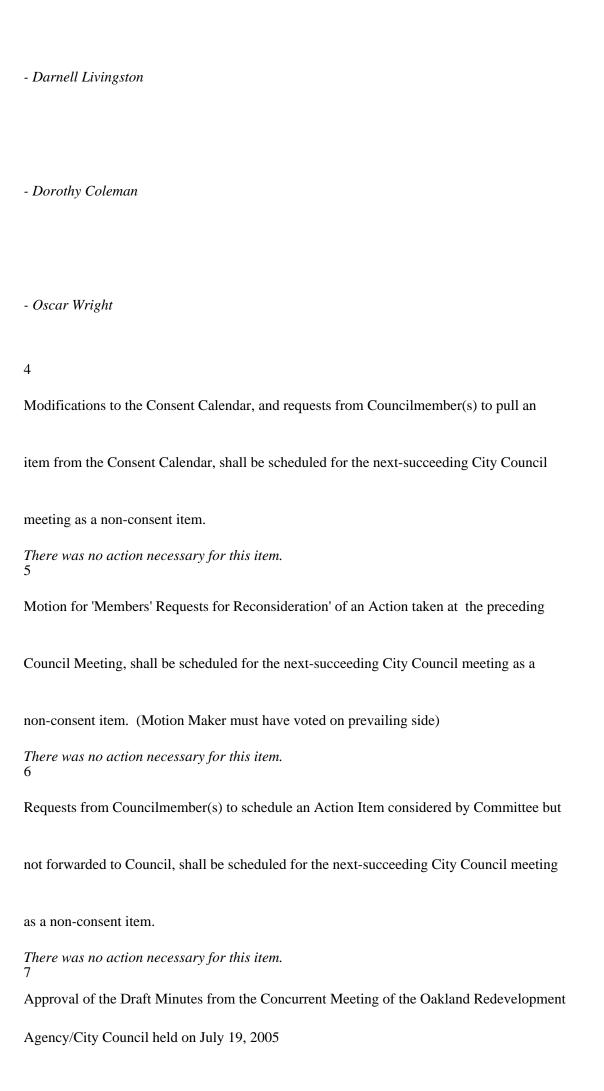
## Meeting Minutes City of Oakland

| Office of the City Clerk                         |                                 |                              |
|--|---------------------------------|------------------------------|
| Oakland City Hall                                |                                 |                              |
| 1 Frank H. Ogawa Plaza                           |                                 |                              |
| Oakland, California 94612                        |                                 |                              |
| LaTonda Simmons, City Clerk                      |                                 |                              |
| <b>Concurrent Meeting of the Oal</b>             | kland Redevelopment             |                              |
| Agency/City C                                    | ouncil                          |                              |
|  | DRAFT                           | FT                           |
| Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaz |                                 | aza                          |
| City of Oakland W                                | /ebsite: http://www.oaklandnet. | com                          |
| Tuesday, September 20, 2005                      | 6:00 PM                         | Oakland City Hall, 3rd Floor |
| 1<br>Pledge of Allegiance                        |                                 | Gamana Gry Han, Gra 1 100    |
| A meeting of the Joint Oakland Redevelopmen      | t Agency and City Council was   |                              |
| held on the above date. Opening with the Plea    | lge of Allegiance, the meeting  |                              |
| was convened at 6:02 P.M.                        |                                 |                              |
| 2<br>Roll Call / ORA & Council                   |                                 |                              |
| ORA\Councilmember Present: 8 - Vice Mayor        | Brunner, Councilmember Nadel,   |                              |

| Councilmember Kernighan, Councilmember Quan, President of the Council De  |
|---|
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember   |
| Chang   |
| The Roll Call was modified to note Councilmember Brooks present at 6:04   |
| P.M.  |
|   |
| The Roll Call was modified to note Councilmember Reid present at 6:25 P.M   |
|   |
| 3 Open Forum / Citizens Comments  |
|   |
| Open Forum / Citizens Comments  |
| Open Forum / Citizens Comments (Time Available: 15 minutes)   |
| Open Forum / Citizens Comments  (Time Available: 15 minutes)  The following individual(s) spoke under Open Forum: |



| A motion was made by Councilmember Nadel, seconded by Vice Mayor                  |  |
|---|--|
| Brunner, to *Approve the Minutes. The motion carried by the following             |  |
| vote:   |  |
| Votes:  |  |
| ORA\Councilmember Excused: 1 - Councilmember Reid                                 |  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,              |  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De          |  |
| La Fuente, Councilmember Brooks and Councilmember Chang                           |  |
| 8. PRESENTATION OF CEREMONIAL MATTERS 8.1   |  |
| Subject: Tassafaronga Recreation Center Revitalization - Recognition              |  |
| From: Office of Parks and Recreation  |  |
| Recommendation: Adopt A Resolution Honoring The Home Depot And Its Volunteers For |  |
| Revitalization Efforts At Tassafaronga Recreation Center (05-0683)                |  |
| 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 Reid                                |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,             |
| Councilmember Kernighan, Councilmember Quan, President of the Council De         |
| La Fuente, Councilmember Brooks and Councilmember Chang                          |
| View Report.pdf,   |
| 79440 CMS.pdf  |
| 8.2  |
| Subject: Johnette J. Morton - Recognition  |
| From: Office Of Parks and Recreation   |
| Recommendation: Adopt A Resolution Commending Johnette J. Morton For 24 Years Of |
| Outstanding And Distinguished Service To The City Of Oakland (05-0684)           |
| A motion was made by Councilmember Nadel, seconded by                            |
| Councilmember Chang, that this matter be Adopted. The motion carried             |
| by the following vote:   |
| Votes:   |
| ORA\Councilmember Excused: 1 - Councilmember Reid                                |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,             |

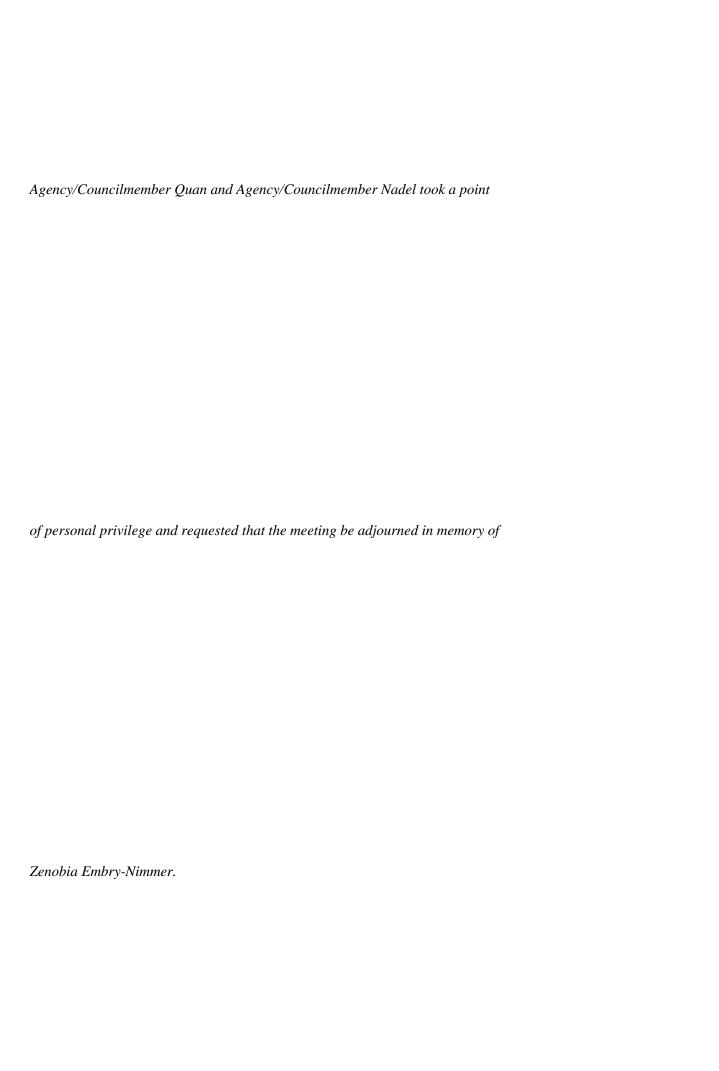
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
|---|
| La Fuente, Councilmember Brooks and Councilmember Chang                                 |
| View Report.pdf,  |
| 79441 CMS.pdf<br>8.3  |
| Subject: Carfree Day  |
| From: Councilmember Nadel   |
| Recommendation: Adopt A Resolution Proclaiming Thursday, September 22, 2005, As The     |
| City Of Oakland's Second Annual Carfree Day To Encourage Transportation Alternatives To |
| Driving Alone (05-0689)   |
| A motion was made by Councilmember Nadel, seconded by                                   |
| Councilmember Reid, that this matter be Adopted. The motion carried by                  |
| the following vote:   |
| Votes:  |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |

| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember      |
|--|
|  |
| Chang  |
| <u>View Report.pdf</u> ,   |
| 79442 CMS.pdf  |
| 9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS                                |
|  |
|  |
|  |
| Agency/Councilmember Reid took a point of personal privilege and requested |
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|  |
| that the meeting be adjourned in memory of Cyril Vierra Sr.                |
| man me meeting of diagoniment in memory of Cyrin Werra or.                 |
|  |
|  |











| Keyes.   |
|--|
|  |
|  |
| 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 (05-0669)   |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                 |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |

| Councilmember Kernighan, Councilmember Quan, President of the Council De               |
|--|
| La Fuente, Councilmember Reid and Councilmember Chang                                  |
| The following individual(s) spoke and did not indicate a position on this item:        |
| - Darnell Livingston   |
| View Report.pdf,   |
| 79443 CMS.pdf  |
| 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 (05-0670)  |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                               |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                     |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |
| Councilmember Kernighan, Councilmember Quan, President of the Council De               |

| <u>View Report.pdf</u> ,   |
|--|
| <u>79444 CMS.pdf</u>   |
| 10.3-CC  |
| Subject: Eric Satingin And Ricardo Merced - Settlement                                     |
| From: Office of the City Attorney  |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To          |
| Compromise And Settle The Claim Of Eric Satingin, Ricardo Merced And Their Attorney Of     |
| Record, Ross Meltzer, In The Amount Of \$14,500, As A Result Of Bodily Injury Sustained In |
| An Auto Collision Involving A City Of Oakland Vehicle On June 18, 2004. (Oakland Police    |

La Fuente, Councilmember Reid and Councilmember Chang

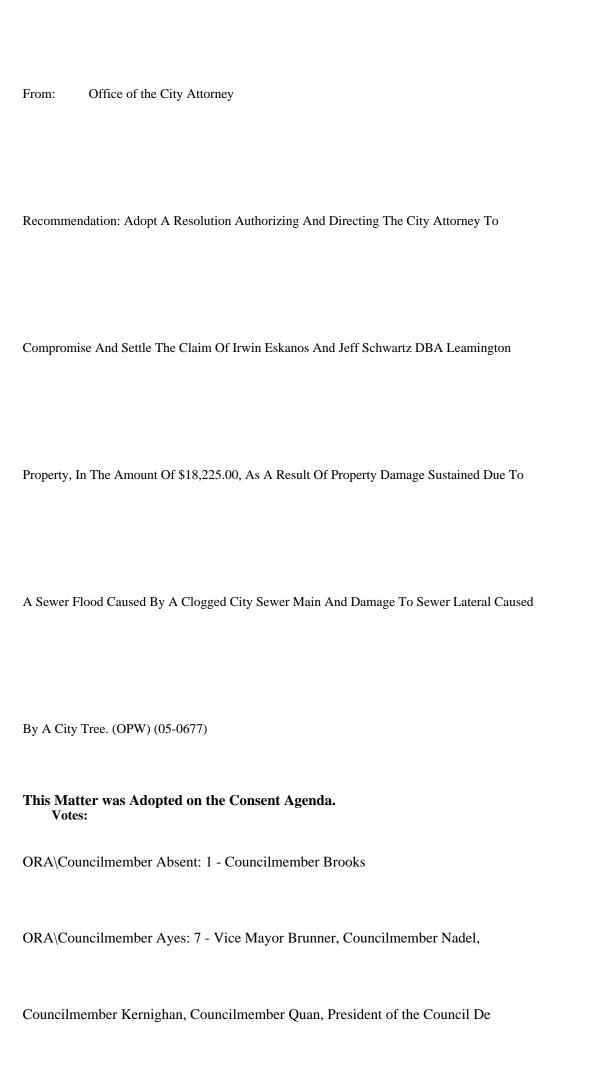
| This Matter was Adopted on the Consent Agenda.<br>Votes:                          |
|---|
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,              |
| Councilmember Kernighan, Councilmember Quan, President of the Council De          |
| La Fuente, Councilmember Reid and Councilmember Chang                             |
| <u>View Report.pdf</u> ,  |
| 79445 CMS.pdf<br>10.4-CC  |
| Subject: Ronald A. Grant - Settlement   |
| From: Office Of The City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To |
|   |

Compromise And Settle the Claim Of Ronald A. Grant, In The Amount Of \$36,800, As A

Department) (05-0674)

| Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Broken City Sewer |
|--|
| Main. (OPW) (05-0675)  |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                               |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                     |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                   |
| Councilmember Kernighan, Councilmember Quan, President of the Council De               |
| La Fuente, Councilmember Reid and Councilmember Chang                                  |
| The following individual(s) spoke and did not indicate a position on this item:        |
| - Sanjiv Handa   |
| View Report.pdf,   |
| 79446 CMS.pdf<br>10.5-CC   |
| Subject: Miriam Valesco - Settlement   |
| From: Office of the City Attorney  |

| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney     | Т    |
|--|------|
| Compromise And Settle The Claim Of Miriam Valesco, In The Amount Of Six Thous      | and  |
| Thirty Eight Dollars And No Cents (\$6,038.00), As A Result Of Damage To Her Sanin | tary |
| Sewer Lateral Caused By Tree Roots From A City Tree (OPW) (05-0676)                |      |
| This Matter was Adopted on the Consent Agenda. Votes:                              |      |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                 |      |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,               |      |
| Councilmember Kernighan, Councilmember Quan, President of the Council D            | )e   |
| La Fuente, Councilmember Reid and Councilmember Chang                              |      |
| View Report.pdf,   |      |
| 79447 CMS.pdf<br>10.6-CC   |      |
| Subject: Irwin Eskanos And Jeff Schwartz - Settlement                              |      |



