

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, City Clerk

## **Concurrent Meeting of the Oakland Redevelopment**

## **Agency/City Council/Joint Powers Financing Authority**

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

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

**Tuesday, May 16, 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 6:09 PM.*

**2  
Roll Call / ORA & Council**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

*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*

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

*- Jim Mordecai*

- *Stephan Tompkins*

- *Rev. Steve Churchill*

- *Rev. Phil Lawson*

- *Teresita Cruz*

- *Eric Santiago*

- *Mary Loeser*

- *Cloteal Swoopes*

- *Cyrus Pishdad*

- *Delores Allen*

- *Hugh Bassette*

- *Sanjiv Handa*

4

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

*There was no action 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)

*There was no action necessary for this item*

6

Requests from Councilmember(s) to schedule an Action Item considered by Committee but

not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting

as a non-consent item.

*There was no action necessary for this item*  
7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment  
Agency/City Council held on May 2, 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 Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

8.1

Subject: National Older Americans Month

From: Councilmember Chang

Recommendation: Adopt A Resolution Declaring May 2006 As National Older Americans

Month (06-0330)



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

**Councilmember Kernighan, that this matter be Adopted. The motion**

**carried by the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.2

Subject: McClymonds High School Football Team

From: Councilmember Nadel

Recommendation: Adopt A Resolution Congratulating The McClymonds High School Football

Team For Excellence In Athletics And Academics (06-0371)

**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 - Councilmember Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.3

Subject: Recognition Of Gabriel Cervantez

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Honoring Gabriel Cervantez For His 26 Years Of

Dedicated Service To The City Of Oakland And Congratulating Him On His Recent

Retirement (06-0373)

**A motion was made by Councilmember Reid, 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 Kernighan, President of the

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.4

Subject: National Public Works Week

From: Councilmember Nadel

Recommendation: Adopt A Resolution Celebrating The Week Of May 21, Through May 27,

2006 As National Public Works Week In The City Of Oakland (06-0363)

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

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

**the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.5

Subject: Silence The Violence Day

From: Councilmember Nadel

Recommendation: Adopt A Resolution Declaring June 1, 2006 As Silence The Violence Day In

The City Of Oakland (06-0353)

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

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

**the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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8.6

Subject: Meals In May Month

From: Councilmember Nadel

Recommendation: Adopt A Resolution Declaring May 2006 As Meals In May Month In The

City Of Oakland (06-0351)

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

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

**the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-8.7

Subject: Support Of State Proposition 81

From: Councilmember Quan

Recommendation: Adopt A Resolution Declaring The City Of Oakland's Support For

Proposition 81 - The California Reading And Literacy Improvement And Public Library

Construction And Renovation Bond Act Of 2006 (06-0410)

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

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

**by the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

*- Sanjiv Handa*

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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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

*that the meeting be adjourned in memory of Amanda Abernathy*

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

*that the meeting be adjourned in memory of George Lopes*



*Agency/Councilmember Brooks took a point of personal privilege and*

*requested that the meeting be adjourned in memory of Verdie Bell Thomas*

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

*that the meeting be adjourned in memory of David Hoard*

**10. CONSENT CALENDAR (CC) ITEMS:**

10.1-CC

Subject: Declaration Of A Local Emergency Due To AIDS Epidemic

From: Office Of The City Attorney

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

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

With Regard To The AIDS Epidemic (06-0354)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.2-CC

Subject: Medical Cannabis Health Emergency

From: Office Of The City Attorney

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

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

The City Of Oakland (06-0355)

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

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.3-CC

Subject: Thomas Cox - 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 21st Century Insurance As Subrogee For Thomas Cox

In The Amount Of \$14,771.71, As A Result Of An Auto Collision Involving A City Of

Oakland Vehicle On October 15, 2005. (Public Works Agency) (06-0357)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.4-CC

Subject: Charles Dilelio - 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 Charles Dilelio In The Amount Of Seven Thousand Five

Hundred Dollars And No Cents (\$7,500.00), As A Result Of Bodily Injury Damages Sustained

In An Automobile Collision With A City Vehicle On June 23, 2005. (Oakland Police

Department) (06-0361)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.5-CC

Subject: Tax And Revenue Anticipation Notes

From: Finance and Management Agency

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

For The Borrowing Of Funds For Fiscal Year 2006-2007 In An Amount Not To Exceed

\$75,000,000 And The Issuance And Sale Of 2006-2007 Tax And Revenue Anticipation Notes

Therefore; Approving The Publication Of Notices In Connection With Such Sale, And

Authorizing The Award Of Such Notes Subject To Certain Conditions, And Certain Related

Matters (06-0265)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.6-CC

Subject: Purchase Of Real Property At 450 Lancaster Street

From: Finance and Management Agency

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

Authorizing The Exercise Of The Option To Purchase Real Property Located At 450 Lancaster