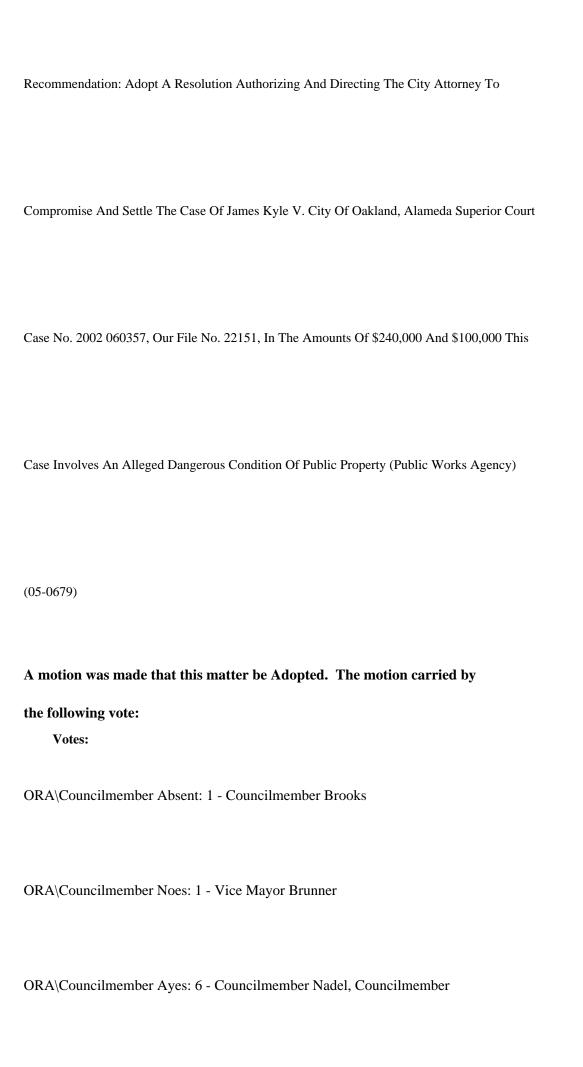
| <u>View Report.pdf</u> ,  |
|---|
| 79448 CMS.pdf   |
| 10.7-CC   |
| Subject: Elliott Flowers - Settlement   |
| From: Office of The City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To           |
| Compromise And Settle The Case of Elliott Flowers V. City Of Oakland, Et Al., United States |
| District Court, Northern District Of California Case No. C-04-3521-WHA In the Amount Of     |
| \$17,500.00 As A Result Of An Arrest On March 27, 2003 (Oakland Police Department -         |

La Fuente, Councilmember Reid and Councilmember Chang

| Excessive Force) (05-0673)  |
|---|
| This Matter was Adopted on the Consent Agenda.<br>Votes:                              |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Reid and Councilmember Chang                                 |
| View Report.pdf,  |
| 79449 CMS.pdf<br>10.8-CC  |
| Subject: Kevin Brown - Settlement   |
| From: Office of the City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To     |
| Compromise And Settle The Claim Of Kevin Brown, In An Amount \$98,154.00, As A Result |

| Of Property Damage Sustained Due To A Sewer Flood Caused By A Clogged City Sewer Main |
|---|
| (OPW) (05-0690)   |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                              |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Reid and Councilmember Chang                                 |
| View Report.pdf,  |
| 79450 CMS.pdf   |
| 10.9-CC   |
| Subject: David Gray - Settlement  |
| From: Office of The City Attorney   |
| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To     |

| Compromise And Settle The Case Of David Gray V. City Of Oakland, Et Al., Alameda County   |
|---|
| Superior Court Case No. RG04176348, Our File No. 23782, In the Amount Of \$36,500.00 This |
| Case Involves A Dog Bite (Oakland Police Department) (05-0672)                            |
| This Matter was Adopted on the Consent Agenda. Votes:                                     |
| ORA\Councilmember Absent: 1 - Councilmember Brooks  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                      |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                  |
| La Fuente, Councilmember Reid and Councilmember Chang                                     |
| <u>View Report.pdf</u> ,  |
| 79451 CMS.pdf<br>10.10CC  |
| Subject: James Kyle - Settlement  |
| From: Office of the City Attorney   |

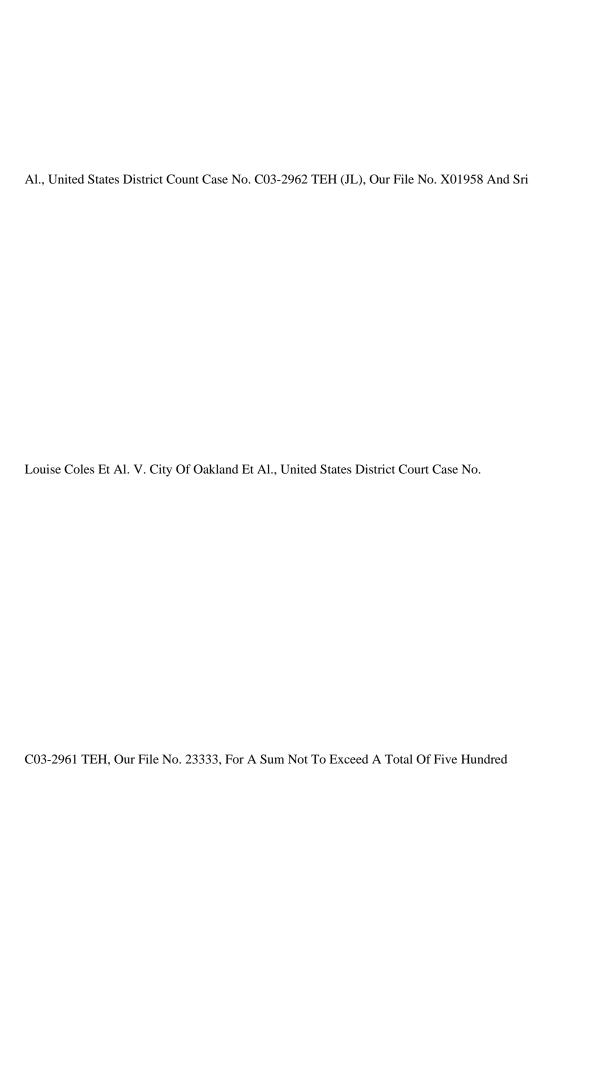


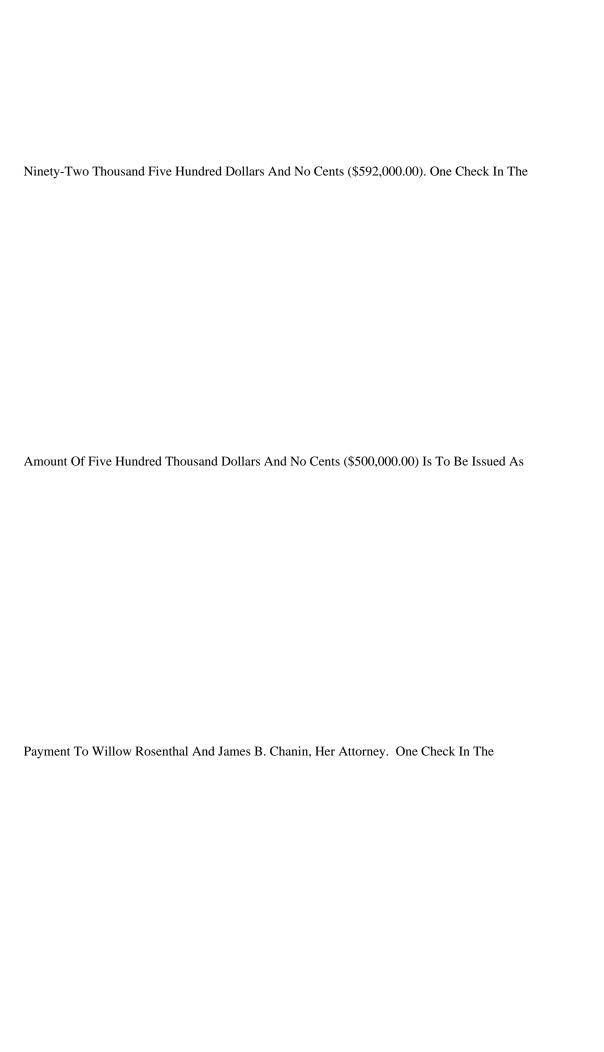
| Kernighan, Councilmember Quan, President of the Council De La Fu | uente |
|--|-------|
|  |       |
| Councilmember Reid and Councilmember Chang                       |       |
| View Report.pdf,   |       |
| 79452 CMS.pdf  |       |
| 10.11-CC   |       |
| Subject: Port Local 10 - Settlement                              |       |
|  |       |
|  |       |

Office of the City Attorney

From:

| Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To       |  |
|---|--|
| Compromise And Settle Claims Of Three (3) Of The Remaining Seventeen (17) Plaintiffs In |  |
| The Matters Of Port Local 10 Warehouse And Longshoremen Et Al. V. City Of Oakland, Et   |  |
|   |  |









## 79453 CMS.pdf 10.12-CC Motorized Scooters / Motorized "Pocket Bikes" Subject: From: Oakland Police Department Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Adding Chapter 10.17 To The Oakland Municipal Code Requiring Sellers Of Motorized Scooters And Motorized "Pocket Bikes" To Advise Consumers Of The State And Local Laws Regulating The Operation Of The Devices Within The City Of Oakland (05-0525) This Matter was Approved for Final Passage on the Consent Agenda. Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks

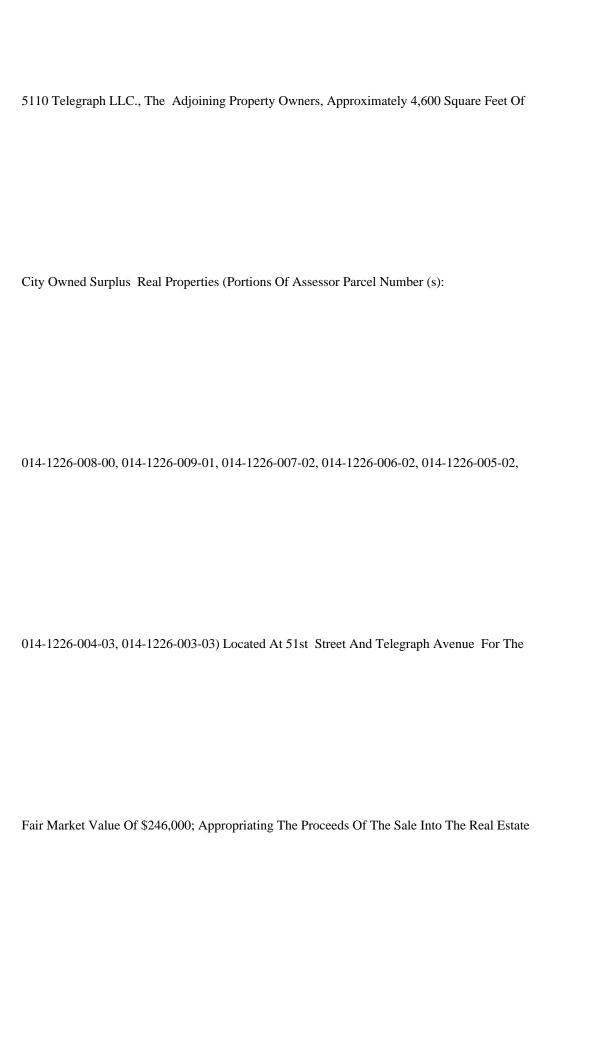
ORA\Councilmember Absent: 1 - Councilmember Brooks

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang

| The following individual(s) spoke and did not indicate a position on this item:           |
|---|
| - Sanjiv Handa  |
| View Report.pdf,  |
| <u>12697 CMS.pdf</u>  |
| 10.13-CC  |
| Subject: 51st Street And Telegraph Avenue Property Surplus                                |
| From: Community and Economic Development Agency   |
| Recommendation: Approve The Final Passage (Second Reading) Of A City Ordinance            |
| Authorizing The City Administrator To Enter Into A Purchase And Sale Agreement To Sell To |



| Surplus Property Project (05-0465)   |
|--|
| This Matter was Approved for Final Passage on the Consent Agenda.<br>Votes:    |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                             |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,           |
| Councilmember Kernighan, Councilmember Quan, President of the Council De       |
| La Fuente, Councilmember Reid and Councilmember Chang                          |
| View Report.pdf,   |
| 12698 CMS.pdf<br>10.14-CC  |
| Subject: Grizzly Peak Boulevard  |
|  |
| From: Community and Economic Development Agency                                |
| Recommendation: Approve The Final Passage (Second Reading) Of A City Ordinance |

| Authorizing The City Administrator To Enter Into A Purchase And Sales Agreement To Sell |
|---|
| To Brennan Mulligan And Yeung Tsui, The Adjoining Property Owners, Approximately 1,360  |
| Square Feet Of City Owned Surplus Real Property Located At Grizzly Peak Boulevard (APN# |
| 048H-7510-002-00) For The Fair Market Value Of \$1,360.00 (05-0363)                     |
| This Matter was Approved for Final Passage on the Consent Agenda.<br>Votes:             |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| View Report.pdf,  |
| 12699 CMS.pdf<br>10.15-CC   |

| Subject:   | Purchase Agreement with William T. Neill   |
|------------|--|
| From:      | Community Economic and Development Agency  |
| Recomme    | endation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing |
| The City A | Administrator To Enter Into A Purchase And Sale Agreement With William T. Neill, |
| The Adjoi  | ining Property Owner, To Purchase Approximately 4,500 Square Feet Of City Owned  |
| Surplus R  | eal Property Located At 51st Street Between Manila And Coronado Avenue For The   |
| Fair Mark  | et Value Of \$4,500 (05-0333)  |
| This Mar   | tter was Approved for Final Passage on the Consent Agenda.                       |
| ORA\Co     | uncilmember Absent: 1 - Councilmember Brooks                                     |

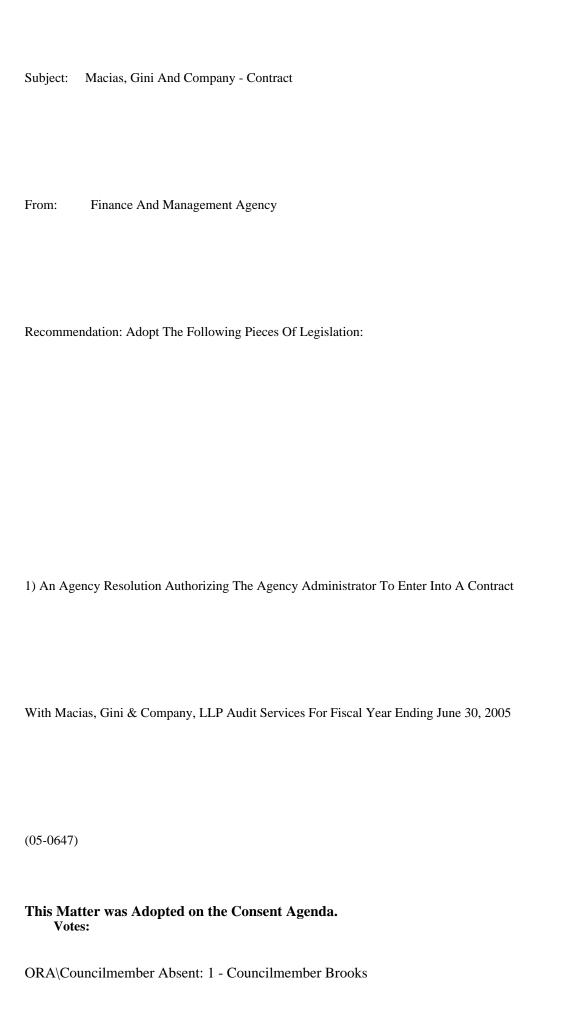
ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang View Report.pdf, 12700 CMS.pdf 10.16-CC Subject: Reduction of Commercial Truck Activity - West Oakland From: Councilmember Nadel Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending Sections 10.52.070 And 10.52.120 Of The Oakland Municipal Code To Modify Existing Local And Through Truck Routes In West Oakland (05-0291) This Matter was Approved for Final Passage on the Consent Agenda. Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Reid and Councilmember Chang The following individual(s) spoke and did not indicate a position on this item: - Sanjiv Handa View Report.pdf, 12701 CMS.pdf 10.17-CC Subject: Animal Control And Shelter Manager Classification From: Finance And Management Agency Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Add the Classification Of Director Of Animal Services (05-0553) This Matter was Approved for Final Passage on the Consent Agenda. Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang

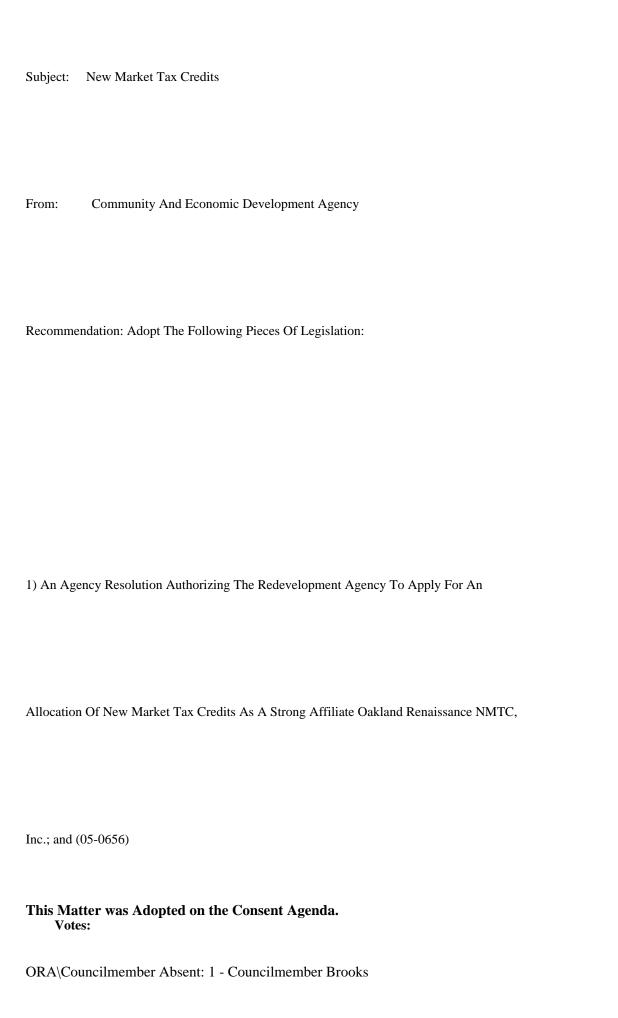
| The following individual(s) spoke and did not indicate a position on this item:          |
|--|
| - Carol Maddox   |
| - Martha Clime   |
| - Williw Liroff  |
| View Report.pdf,   |
| 12702 CMS.pdf<br>10.18-CC  |
| Subject: International Association of Firefighters - Settlement                          |
| From: Office of the City Attorney  |
| Recommendation: Adopt A Resolution Fixing The City's Contribution Under The Public       |
| Employer's Medical And Hospital Care Act, Only With Respect To Sworn Fire Unit Employees |
| Who Belong To The Public Employees' Retirement System, And Fixing The City's             |

| Contribution For Employees And Annuitants At Different Amounts; And Rescinding |
|--|
| Resolution No. 79336 And Resolution No. 66402 Of The Same Title (05-0696)      |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                       |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                             |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,           |
| Councilmember Kernighan, Councilmember Quan, President of the Council De       |
| La Fuente, Councilmember Reid and Councilmember Chang                          |
| View Report.pdf,   |
| 79454 CMS.pdf  |
| S-10.19-C  |
| C  |
| Subject: Measure B Amendment Endorsement                                       |
| From: Public Works Agency  |

| Recommendation: Adopt A Resolution Endorsing Amendment Of The 1986 Measure B          |
|---|
| Alameda County Transportation Expenditure Plan To Reprogram Funds Earmarked For The   |
| Route 238 Hayward By-Pass Project To Four Alternative Projects In Central County That |
| Address Traffic Congestion In The Hayward Bypass Corridor (05-0626)                   |
| This Matter was Adopted on the Consent Agenda. Votes:                                 |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                    |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De              |
| La Fuente, Councilmember Reid and Councilmember Chang                                 |
| View Report.pdf,  |
| 79455 CMS.pdf   |
| S-10.20-C   |
| C   |



ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang The following individual(s) spoke and did not indicate a position on this item: - Sanjiv Handa View Report.pdf, 2005-0053 CMS.pdf 2) A Resolution Authorizing The City Administrator To Enact A One-Year Extension With Macias, Gini & Company, LLP To Provide Audit Services For Fiscal Year Ending June 30, 2005 In The Amount Not To Exceed \$665,400 (05-0647-1) This Matter was Adopted on the Consent Agenda. Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang View Report.pdf, 79456 CMS.pdf S-10.21-C



| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
|--|
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
| View Report.pdf,   |
| 2005-0054 CMS.pdf  |
| 2) A Resolution Authorizing The City Of Oakland To Apply For An Allocation Of New Market |
| Tax Credits As A Strong Affiliate Of Oakland Renaissance NMTC, Inc. (05-0656-1)          |
| This Matter was Adopted on the Consent Agenda. Votes:                                    |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
| View Report.pdf,   |
| 79457 CMS.pdf  |
| S-10.22-C  |
| C  |
| Subject: Traffic Stop Signs And Parking Meter Zone For 19th Street And Thomas L. Berkley |

| Way   |
|---|
| From: Community And Economic Development Agency   |
| Recommendation: Adopt The Following Pieces Of Legislation:                                  |
|   |
|   |
| 1) A Resolution Approving The Installation Of Traffic Stop Signs And A Traffic Signal For A |
| New Street Connecting 19th Street, William Street, And Thomas L. Berkley Way For The        |
| Uptown Oakland Project; And (05-0562)   |

This Matter was Adopted on the Consent Agenda. Votes:

| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |
|---|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| View Report.pdf,  |
| 79458 CMS.pdf   |
| 2) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal  |
| Code Chapter 10.36 And Adding A Metered Parking Zone Along A New Street Connecting      |
| 19th Street, William Street, And Thomas L. Berkley Way For The Uptown Oakland Mixed Use |
| Redevelopment Project (05-0562-1)   |
| This Matter was Approved for Final Passage on the Consent Agenda.<br>Votes:             |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| View Report.pdf   |

| S-10.23-C  |
|--|
| C  |
|  |
|  |
| Subject: Underground Encroachments   |
|  |
|  |
|  |
| From: Community And Economic Development Agency  |
|  |
|  |
|  |
| Recommendation: Adopt The Following Pieces Of Legislation:                               |
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|  |
|  |
| 1) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment      |
|  |
|  |
|  |
| Permit To Install A Below-Sidewalk Temporary Soil Shoring System In William Street, 19th |

| Street, San Pablo Avenue, Telegraph Avenue, And Thomas L. Berkley Way For The Uptown    |
|---|
| Oakland Mixed Use Redevelopment Project; and (05-0561)                                  |
| This Matter was Adopted on the Consent Agenda. Votes:                                   |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| View Report.pdf,  |
| 79459 CMS.pdf   |
| 2) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment     |
| Permit To Install And Maintain Custom Roadway Pavement In William Street For The Uptown |
| Oakland Mixed Use Redevelopment Project; And (05-0561-1)                                |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |

| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
|--|
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
| 79460 CMS.pdf  |
| 3) A Resolution Granting FC Oakland, Inc., A Conditional And Revocable Encroachment      |
| Permit To Install Below-Sidewalk Electrical Transformers, Vaults, And Power Distribution |
| Cabling In William Street, 19th Street, Thomas L. Berkley Way, San Pablo Avenue, And     |
| Telegraph Avenue For The Uptown Oakland Mixed Use Redevelopment Project (05-0561-2)      |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                 |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
| 79461 CMS.pdf  |
| S-10.24-C  |
| C  |

| Subject: Rescinding Resolution Number 78803  |
|--|
| From: Cultural Arts and Marketing Division   |
| Recommendation: Adopt A Resolution Rescinding Resolution Number 78803 C.M.S        |
| Authorizing The City's Participation In The Arts Loan Fund Managed By The Northern |
| California Grantmakers (05-0639)   |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                           |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                 |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,               |
| Councilmember Kernighan, Councilmember Quan, President of the Council De           |
| La Fuente, Councilmember Reid and Councilmember Chang                              |
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| 79462 CMS.pdf  |
| S-10.25-C  |
| C  |

| Subject: Cultural Arts Loan Program  |
|--|
| From: Cultural Arts Department   |
| Recommendation: Adopt An Agency Resolution (1) Rescinding Resolution Number 94-43        |
| C.M.S, And Terminating The Cultural Arts Revolving Loan Program, And (2) Authorizing The |
| Agency's Participation In The Arts Loan Fund Managed By The Northern California          |
| Grantmakers (05-0638)  |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                 |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
| View Report.pdf,   |

## 2005-0055 CMS.pdf S-10.26CC -CC Subject: Library Services And Construction Act Grant From: 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 \$31,439 From The California State Library, Library Services And Construction Act (LSTA) To Support The Public Library Staff Education Program For Fiscal Year 2005-2006 (05-0662) This Matter was Adopted on the Consent Agenda. Votes:

ORA\Councilmember Absent: 1 - Councilmember Brooks

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

View Report.pdf, 79463 CMS.pdf S-10.27-C C Digital Resources Grant Subject: Oakland Public Library From: 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 \$6,000 From The California State Library, Library Services And Construction Act (LSTA) For The Local History Digital Resources Program For Fiscal Year 2005-2006 (05-0664) This Matter was Adopted on the Consent Agenda. Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks

La Fuente, Councilmember Reid and Councilmember Chang

| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
|---|
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| The following individual(s) spoke and did not indicate a position on this item:         |
| - Sanjiv Handa  |
| - Glenda Fae Hammonds   |
| View Report pdf,  |
| 79464 CMS.pdf   |
| S-10.28-C   |
| C   |
| Subject: PASS! After School Program   |
| From: 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 \$10,000 |

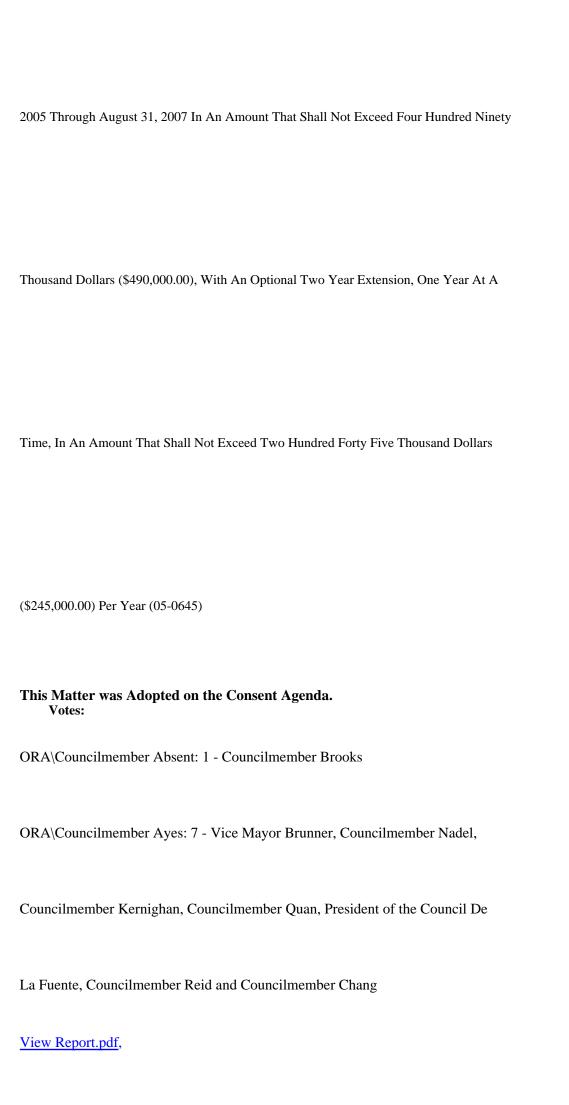
| From The East Bay Community Foundation (EBFC) To Support The Library's PASS!            |
|---|
| After-School Homework Program In Fiscal Year 2005-2006 (05-0663)                        |
| This Matter was Adopted on the Consent Agenda. Votes:                                   |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                      |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                    |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                |
| La Fuente, Councilmember Reid and Councilmember Chang                                   |
| <u>View Report.pdf</u> ,  |
| 79465 CMS.pdf   |
| S-10.29-C   |
| C   |
| Subject: Raise A Reader Pilot Project   |
| From: 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 \$10,000   |
|---|
| From The Trio Foundation For The Raising A Reader Pilot Project For Fiscal Year 2005-2006 |
| (05-0661)   |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                  |
| ORA\Councilmember Absent: 1 - Councilmember Brooks  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                      |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                  |
| La Fuente, Councilmember Reid and Councilmember Chang                                     |
| View Report.pdf,  |
| 79466 CMS.pdf   |
| S-10.30-C   |
| C   |
| Subject: All Star Fire Equipment - Agreement  |

| From: Oakland Fire Department  |
|--|
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A    |
| Term Agreement With All Star Fire Equipment For The Purchase Of Firefighter Protective   |
| Clothing (Turnouts) In An Amount Not To Exceed Three Hundred Ninety Thousand Dollars     |
| (\$390,000.00) For The Period October 14, 2005 Through October 13, 2008, and Authorizing |
| Waiver Of The Competitive Bidding Requirements (05-0646)                                 |
| This Matter was Adopted on the Consent Agenda.<br>Votes:                                 |
| ORA\Councilmember Absent: 1 - Councilmember Brooks                                       |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |

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|---|
| <u>79467 CMS.pdf</u>  |
| S-10.31-C   |
| C   |
| Subject: Concentra Medical Centers - Contract   |
| From: Oakland Fire Department   |
| Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A         |
| Contract With Concentra Medical Centers To Perform Physical Fitness Assessments And           |
| Health Testing Services To City Of Oakland's Firefighting Personnel For The Period October 1, |

La Fuente, Councilmember Reid and Councilmember Chang



## 79468 CMS.pdf

## **Passed The Consent Agenda**

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

| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                     |
|--|
|  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
|  |
| La Fuente, Councilmember Reid and Councilmember Chang                                    |
|  |
|  |
| The following individual(s) spoke and did not indicate a position on this item:          |
| - Sanjiv Handa   |
| 12   |
| A disclosure of non-confidential Closed Session Discussion pursuant to Section 15 of the |
| Sunshine Ordinance   |
| A motion was made by Councilmember Chang, seconded by                                    |
| Councilmember Reid, to *Received and Filed. The motion carried by the                    |
| following vote:  |
| Votes:   |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,                     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                 |
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember                    |
|  |
| Chang  |
|  |

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

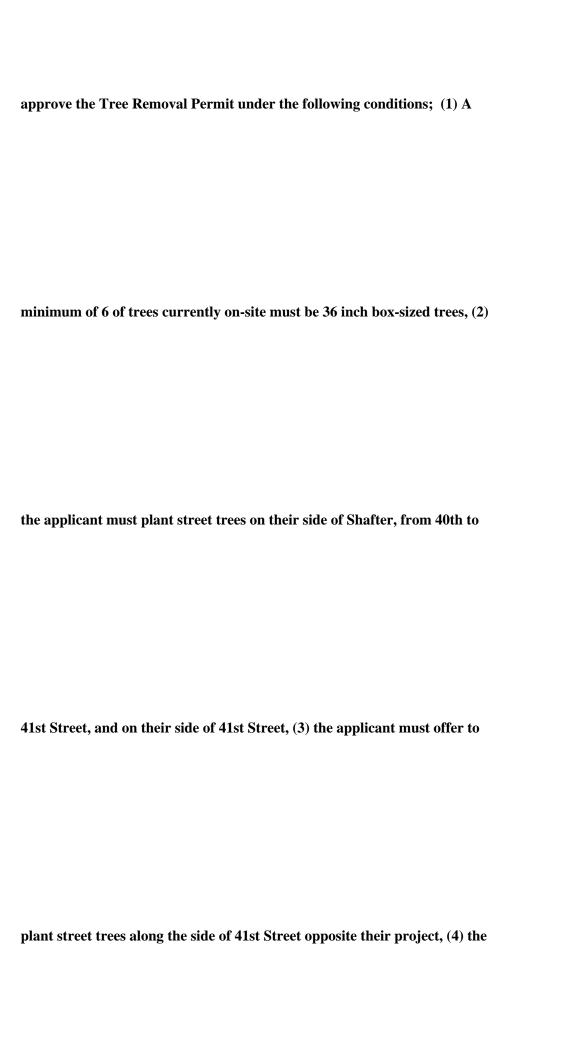
## Reconsideration of Ordinances pursuant to Charter Section 216 There was no action necessary for this item. **14.** Consideration of items with statutory Public Hearing Requirements: 14.1 Subject: Brookpark Tree Removal From: Public Works Agency Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt Of A Resolution Denying The Appeal Filed By Robert Bobb Against The Decision Of The Public Works Agency Approving The Issuance Of Tree Removal Permit DR02-123 For Brookpark Road, An Undeveloped Lot, APN 085-0105-040-00, In Order To Build A New Home (05-0420) $\,$ \*Withdrawn with No New Date View Report.pdf 14.2 Subject: Tree Removal Permit DR05-083

THEREAFTER:

From:

Public Works Agency

| Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution       |
|---|
| Denying The Appeal Filed By Carol Wolman-Clapsadle Against The Decision Of The Public |
| Works Agency Approving The Issuance Of Tree Removal Permit DR05-083 For 400 40th      |
| Street (05-0686)  |
| A motion was made by Vice Mayor Brunner, seconded by Councilmember                    |
| Reid, that this matter be Adopted as Amended to deny the appeal and                   |
|   |



| applicant must relocate the lady palm, as the applicant has offered; and (5) |
|--|
|  |
| the applicant must try to preserve as many of the Silk Oak trees as          |
| possible.  |
|  |
| The motion carried by the following vote:                                    |
| Votes:   |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,         |
| Councilmember Kernighan, Councilmember Quan, President of the Council De     |

| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember   |
|---|
| Chang   |
|   |
| Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was |
|   |
|   |
|   |
| opened at 7:06 P.M.   |
|   |









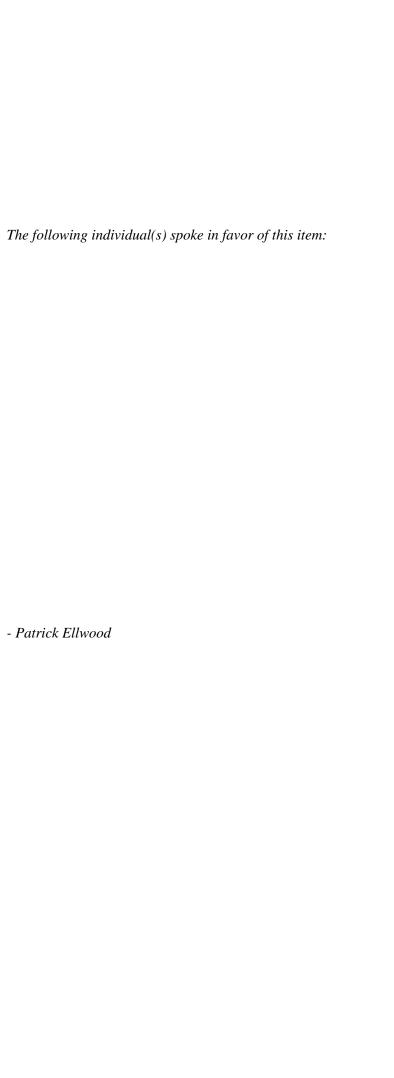
- David Thorne

- Jeff Greenwald

- Brian Fenske

- Jacob Clapsadle

- Hillary Curtis



- Jason Gardner

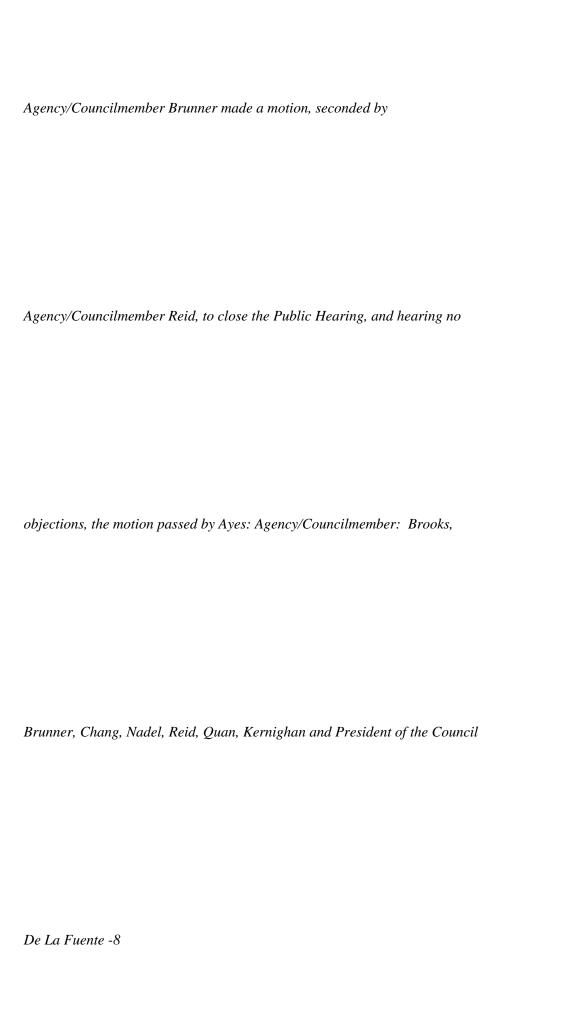
- Robert Clapsadle

- Carol Wolman View Report.pdf, 79469 CMS.pdf 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) Adopt 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         |
| (05-0680)   |
| A motion was made by Councilmember Reid, seconded by Councilmember                        |
| Quan, that this matter be Adopted. The motion carried by the following                    |
| vote:  Votes:   |

| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,     |
|--|
| Councilmember Kernighan, Councilmember Quan, President of the Council De |
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember    |
| Chang  |
| Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was  |
| opened 7:36 PM   |

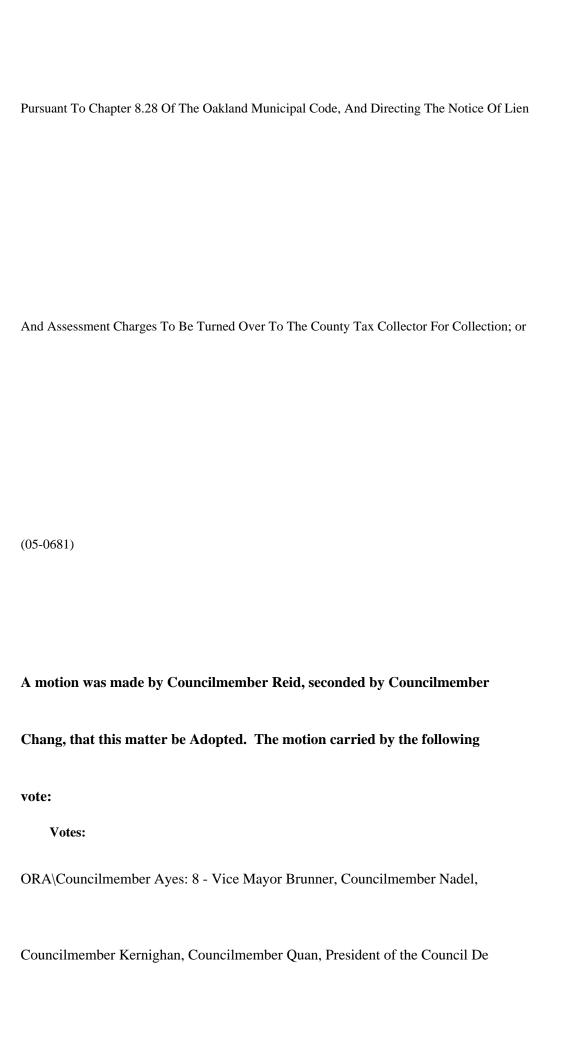


| The following individual(s) spoke and did not indicate a position on this item:           |
|---|
|   |
| - Sanjiv Handa  |
| View Report.pdf, 79470 CMS.pdf  |
| 2) Adopt A Resolution Overruling Protests And Accepting And Confirming Reports Of The     |
| City Administrator On The Delinquent Business 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     |
| (05-0680-1)   |
| Not Adopted   |
| 3) Adopt 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 (05-0680-2)  |
| Not Adopted<br>14.4   |
|   |
| Subject: Delinquent Mandatory Garbage Fees - Public Hearing                             |
|   |

| From:       | Finance and Management Agency  |
|-------------|--|
|             |  |
| Recommen    | dation: Conduct A Public Hearing Regarding Delinquent Mandatory Garbage Fees |
|             |  |
| For January | y/February/March 2005 Monthly Accounts And April/May/June 2005, Quarterly    |
|             |  |
| Accounts A  | and Upon Conclusion Adopt One Of The Following Resolutions:                  |
|             |  |
|             |  |

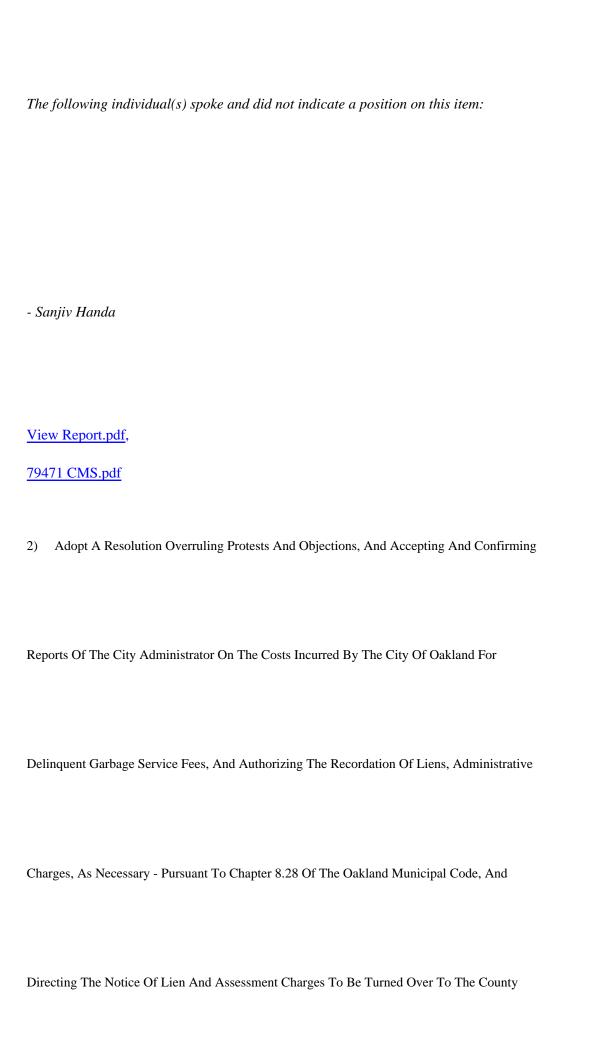
| 1) Adopt A Resolution Accepting And Confirming Reports Of The City Administrator On The   |  |
|---|--|
| Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees, And Confirming |  |
| The Recordation Of Liens, Administrative Charges, And Assessment Charges, As Necessary -  |  |
|   |  |



| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember   |
|---|
| Chang   |
|   |
| Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was |
|   |
| on an od 7,20 D M   |
| opened 7:39 P.M.  |
|   |
|   |
|   |