Street For The Oakland Museum Of California Pursuant To Resolution No. 76569, Authorizing

A Lease Of The Real Property To The Oakland Joint Powers Financing Authority, Authorizing



A Sublease Of The Real Property From The Oakland Joint Powers Financing Authority, And

Authorizing Of Tax-Exempt Lease Financing In An Amount Not To Exceed \$5,000,000

(06-0267)

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

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.7-CC

Subject: Conflict 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 Neu Investment Corporation

Regarding A Proposed Granting Of A Pedestrian Easement To The City Along The Waterfront

Of Property Located At 3675 Alameda Avenue As Part Of The Bay Trail (06-0358)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.8-CC

Subject: Conflict Of Interest Waiver - Sheppard Mullin Richter And Hampton LLP

From: Office Of The City Attorney

Recommendation: Adopt A Resolution Approving A Waiver Of Any Conflict Of Interest That

The Law Firm Of Sheppard Mullin Richter And Hampton LLP May Have As A Result Of

Providing Advice To The Fulton Project Development Group In Matters Related To The

Development Of Approximately 70 Acres Of The Former Oakland Army Base (06-0372)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.9-CC

Subject: Support Of Assembly Bill 32

From: Public Works Agency

Recommendation: Adopt A Resolution Supporting Assembly Bill 32 - The Climate Change Act

Of 2006 Being Considered By The California Legislature (06-0302)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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10.10-CC

Subject: Support Of Assembly Bill 2444 And Senate Bill 1611

From: Public Works Agency

Recommendation: Adopt A Resolution Declaring The City Of Oakland's Support For Assembly

Bill 2444 (Klehs) And Senate Bill 1611 (Simitian) (Vehicle Registration Fee For Congestion

Management And Related Environmental Mitigation) (06-0320)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- Sanjiv Handa

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10.11-CC

Subject: Final Map For Tract 7598

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Final Map For Tract 7598 For A Residential Home Project At

10900 Edes Avenue And Conditionally Accepting Irrevocable Offers Of Dedication For An

On-Site Public Assess Easement And Off-Site Public Right-Of-Way; And (06-0305)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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2) A Resolution Approving A Subdivision Improvement Agreement With East Bay Habitat For

Humanity, Inc., For Construction Of Public Infrastructure Improvements At 10900 Edes

Avenue For The Final Map For Tract 7598 (06-0305-1)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.12-C

C

Subject: Route 260 Deficiency Plan - Operational Improvements On Jackson Street

From: Public Works Agency

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

Construction Contract To Ray's Electric, The Sole Responsible And Responsive Bidder, For

The Route 260 Deficiency Plan: Operational Improvements On Jackson Street At 6th And 7th

Streets Project, Federal Project No. CML-5012 (050), (City Project No. G170510/C232820) In

The Amount Of One Hundred Seventy-Five Thousand Six Hundred Twenty-Four Dollars And



Fifty Cents (\$175,624.50) (06-0272)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.13-C

C

Subject: Fiscal Year 2006-2007 State Transportation Development Act Funds

From: Public Works Agency

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

Accept, And Appropriate Up To Five Hundred Eighty Thousand Two Hundred Fifty-Seven

Dollars (\$580,257.00) In Fiscal Year 2006-2007 State Transportation Development Act (TDA)

Article 3 Funds As Follows: Alameda Avenue Bay Trail Extension Project In The Amount Of

Two Hundred Fifty-Three Thousand Six Hundred Twenty-One Dollars (\$253,621.00), Bancroft

Avenue Bikeway Project, Phase III (66th To 82nd Avenues) In The Amount Of One Hundred

Thirty-Five Thousand Dollars (\$135,000.00), Bike Lane Restriping And Stenciling Project,

Phase II In The Amount Of One Hundred Seventy-Six Thousand Six Hundred Thirty-Six

Dollars (\$176,636.00), And The Cityracks Bicycle Parking Program, Phase V In The Amount

Of Fifteen Thousand Dollars (\$15,000.00) (06-0273)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.14-C

C

Subject: 45th Street - Farmer's Market

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment

Permit To The Temescal/Telegraph Business Improvement District For A Farmers' Market In

The Public Right-Of-Way On 45th Street At The Intersection Of Telegraph Avenue Each

Sunday Between The Hours Of 7:00 A.M. And 3:00 P.M. (06-0288)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.15-C

C

Subject: Compressed Natural Gas Refueling Station

From: Director, Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Accept \$225,000 In Grant Funds To

Offset The Incremental Cost Of Acquiring One Compressed Natural Gas Refueling Station And

To Enter Into A Funding Agreement With The Alameda County Congestion Management

Agency; And (06-0308)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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2) A Resolution Authorizing The City Administrator To Accept \$150,000 In Grant Funds To