Agency/Councilmember Reid made a motion, seconded by



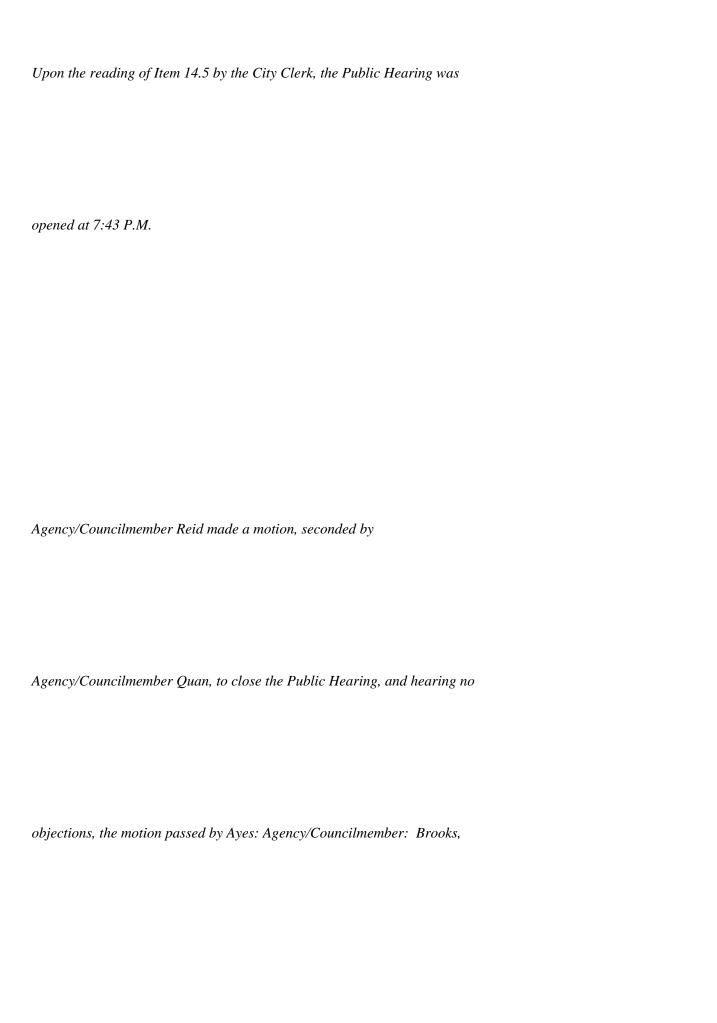


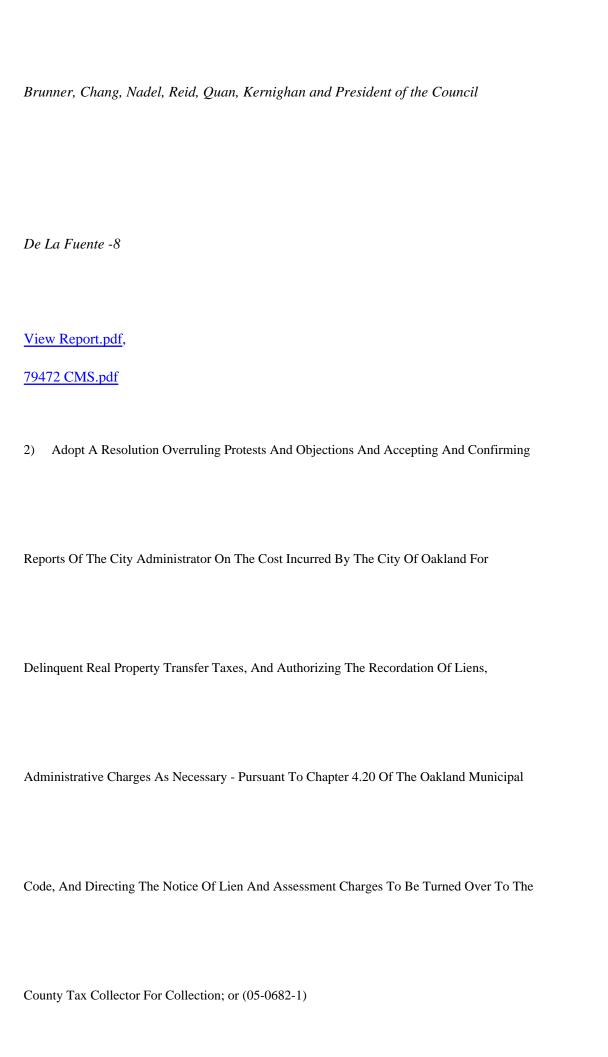
| Tax Collector For Collection; or (05-0681-1)  |
|---|
| Not Adopted   |
| 3) Adopt A Resolution Continuing Hearing On Reports Of The City Administrator On The    |
| Delinquent Garbage Services Fees And Confirming Of The Recordation Of Liens,            |
| Administrative Charges, And Assessment Charges, 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 (05-0681-2)       |
| Not Adopted 14.5  |
|   |
| 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) Adopt 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 (05-0682)   |
| A motion was made by Councilmember Reid, seconded by Councilmember  Quan, that this matter be Adopted. The motion carried by the following |
| vote:  Votes:  |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,   |
| Councilmember Kernighan, Councilmember Quan, President of the Council De   |
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember  |
| Chang  |
|  |





| 3) Adopt 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 (05-0682-2)            |
| Not Adopted<br>14.6   |
| Subject: Delinquent Transient Occupancy Taxes - Public Hearing                            |

Not Adopted

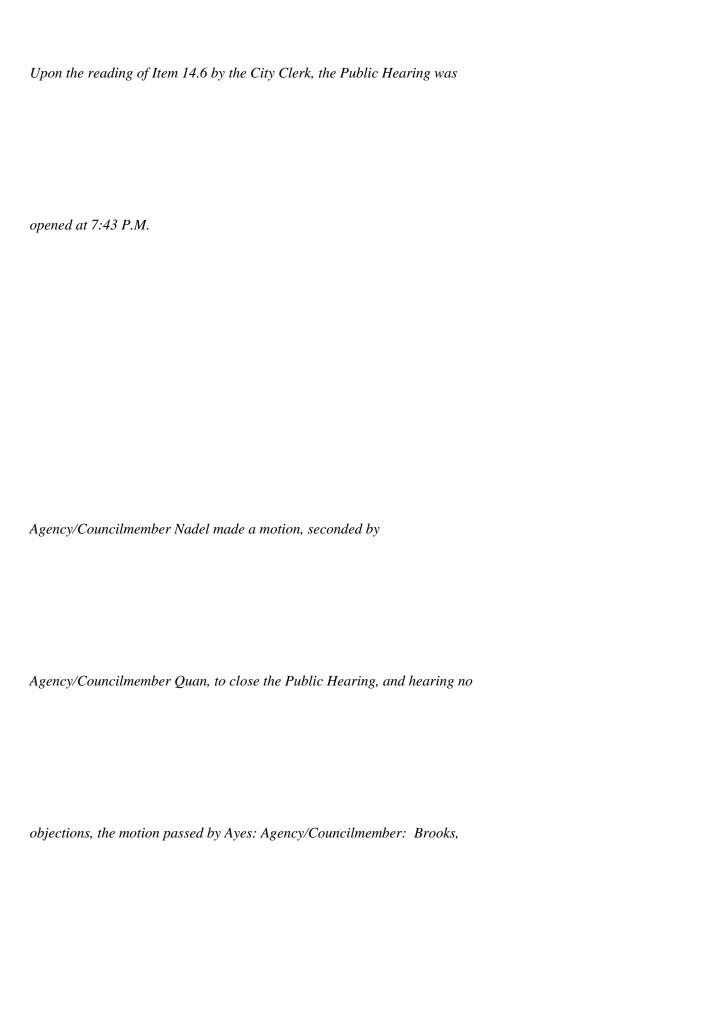
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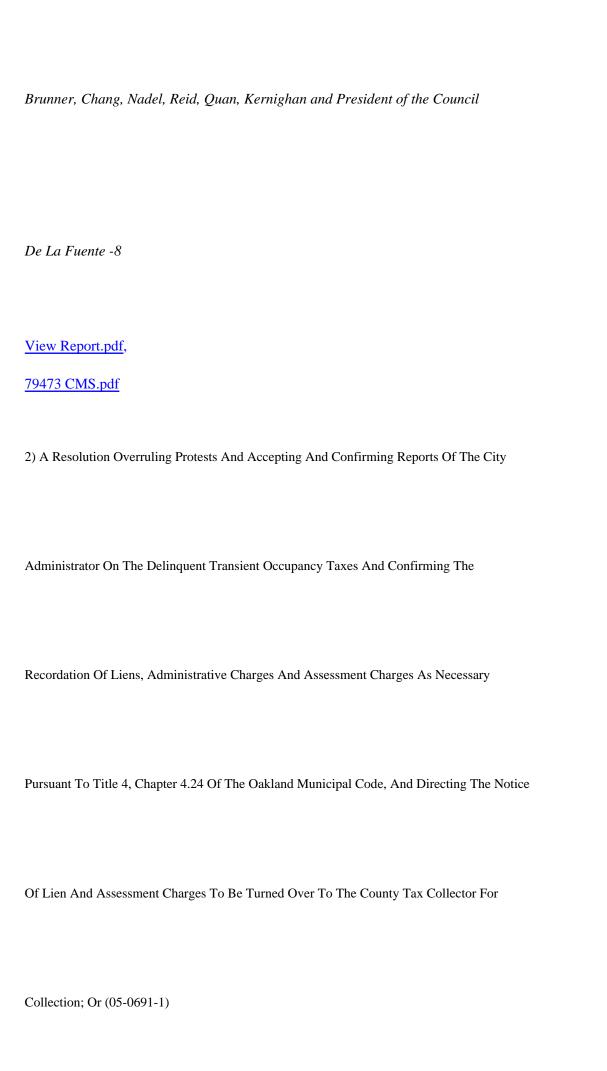
Finance And Management Agency

| Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For      |
|---|
|   |
| Delinquent Transient Occupancy 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 Transient Occupancy Taxes And Confirming   |  |
| The Recordation Of Liens, Administrative Charges, And Assessment Charges As Necessary     |  |
| Pursuant To Title 4, Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice |  |
|   |  |

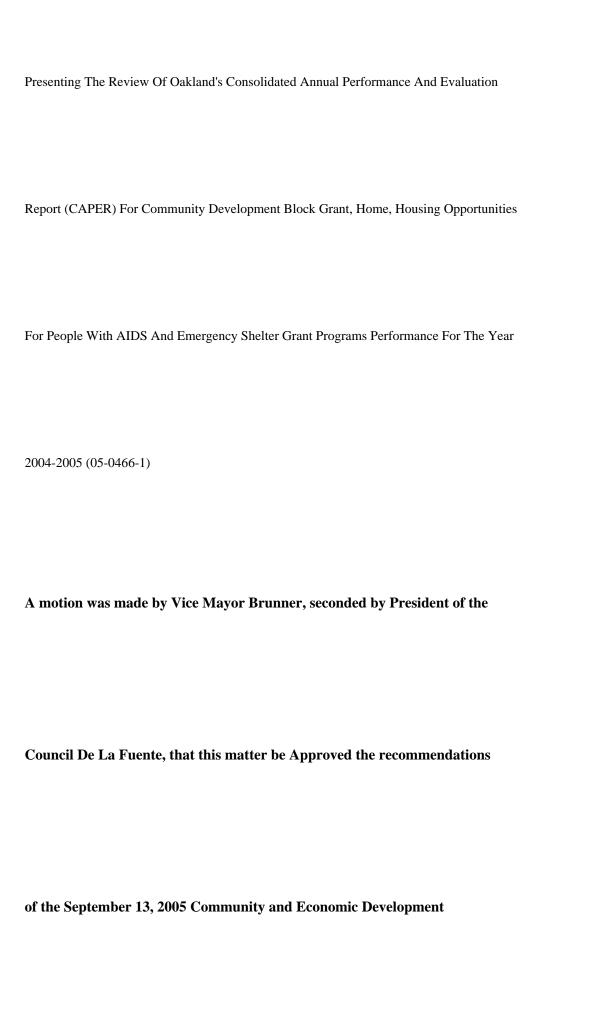
| Of Lien And Assessment Charges To Be Turned Over To The County For Collection; Or   |
|---|
| (05-0691)   |
| A motion was made by Councilmember Nadel, seconded by  Councilmember Quan, that this matter be Adopted. The motion carried by |
| the following vote:  Votes:   |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,  |
| Councilmember Kernighan, Councilmember Quan, President of the Council De  |
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember   |
| Chang   |





| 3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent |
|---|
| Transient Occupancy Taxes And Confirming The Recordation Of Liens, Administrative         |
| Charges And Assessment Charges As Necessary Pursuant To Title 4, Chapter 4.24 Of The      |
| Oakland Municipal Code (05-0691-2)  |
| Not Adopted   |
| At this time, Items 15.1 and 15.2 were taken out of order and heard prior to              |
| Item 14.7   |
| AT 8:35 P.M., PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE,                                |
| RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER REID                                      |
| PRESIDED AS PRESIDENT PRO TEMPORE.  |
|   |
| 14.7  |
| Subject: Annual Performance and Evaluation Report   |
|   |
| From: Community and Economic Development Agency   |
|   |
| Recommendation: Conduct A Public Hearing And Upon Conclusion Take Action On A Report      |