Offset The Incremental Cost Of Acquiring One Compressed Natural Gas Refueling Station And

To Enter Into A Funding Agreement With The California Energy Commission (06-0308-1)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.16-C

C

Subject: Acquisition Of 450 Lancaster Street

From: Finance And Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:



1) A Resolution Of The City Council Of The City Of Oakland Authorizing The Execution And

Delivery By The City Of A Site And Facility Lease And A Lease Agreement In The Principal

Amount Of Not To Exceed \$5,000,000 With Respect To The Acquisition Of Real Property

Located At 450 Lancaster Street For The Oakland Museum Of California And Authorizing The

Execution Of Necessary Documents And Certificates And Related Actions; And (06-0343)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

And Delivery By The Authority Of A Site And Facility Lease, A Lease Agreement And An

Assignment Agreement In The Principal Amount Of Not To Exceed \$5,000,000 With Respect

To The Acquisition Of Real Property Located At 450 Lancaster Street For The Oakland

Museum Of California And Authorizing The Execution Of Necessary Documents And

Certificates And Related Actions (06-0343-1)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.17-C

C

Subject: Salary Ordinance Amendment

From: Finance And Management Agency

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

Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Add The Permanent Full

Time Equivalent Classifications Of Veterinarian, Veterinary Technician, And Information And

Referral Specialist; And To Add The Permanent Part-Time Equivalent Classifications

Veterinarian, Veterinary Technician, And Planner IV; And To Add The Part-Time Equivalent

Classification Of Veterinary Technician; And To Increase The Salary Of The Full Time

Equivalent Classification, Concrete Finisher (06-0350)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.18-C

C

Subject: Fruitvale Property Business Improvement District of 2006

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Of Intention To Form The Fruitvale Property Business

Improvement District Of 2006, Granting Preliminary Approval Of The Management Plan,

Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A

Proposed Assessment To The Affected Property Owners For Majority Protest Procedure

Approval; And Scheduling A Public Hearing For July 18, 2006 (06-0277)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

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S-10.19-C

C

Subject: Fred Finch Youth Center - Assumption Agreement

From: Department of Human Services

Recommendation: Adopt A Resolution (1) Authorizing The City Administrator To Enter Into A

Grant Assignment And Assumption Agreement Between The City Of Oakland, The Fred Finch

Youth Center, And The U.S. Department Of Housing And Urban Development (HUD) In The

Approximate Amount of \$490,000 For The Oakland Homeless Youth Housing Collaborative



(OHYHC) For The Period Of May 1, 2006 To July 31, 2006; (2) Accepting And Appropriating

\$696,434 In Supportive Housing Program (SHP) Funding For The Period Of August 1, 2006 To

July 31, 2007, And Authorizing The City Administrator To Apply For, Accept And

Appropriate Any Renewal Funding Without Returning To Council; (3) Authorizing The City

Administrator To Enter Into Agreements In Amounts Not To Exceed \$333,000 For Covenant

House, \$175,000 For First Place Fund For Youth, And \$156,000 For The East Oakland

Community Project From August 1, 2006 To July 31, 2007 To Provide Transitional Housing

And Services To Homeless Youth Between The Ages of 18 And 25 With One Year Options To

Renew (06-0216)

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

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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S-10.20-C

C

Subject: Summer Food Service Program

From: Department Of Human Services

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

City Of Oakland, To Apply For, Accept And Appropriate The Summer Food Service Program

Grant From The California Department Of Education Nutrition Services Division In An

Estimated Amount Of \$550,000 And To Execute A Professional Services Agreement In An

Amount Not To Exceed \$200,000 Between The City And The San Lorenzo Unified School

District To Provide Food Services For The 2006 Summer Food Service Program For Children

(06-0258)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

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S-10.21-C

C

Subject: Liquor Store - Report

From: Councilmember Reid

Recommendation: Action On A Report And Recommendation On Oakland Liquor Stores;

Update On "The Good, The Bad & The Ugly" (06-0025)

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

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

- *Hugh Bassette*

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**Passed The Consent Agenda**

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

**Brunner, including all the preceding items marked as having been adopted**

**on the Consent Agenda. The motion carried by the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

Closed Session

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

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

**vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

*- Sanjiv Handa*



*PLEASE REFER TO THE ATTACHED CLOSED SESSION REPORT OUT*

*FORM*

12

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

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

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

**vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

**THEREAFTER:**

13

Reconsideration of Ordinances pursuant to Charter Section 216

*There was no action necessary for this item*

**14. Consideration of items with statutory Public Hearing Requirements:**

14.1

Subject: Tree Appeal - 6515 Snake Road

From: Public Works Agency

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

Denying The Appeal Filed By Irving and Muriel Schnayer Against The Decision Of The Public