**Not Adopted** 



| Committee and directed staff to return to the October 25, 2005 Community |
|--|
|  |
| and Economic Development Committee meeting with a follow-up report       |
| including the actual budget vs. expenditures and status and              |
| recommendations for each program. The motion carried by the following    |
| vote:  |
| Votes:   |
| ORA\Councilmember Ayes: 8 - Vice Mayor Brunner, Councilmember Nadel,     |
| Councilmember Kernighan, Councilmember Quan, President of the Council De |
| La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember    |

| Chang   |
|---|
|   |
| Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was |
|   |
|   |
| opened  |
|   |
|   |
| 9:40 P.M.   |
|   |
|   |
|   |
|   |
| Agency/Councilmember Brunner made a motion, seconded by                 |
|   |
| Agency/Councilmember Brunner made a motion, seconded by                 |

| Agency/Councilmember De La Fuente, to close the Public Hearing, and  |
|--|
| hearing no objections, the motion passed by Ayes: Agency/Councilmember:  |
| Brooks, Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the  |
| Council De La Fuente -8  |
| View Report.pdf Upon conclusion of 14.7, Council returned to Item 15 on the agenda ACTION ON NON-CONSENT ITEMS: 15 |
| Subject: Pay-Go Funded Contracts   |
| From: Vice Mayor Brunner   |

| Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending       |
|---|
| Oakland Municipal Code Title 2, Chapter 2.04 To Add Section 2.04.018 Authorizing The City |
| Administrator To Execute Pay-Go Funded Contracts In Accord With Oakland's Contracting     |
| Rules And Procedures Without City Council Approval (05-0541)                              |
| A motion was made by President of the Council De La Fuente, seconded by                   |
| Councilmember Quan, that this matter be Approved for Final Passage.                       |
| The motion carried by the following vote:  Votes:   |
| ORA\Councilmember Noes: 2 - Councilmember Brooks and Councilmember                        |
| Chang   |
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,                      |
| Councilmember Kernighan, Councilmember Quan, President of the Council De                  |

| The following individual(s) spoke and did not indicate a position on this item |
|--|
| - Sanjiv Handa   |
| View Report.pdf,   |
| 12703 CMS.pdf  |
| Subject: Oakland Workforce Investment Board Alternatives                       |
| From: Community And Economic Development Agency                                |

La Fuente and Councilmember Reid

| Recommendation: Adopt One Of The Following Resolutions Regarding The Oakland |  |
|--|--|
|  |  |
|  |  |
| Workforce Investment Board:  |  |
|  |  |
|  |  |
|  |  |
|  |  |

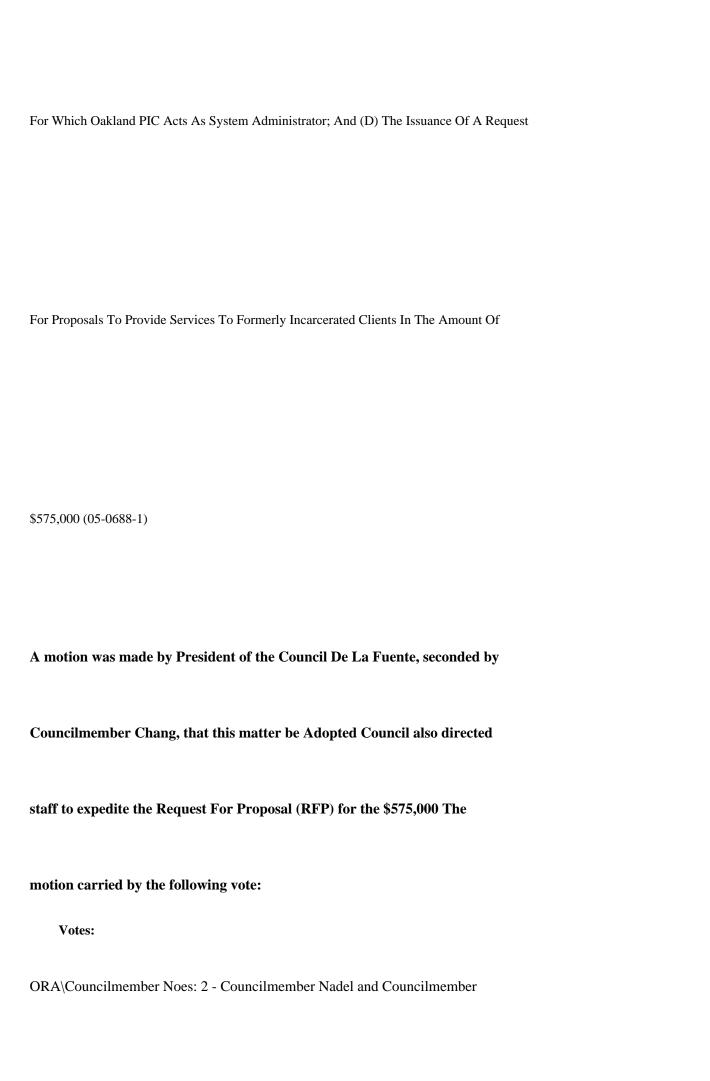
| 1) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private       |  |
|---|--|
| Industry Council, Inc., (PIC) To Serve As The Workforce Investment System Administrator For |  |
| Up To Three Years In An Amount No To Exceed \$1,300,000 For Fiscal Year 2005-2006; B) A     |  |
|   |  |



| Subcontracts With Adult And Youth Service Providers As Approved By The Oakland            |  |
|---|--|
| Workforce Investment Board, For Delivery Of Support Services And Training For Job Seekers |  |
| And Business Clients, And For Other Programs For Which The Oakland PIC Acts As System     |  |
|   |  |

| Administrator; Or (05-0688)   |  |
|---|--|
| Not Adopted View Report.pdf, View Report.pdf  |  |
| 2) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private |  |
| Industry Council, Inc., (PIC) To Serve As The Oakland Workforce Investment System     |  |
| Administrator For Up To Three Years In An Amount Not To Exceed \$1,300,000 For Fiscal |  |

| Year 2005-2006; B) A Memorandum Of Understanding With The Oakland PIC To Serve As          |
|--|
| The One Stop Career Center Operator For Up To Three Years In An Amount No To Exceed        |
| \$1,325,000 For Fiscal Year 2005-2006; C) The Disbursement Of Additional Funds To The      |
| Oakland PIC For Subcontracts With Adult And Youth Service Providers As Delivery OF         |
| Support Services And Training For Job Seekers And Business Clients, And For Other Programs |



| Brooks  |
|---|
| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember                   |
| Kernighan, Councilmember Quan, President of the Council De La Fuente,           |
| Councilmember Reid and Councilmember Chang                                      |
|   |
| The following individual(s) spoke and did not indicate a position on this item: |
|   |
|   |
|   |
| - Sanjiv Handa  |
|   |

| - Barbara Leslie |
|------------------|
| - Greg Hodge     |
| - Geofrey Pete   |

| - Gay Phair Cobb        |                   |           |  |
|-------------------------|-------------------|-----------|--|
| - Bill Paterson (time c | ceded from Charle | s Turner) |  |
| - Kitty Kelly Epstein   |                   |           |  |

- Gene Hazzard

- Dan Siegal

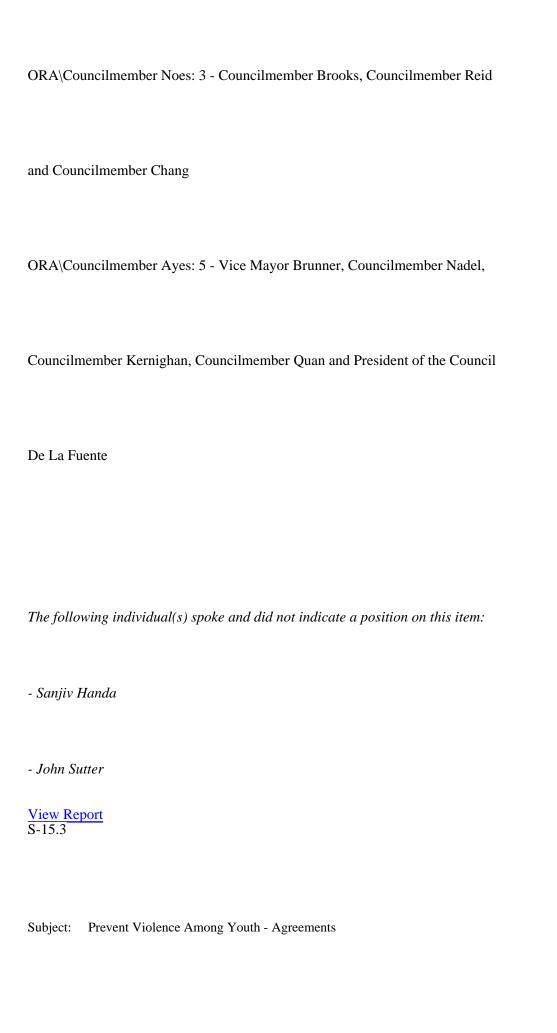
| The following individual(s) spoke in fav | vor of this item: |  |
|--|-------------------|--|
|  |                   |  |
|  |                   |  |
|  |                   |  |
| - Tyrone Austin                          |                   |  |
|  |                   |  |
|  |                   |  |
|  |                   |  |
| - Douglas Butler                         |                   |  |
|  |                   |  |
|  |                   |  |

| - Hakim Lovely     |  |  |
|--------------------|--|--|
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| - Jeffrey Taylor   |  |  |
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| - Jason Washington |  |  |
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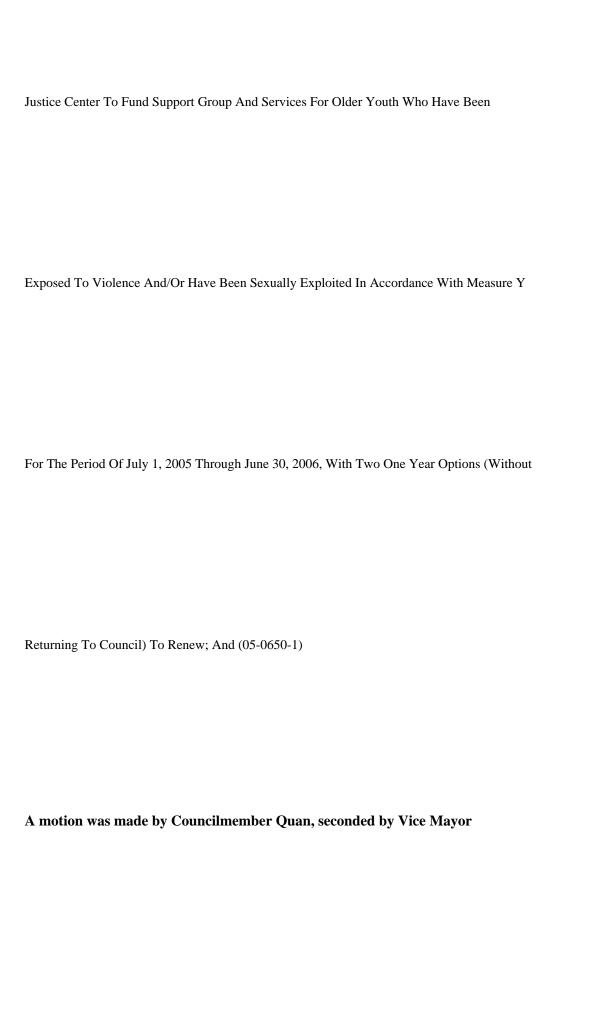
| Subject: B   | Billboard Management And Regulation   |
|--------------|---|
| From:        | Community And Economic Development Agency                                   |
| Recommend    | ation: Action On A Report And Recommendations Outlining The City's Land Use |
| Authority Aı | nd Options For The Management And Regulation Of Outdoor Advertising Signs   |
| (Billboards) | In The City Of Oakland, Including The Port Area (05-0400)                   |
| A motion v   | vas made by Vice Mayor Brunner, seconded by Councilmember                   |
| Quan, that   | this matter be Approve as Amended Council directed staff to                 |
| begin discu  | assions with the Port of Oakland towards a negotiated agreement             |

| on regulating outdoor advertising in the Port Area and to return to Council |
|---|
| with that agreement by December 6, 2005; and/or to return to the            |
| December 6, 2005 City Council meeting with the first step necessary to      |
| make a General Plan amendment, in the event that an agreement can not       |
| be reached, per Option A in the staff report. The motion carried by the     |
| following vote:   |

Votes:

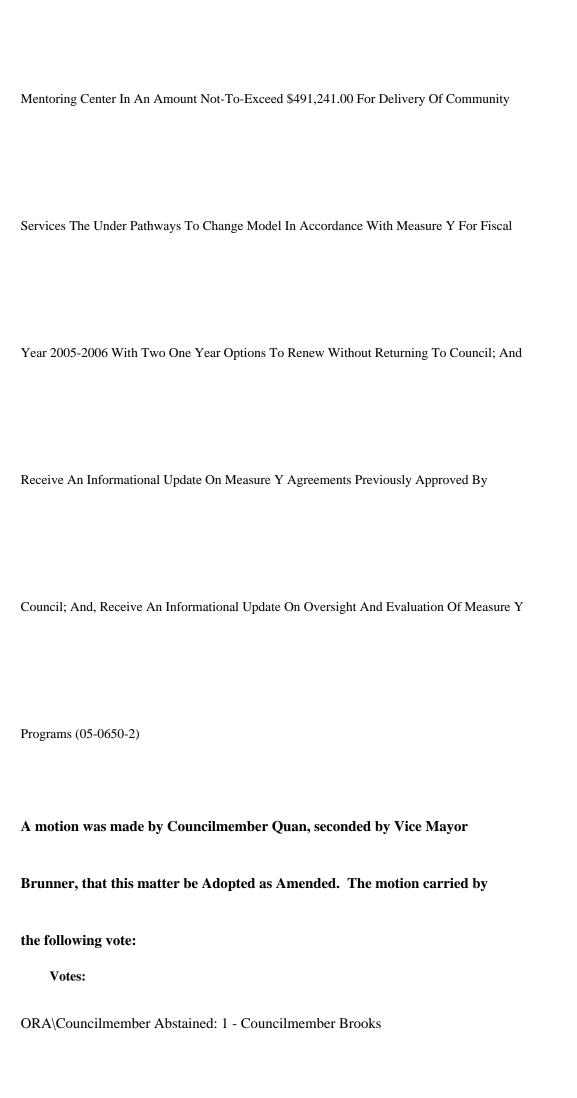


| From:       | Department of Human Services   |
|-------------|--|
|             |  |
| Recommen    | dation: Adopt The Following Pieces Of Legislation:                             |
|             |  |
|             |  |
|             |  |
|             |  |
| 1) A Resolu | ution Authorizing The City Administrator To Execute An Agreement For \$147,364 |
|             |  |
| Between Tl  | he City Of Oakland And The Alameda Count District Attorney's Office For Family |
|             |  |



| Brunner, that this matter be Adopted as Amended to include the following     |
|--|
| requirements: 1) with an exception of immediate termination of any           |
| program that does not comply with the program requirements, 2) must be       |
| required (not encouraged) for collection of data for sports programs', 3) an |
| equivalent educational institution and further directed staff to return to   |
| Council with annual progress and accountability reports on all contracts     |

| which includes a plan for any unspent monies and a report on how to fund            |
|---|
|   |
|   |
| teen centers. The motion carried by the following vote:                             |
|   |
| Votes:  |
| ORA\Councilmember Abstained: 1 - Councilmember Brooks                               |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                |
| Councilmember Kernighan, Councilmember Quan, President of the Council De            |
| La Fuente, Councilmember Reid and Councilmember Chang                               |
| The following individual(s) spoke against this item:                                |
| - Darnell Livingston  |
| View Report.pdf,  |
| 79475 CMS.pdf   |
| 2) A Resolution Authorizing The City Administrator To Execute An Agreement With The |



| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,              |
|---|
| Councilmember Kernighan, Councilmember Quan, President of the Council De          |
| La Fuente, Councilmember Reid and Councilmember Chang                             |
| 79476 CMS.pdf<br>S-15.4   |
| Subject: Measure Y Funded Programs  |
| From: Department of Human Services  |
| Recommendation: Action On A Report And Recommendations To Approve The Competitive |
| Proposal Process For Measure Y Funded Violence Prevention Programs In Fiscal Year |
| 2005-2007 (05-0668)   |
| A motion was made by Councilmember Quan, seconded by Vice Mayor                   |
| Brunner, that this matter be Approved. The motion carried by the                  |
| following vote:   |
| Votes:  |
| ORA\Councilmember Abstained: 1 - Councilmember Brooks                             |

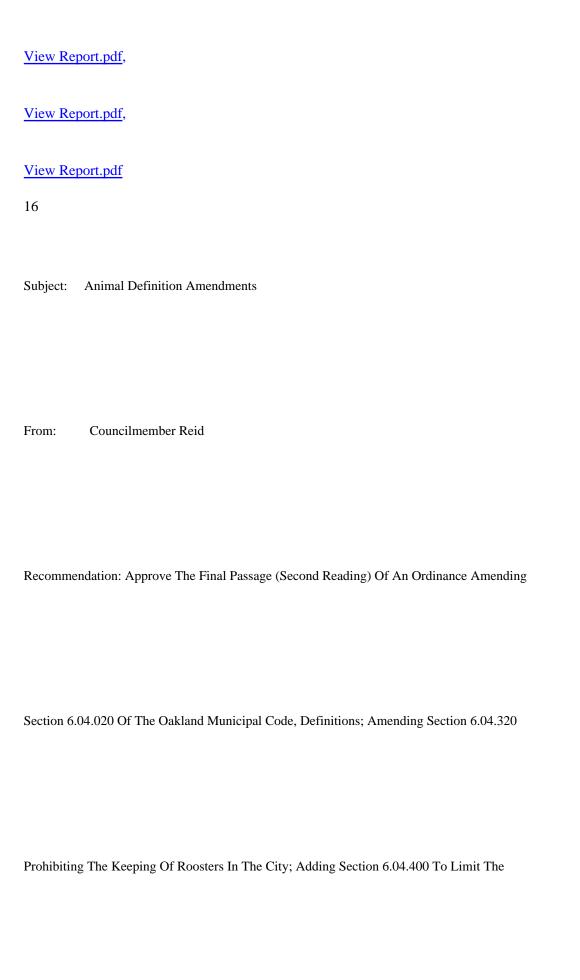
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,              |
|---|
| Councilmember Kernighan, Councilmember Quan, President of the Council De          |
| La Fuente, Councilmember Reid and Councilmember Chang                             |
| The following individual(s) spoke and did not indicate a position on this item:   |
| - Sanjiv Handa  |
| View Report.pdf,  |
| View Supplemental Report Measure Y.pdf  |
| The Council made, seconded and passed a motion to extend the meeting past         |
| 10:30 P.M.<br>S-15.5  |
| Subject: Hurricane Katrina Relief Efforts   |
| From: Office of the City Administrator  |
| Recommendation: Discussion And Action A On Report Regarding The City Of Oakland's |
| Participation In Hurricane Katrina Relief Efforts (05-0740)                       |
|   |
| A motion was made by Councilmember Quan, seconded by                              |

| Councilmember Brooks, that this matter be Approve as Amended and             |
|--|
| directed staff to pursues all courses of actions for Katrina relief efforts  |
| including but not limited; to drafting options with protection for landlords |
| and tenants, review of subsidies from General Fund and other creative        |
| solutions, and further refered the matter to the Rules and Legislation       |
| Committee to schedule a consistant time for the full body to discuss and     |

| receive information on Katrina related issues The motion carried by the |
|---|
| following vote:   |
| Votes:  |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente     |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,    |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,      |
| Councilmember Reid and Councilmember Chang                              |
|   |
|   |

| The following individual(s) spoke and did not indicate a position on this item: |  |
|---|--|
|   |  |
| - Sanjiv Handa  |  |
|   |  |
|   |  |
| - Kali Grosberg   |  |
|   |  |
| - Cecile Leneman  |  |
|   |  |
| - Bettie Johnson  |  |

| - Bob Hines  |  |
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| The following individual(s) spoke in favor of this item: |  |
|  |  |
|  |  |
| - Dan Siebel   |  |
|  |  |
| - Linda Kiehle (time ceded from Tina Lee)                |  |
|  |  |



| Number Of Dogs Per Household To Three; Amending Section 6.04.050 Making Chipping                                |
|---|
| Required For Licensing, And Adding Section 6.04.410 To Add Exemptions To The Provisions                         |
| Of This Ordinance (05-0574)   |
| Withdrawn and Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/4/2005 |
| The following individual(s) spoke against this item:  |
| - Jill Posner (time ceded from Nancy Rieser)  |
| - Merry Bates   |
| - Karin MacDonald   |

| - Douglas Kolozsvari                  |
|---------------------------------------|
| - Michael Allaitle                    |
| - Dina McCarthy                       |
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| <u>View Item.pdf</u>                  |
| <del>17</del>                         |
| Subject: Dale Gieringer - Appointment |
| From: Vice Mayor Brunner              |

Recommendation: Adopt A Resolution Appointing Dale Gieringer As A Member Of The-Measure Z Advisory Committee (05-0629)  $\frac{ViewReport.pdf}{18}$ Subject: Juanita Davis - Appointment From: Councilmember Nadel Recommendation: Adopt A Resolution Appointing Juanita Davis To The Planning And Oversight Committee (POC) Of The Oakland Fund For Children Youth (05-0630) A motion was made by Councilmember Quan, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote: Votes: ORA\Councilmember Absent: 1 - President of the Council De La Fuente ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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| 19  |
|---|
| Subject: Marilyn Montenegro - Re-Appointment  |
| From: Councilmember Kernighan   |
| Recommendation: Adopt A Resolution Re-Appointing Marilyn Montenegro To The Planning |
| And Oversight Committee (POC) Of The Oakland Fund For Children Youth (05-0631)      |
| A motion was made by Councilmember Quan, seconded by                                |
| Councilmember Brooks, that this matter be Adopted. The motion carried               |
| by the following vote:  |
| Votes:  |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                 |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,                  |
| Councilmember Reid and Councilmember Chang  |
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| 79478 CMS.pdf<br>20   |

Subject: Amy Liu - Appointment

From: Councilmember Chang

Recommendation: Adopt A Resolution Appointing Amy Liu To The Planning And Oversight Committee (POC) Of The Oakland Fund For Children Youth (05-0632) A motion was made by Councilmember Quan, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote: Votes: ORA\Councilmember Absent: 1 - President of the Council De La Fuente ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Councilmember Chang View Report.pdf, 79479 CMS.pdf 21 Subject: Susan Chamberlin and Sandra Wolf - Appointment From: Office of The Mayor's Office Recommendation: Adopt A Resolution Appointing Susan Chamberlin And Sandra Wolf As Members Of The Oakland Museum Of California Foundation Board (05-0693)

Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote: Votes: ORA\Councilmember Absent: 1 - President of the Council De La Fuente ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember Quan, Councilmember Brooks, Councilmember Reid and Councilmember Chang View Report.pdf, 79480 CMS.pdf 22 Subject: Richard C. Edwards - Appointment From: Oakland Museum Recommendation: Adopt A Resolution Appointing Richard C. Edwards As A Member Of The Oakland Museum Of California Foundation Board (05-0694) A motion was made by Councilmember Quan, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried

by the following vote:

A motion was made by Councilmember Quan, seconded by

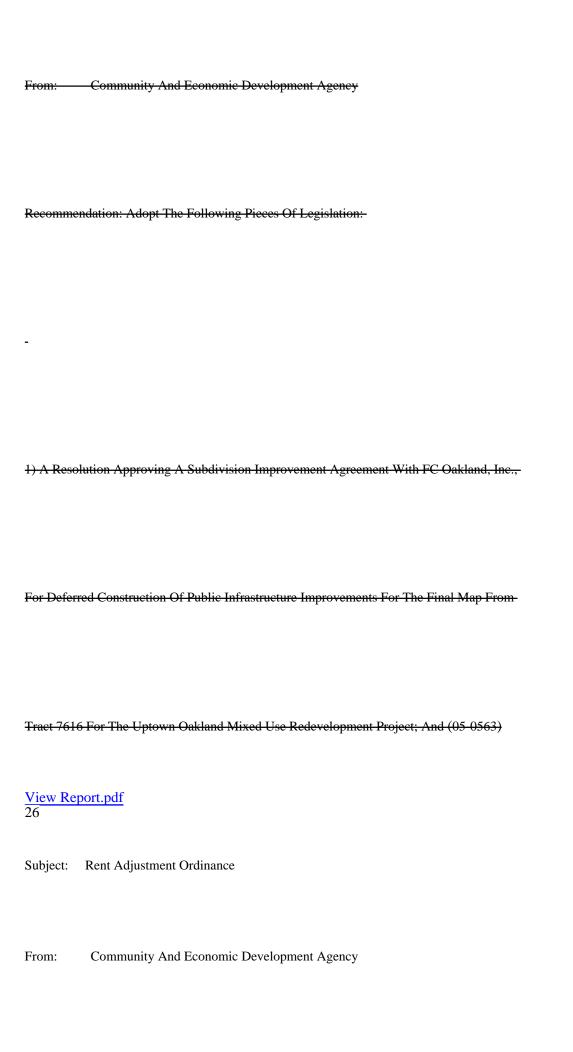
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente              |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,             |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,               |
| Councilmember Reid and Councilmember Chang                                       |
|  |
| The following individual(s) spoke and did not indicate a position on this item:  |
| - Sanjiv Handa   |
| <u>View Report.pdf</u> ,   |
| 79481 CMS.pdf<br>23  |
| Subject: Budget Advisory Committee - Appointment                                 |
| From: Councilmember Nadel  |
| Recommendation: Adopt A Resolution Re-Appointing Maeve Elise Brown To The Budget |
| Advisory Committee (05-0642)   |
| A motion was made by Councilmember Quan, seconded by                             |
| Councilmember Brooks, that this matter be Adopted. The motion carried            |

Votes:

by the following vote:

| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                  |
|--|
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                 |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,                   |
| Councilmember Reid and Councilmember Chang   |
| View Report.pdf,   |
| 79482 CMS.pdf<br>24  |
| Subject: Billboard Management And Regulation   |
| From: Community And Economic Development Agency                                      |
| Recommendation: Action On A Report And Recommendations Outlining The City's Land Use |
| Authority And Options For The Management And Regulation Of Outdoor Advertising Signs |
| (Billboards) In The City Of Oakland, Including The Port Area (05-0400)               |
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|  |

Votes:

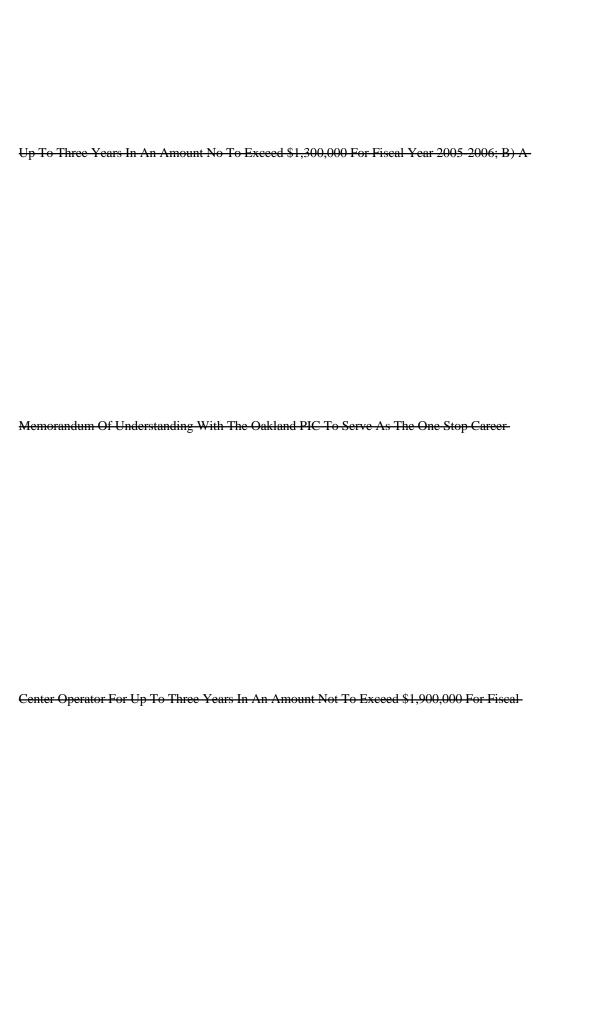


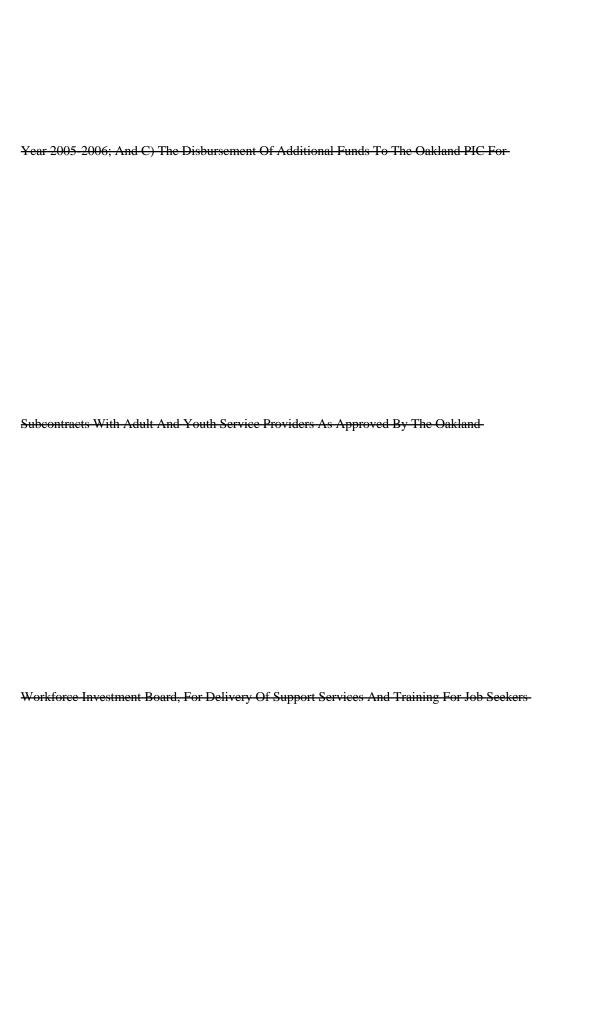
| Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending Rent |
|--|
| Adjustment Ordinance (OMC Chapter 8.22) To Add Seven Alternate Members To The          |
| Housing Residential Rent And Relocation Board (05-0685)                                |
| A motion was made by Vice Mayor Brunner, seconded by Councilmember                     |
| Quan, that this matter be Approved on Introduction for Final Passage to                |
| the Concurrent Meeting of the Oakland Redevelopment Agency / City                      |
| Council, due back on October 4, 2005. The motion carried by the following              |
| vote:  |
| Votes:   |
| ORA\Councilmember Abstained: 1 - Councilmember Brooks                                  |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                    |

| ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,            |
|---|
| Councilmember Kernighan, Councilmember Quan, Councilmember Reid and             |
| Councilmember Chang   |
|   |
| The following individual(s) spoke and did not indicate a position on this item: |
| - Sanjiv Handa  |
| - Bob Hines   |
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|   |
| Subject: Oakland Workforce Investment Board Alternatives                        |
|   |