Works Agency Approving The Issuance Of Tree Removal Permit DR05-123 For An

Undeveloped Lot On Snake Road (06-0033)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Reid and Councilmember Chang

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

*opened at 7:47 PM*

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

- *Muriel M. Schnayer*

- *Irv Schnayer*

- *Jackson Mosher*

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

*Agency/Councilmember Reid, to close the Public Hearing, and upon call of the*

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

*Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7;*

*Abstain: Brooks -1*

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[79909 CMS.pdf](#)

~~14.2~~

~~Subject: Rezoning Of Two Parcels Off Of Skyline Boulevard~~

~~From: Community and Economic Development Agency~~

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

~~(First Reading) Of An Ordinance To Rezone 2 Parcels, Comprising Approximately 9.4 Acres~~

~~Of Land, Off Of Skyline Boulevard In An Area Generally Bounded By Skyline High School To~~

~~The East, Brookpark Road To The West And Anthony Chabot Regional Park To The North,~~

~~From The R-30 One-Family Residential Zone To The R-1 One-Acre Estate Residential Zone~~

~~(Case File Number RZ04-044) (06-0281)~~

*This item was withdrawn at the May 11, 2006 Rules and Legislation Committee*

*meeting*

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14.3

Subject: Panoramic Hill - Rezoning

From: Community and Economic Development Agency

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

(First 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)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council on 5/30/2006**

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

- Bashire Anastas

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14.4

Subject: Forest City Residential West

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 Sale Of Real Property Located On A Block

Bounded By Telegraph Avenue, Williams Street, A New Public Park and 19th Street To Forest

City Residential West, Inc. For \$6,900,000 For A Mixed-Use Project, And Authorizing A

Disposition And Development Agreement For The Project (06-0215)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Reid and Councilmember Chang

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2) A Resolution Approving The Sale Of Real Property Located On A Block Bounded By

Telegraph Avenue, Williams Street, A New Public Park and 19th Street To Forest City

Residential West, Inc. For \$6,900,000 For A Mixed-Use Project (06-0215-1)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Reid and Councilmember Chang

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

*opened at 8:16 PM*

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

- *Hugh Bassette*

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

- *Sanjiv Handa*

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

*Agency/Councilmember Nadel, to close the Public Hearing, and upon call of*

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

*Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7;*



*Abstain: Brooks -1*

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[79910 CMS.pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Winter Storms - Local Emergency

From: Oakland Fire Department

Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due

To Winter Storms First Proclaimed By The City Of Oakland On January 5, 2006 (06-0356)

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

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

**the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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[79911 CMS.pdf](#)

16

Subject: State Legislative Agenda

From: Council President De La Fuente

Recommendation: Approval Of The Proposed State Legislative Agenda for 2006 (06-0296)

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

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

**by the following vote:**

**Votes:**

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Quan, Councilmember Brooks, Councilmember Reid and

Councilmember Chang

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

- *Sanjiv Handa*

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17

Subject: Altering The Port Area

From: Office of the City Attorney

Recommendations: Approve The Introduction (First Reading) Of An Ordinance Altering The

Port Area To Include Certain Parcels And Exclude Certain Parcels At And Adjacent To The

Former Oakland Army Base (06-0352)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brunner

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

Council De La Fuente, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

*Final Passage (Second Reading) has been scheduled for May 30, 2006.*

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

*- Sanjiv Handa*

*The Roll Call was modified to note Councilmember Quan absent at 9:30 PM*

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[12738 CMS.pdf](#)

S-18

Subject: Clinton Park Playground Renovations

From: Public Works Agency

Recommendation: Adopt A Resolution Rejecting All Bids For The Clinton Park Playground

Renovations Project (No. G250910) And Authorizing The City Administrator, Or Her

Designee, To Revise The Specifications And Re-Bid And, If Bidding Is Again Unsuccessful,

To Negotiate A Construction Contract Within Budget (06-0338)

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

**Nadel, that this matter be Continued to the Concurrent Meeting of the**

**Redevelopment Agency and Council Rules and Legislation Committee, due**

**back on May 30, 2006. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Quan

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

Council De La Fuente, Councilmember Brunner, Councilmember Nadel,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

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[79912 CMS.pdf,](#)

[79936 CMS.pdf](#)

S-19

Subject: Report On Outdoor Advertising Signs (Billboards)

From: Community And Economic Development Agency

Recommendation: Receive A Report On The City's Mutual Discussion With The Port Of

Oakland For The Management And Regulation Of Outdoor Advertising Signs (Billboards) In

The City Of Oakland, Including The Port Area (05-0400-1)

**\*Withdrawn with No New Date**

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**ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**

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

*Agency/Council adjourned the meeting at 9:43 PM*

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*City Clerk and Clerk of the Council*