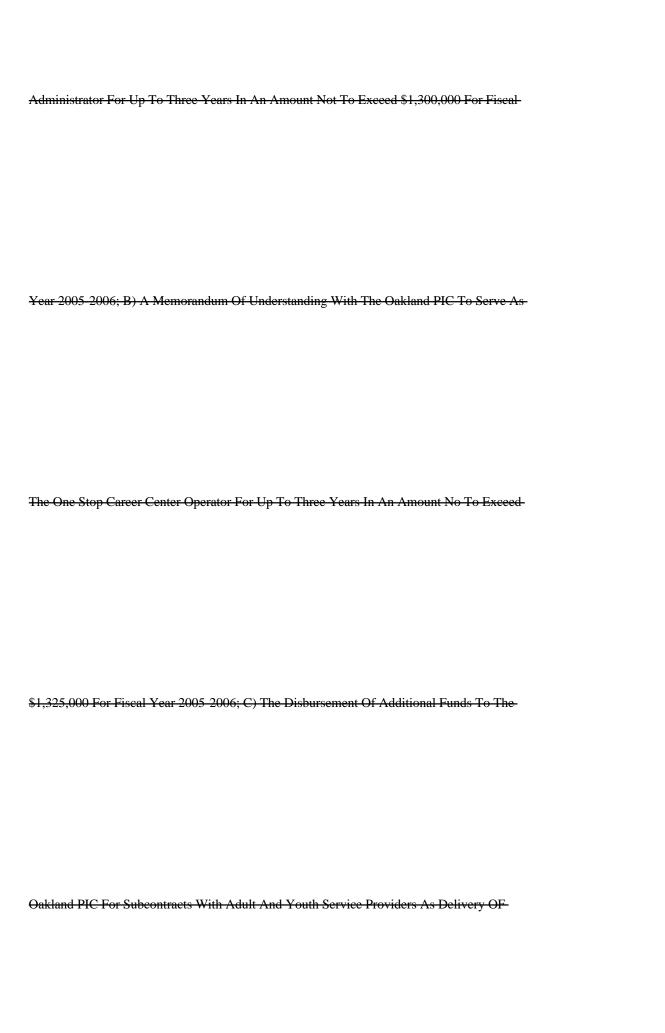
| From: Community And Economic Development Agency                              |
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| Recommendation: Adopt One Of The Following Resolutions Regarding The Oakland |
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|  |
| Workforce Investment Board:  |
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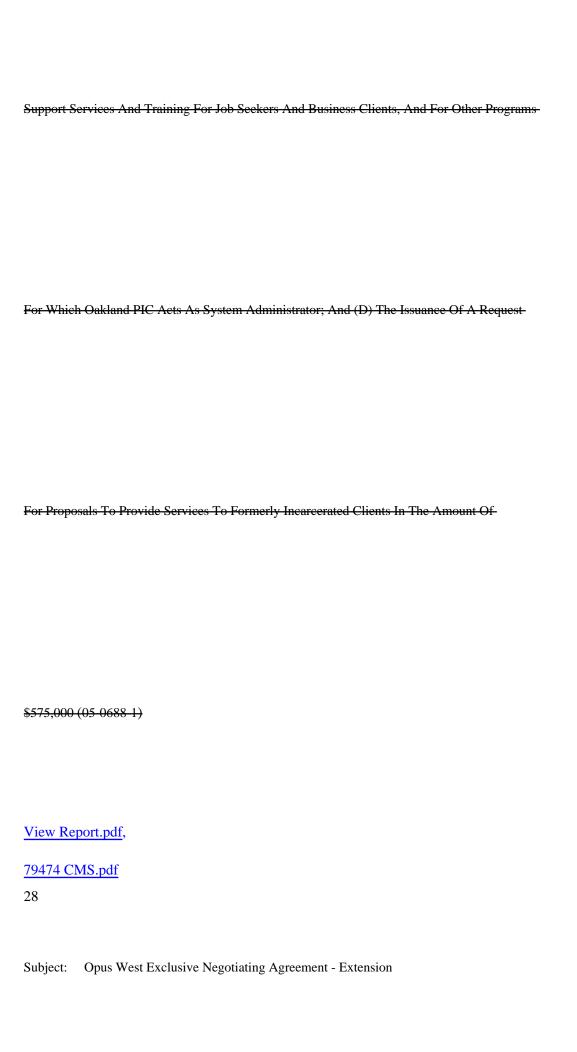
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|  |
| 1) A Resolution Authorizing A) A Memorandum Of Understanding With The Oakland Private        |
|  |
|  |
| Industry Council, Inc., (PIC) To Serve As The Workforce Investment System Administrator For- |
| industry Council, file., (17e) To Serve 71s The Workforce investment System 74mmistation For |
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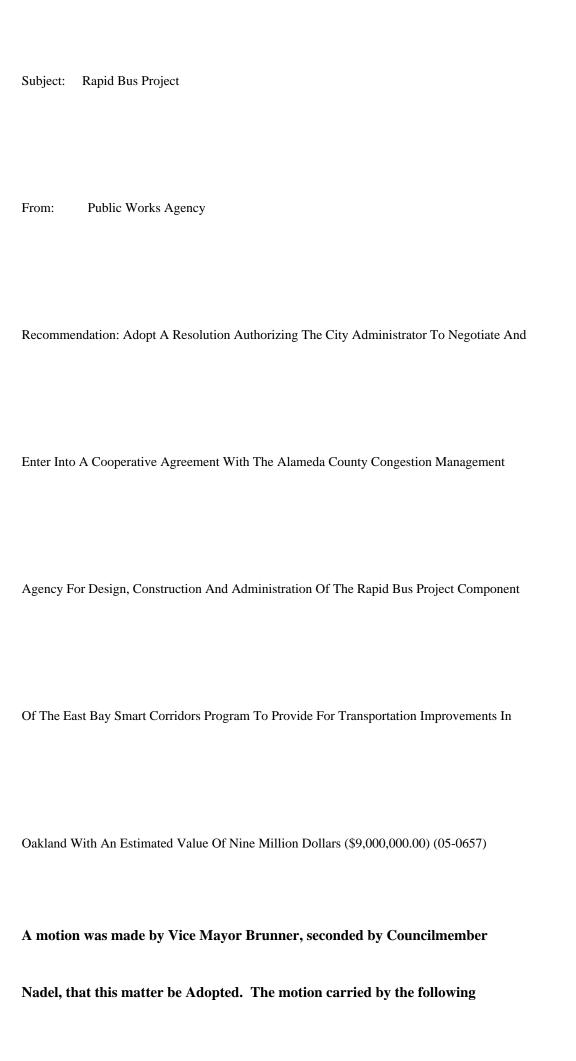






| Community And Economic Development Agency                                   |
|---|
| ndation: Adopt An Agency Resolution Amending The Exclusive Negotiating      |
| t With Opus West Developer Group For The Development Of Approximately 50    |
| hin The Former Oakland Army Base, In Order To: (1) Change The Developer Nan |
| d West Wind, LLC; And (2) Extend The Term Of The Agreement From 6 Months    |
| nths (05-0687)  |
| wn and Rescheduled to Concurrent Meeting of the Oakland                     |
| opment Agency / City Council on 10/4/2005                                   |
|   |

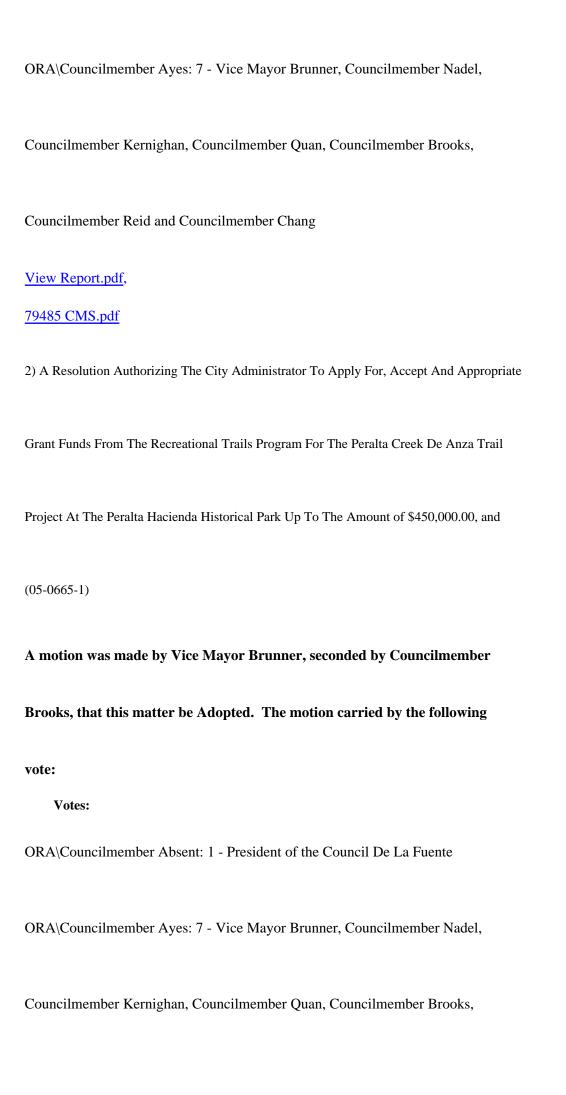
| From:       | Public Works Agency  |
|-------------|--|
| Recommend   | dation: Adopt A Resolution Authorizing Award Of A Construction Contract To |
| AJW Const   | ruction For Citywide Sidewalk Repair In The Amount Of \$1,910,036.50 (City |
| Project No. | G212730) (05-0648)   |
| A motion    | was made by Councilmember Quan, seconded by                                |
| Councilmo   | ember Brooks, that this matter be Adopted. The motion carried              |
| by the foll | owing vote:  |
| Votes:      | •  |
| ORA\Cour    | ncilmember Absent: 1 - President of the Council De La Fuente               |
| ORA\Cour    | ncilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,              |
| Councilme   | ember Kernighan, Councilmember Quan, Councilmember Brooks,                 |
| Councilme   | ember Reid and Councilmember Chang   |
| View Repo   | ort.pdf,   |
| 79483 CM    | <u>S.pdf</u>   |
| S-30        |  |



| vote:  |
|--|
| Votes:   |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente  |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel, |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,   |
| Councilmember Reid and Councilmember Chang                           |
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| 79484 CMS.pdf<br>S-31  |
| Subject: Oakland Trail Projects                                      |
| From: Public Works Agency  |

Recommendation: Adopt The Following Pieces Of Legislation:

| 1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate |
|--|
| Grant Funds Under The Habitat Conservation Fund Program Of The California Wildlife       |
| Protection Act Of 1990 For The Coliseum Garden Project At Lion Creek Up To The Amount of |
| \$200,000.00, (05-0665)  |
| A motion was made by Vice Mayor Brunner, seconded by Councilmember                       |
| Brooks, that this matter be Adopted. The motion carried by the following                 |
| vote:  |
| Votes:   |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                      |



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| 79486 CMS.pdf  |
| 3) A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate    |
| Grant Funds For The Recreational Trails Program For The Waterfront Trail Project up To The |
| Amount of \$450,000.00 (05-0665-2)   |
| A motion was made by Vice Mayor Brunner, seconded by Councilmember                         |
| Brooks, that this matter be Adopted. The motion carried by the following                   |
| vote:  |
| Votes:   |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                        |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,                       |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,                         |
| Councilmember Reid and Councilmember Chang   |
| View Report.pdf,   |
| 79487 CMS.pdf<br>S-32  |
| Subject: Planning And Oversight Committee - Appointment                                    |

Councilmember Reid and Councilmember Chang

From:

Councilmember Nadel

| Recommendation: Adopt A Resolution Appointing Anjelica Jackson To The Planning And |
|--|
| Oversight Committee Through July 31, 2006 (05-0643)                                |
| A motion was made by Councilmember Quan, seconded by                               |
| Councilmember Brooks, that this matter be Adopted. The motion carried              |
| by the following vote:   |
| Votes:   |
| ORA\Councilmember Absent: 1 - President of the Council De La Fuente                |
| ORA\Councilmember Ayes: 7 - Vice Mayor Brunner, Councilmember Nadel,               |
| Councilmember Kernighan, Councilmember Quan, Councilmember Brooks,                 |
| Councilmember Reid and Councilmember Chang   |
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| 79488 CMS.pdf  |
| 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 12:15 A.M.                                 |
|  |
|  |

Americans With Disabilities Act

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| 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  |  |
|  |  |



| (510) 238-6699  |
|---|
| ded Agenda: (510) 238-2386  |
| ommunications Display Device: (510) 839-6451 (TDD)                      |
| HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER          |
| GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE        |
| TY OF THOSE ATTENDING MEETINGS. ()  City Clerk and Clerk of the Council |
|   |
|   |