

# Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, City Clerk

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

### **Agency/City Council**

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

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

**Tuesday, June 19, 2007**

**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 7:04 PM*

**2**  
Roll Call / ORA & Council

ORA\Councilmember Present: 8 - Councilmember Chang, Councilmember

Nadel, Councilmember Kernighan, Councilmember Brunner, Councilmember

Quan, President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Cassandra Lopez*

- *Rev. Clarence Johnson*

- *Wally Scott*

- *Inge Black*

- *Simuel Ramey*

- *Oscar Wright*

- *William Mayo*

- *Janet Kobren*

- *Tom Guarino*

- *James Doherty*

- *Sanjiv Handa*

*James Vann*

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.

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 June 5, 2007

*There was no action taken on this item*

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

8.1

Subject: End Of The MacArthur Maze Local Emergency

From: Oakland Fire Department

Recommendation: Adopt A Resolution Authorizing The End Of The Local Emergency Declared

By The Resolution No. 80543 C.M.S Due To The Repair Of Catastrophic Damage To A Portion

Of The Oakland Maze-East Bay 580 Freeway

[07-0377](#)

*This item was rescheduled to the July 3, 2007 City Council Agenda*

[View Report.pdf,](#)

[80679 CMS.pdf](#)

8.2

Subject: Tom Margro - Recognition

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Honoring Thomas E. Margro For 17 Years Of

Commitment And Distinguished Service To The Bay Area Rapid Transit District

07-0383

**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, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

*Agency/Councilmember Reid made a motion seconded by Agency/Council*

*President De La Fuente to approve an urgency finding pursuant to Section*

*2.20.080 E(2) regarding Item 8.2 that there is a need to take immediate action*

*which came to the attention of the local body after the agenda was posted, and*

*that the need to take immediate action relates to a purely ceremonial or*

*commendatory action.*

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8.3

Subject: Bobbie Lee - Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Honoring Bobbie Lee For Thirty-Five Years Of

Dedicated And Distinguished Service To The City Of Oakland And Congratulating Her On Her

Retirement

07-0367

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

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

**by the following vote:**

**Votes:**



ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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8.4

Subject: McClymond's Boy's Basketball Team Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Congratulating The McClymonds High School Boy's

Basketball Team For Their Outstanding Season And Reaching the Division I State Championship

Finals

07-0373

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-8.5

Subject: Jerry Reginald Varnado - Recognition

From: Councilmember Desley Brooks

Recommendation: Adopt A Resolution For Jerry Reginald Herring Varnado, A Recent U.S.

Military Academy At West Point Graduate Who Won An Appointment After His Graduation

From Skyline High School, Oakland, California

07-0399

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

*Agency/Councilmember Brooks made a motion seconded by*

*Agency/Councilmember Nadel to approve an urgency finding pursuant to*

*Section 2.20.080 E(2) regarding Item 8.5 that there is a need to take immediate*

*action which came to the attention of the local body after the agenda was*

*posted, and that the need to take immediate action relates to a purely*

*ceremonial or commendatory action.*

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## **9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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

*requested that the meeting be adjourned in memory of Paul Jones*

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

*requested that the meeting be adjourned in memory of Ira Mae Lee*

*Agency/Councilmember Reid and Council President De La Fuente took a point*

*of personal privilege and requested that the meeting be adjourned in memory of*

*Aslean Walker, Opal Harvey and Barbara Flood*

**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

[07-0388](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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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

[07-0389](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.3-CC

Subject: Thomas Cousey - Settlement

From: Office of the City Attorney

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

The Case Of Thomas Cousey, Et Al. V. City Of Oakland, Et Al., United States District Court

Case No. C 05-0117 TEH, Our File No. 24594, In The Amount Of \$104,800. This Case Involves

Use Of Excessive Force And Unlawful Arrest. (Oakland Police Department-Alleged Civil Rights

Violation)

07-0390

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.4-CC

Subject: Lobbyist Registration Act Amendment

From: Public Ethics Commission

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

Chapter 3.20 Of The Oakland Municipal Code To Require That Local Governmental Lobbyists

Publicly Disclose Their Campaign Fundraising Activities

[07-0209](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.5-CC

Subject: Salary Ordinance Amendment

From: Finance And Management Agency

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

The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries

Of Employees By 4% For Fiscal Year 2006-2007 And 2007-2008, Pursuant To The Recently

Approved Memoranda Of Understanding, For The Deputy City Attorney V And Special Counsel

Association And To Increase The Salaries Of Employees By 4% For Fiscal Year 2007-2008,

Pursuant To The Recently Approved Memorandum Of Understanding For The International

Association Of Firefighters, Local 55

[07-0253](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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~~10.6 CC~~

~~Subject: Feeding Of Feral Pigeons~~

~~From: Councilmember Jean Quan~~

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

~~The Feeding Of Feral Pigeons In Commercial Zones~~

~~07-0267~~

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.7-CC

Subject: Municipal Code Chapter 4.28 - Amendment

From: Finance and Management Agency

Recommendation: Adopt An Ordinance Amending Chapter 4.28 Of The Oakland Municipal

Code To Establish And Codify The Claim Requirements And Procedures For Utility Users Tax

Refunds Of Tax, Penalties Or Interest, Overpaid, Erroneously Or Illegally Collected, And Amend

Section 4.28.120 To Grant Authority To The Utility Users Tax Administrator To Examine Books,

Records And Witnesses, And To Issue Administrative Subpoenas To Persons In Violation Of

Chapter 4.28.

[07-0144](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.8-CC

Subject: Priority Project Funds - District Four

From: Councilmember Jean Quan

Recommendation: Adopt A Resolution Authorizing For Immediate Allocation Of \$35,000 Of

Councilmember Jean Quan's Priority Project Funds To The City Of Oakland Office Of Parks And

Recreation For The Woodminster Music Series

07-0382

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.9-CC

Subject: Encroachment Permit - 6201 Antioch Street

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting Antioch Street Limited, LP, A Revocable And

Conditional Permit To Allow The Encroachment Over The Public Right-Of-Way Of Existing

Residential Balconies And An Entrance Marquee For A Building At 6201 Antioch Street

07-0217

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.10-C

C

Subject: Collaborative Creek Improvement

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Receive And

Appropriate Up To Two Hundred Eighty Thousand Dollars (\$280,000) Per Year From The

Alameda County Flood Control And Water Conservation District To Implement The



Collaborative Creek Improvement And Clean Creeks Program For The Period From July 1, 2007

Through June 30, 2008 And Authorization To Extend Annually Through 2012

[07-0242](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.11-C

C

Subject: MacArthur Transit Hub Streetscape Improvement

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution 1) Authorizing The Acceptance And Appropriation Of \$215,000 Of Measure B

Bicycle And Pedestrian Countywide Discretionary Grant Funds From The Alameda County

Transportation Improvement Authority And \$215,000 Of Grant Funds From The Regional

Bicycle And Pedestrian Program Administered By The Alameda County Congestion

Management Agency From The 2006/2007 Coordinated Program, And Any Other Funds

Received From These Programs; 2) Authorizing The Agency Administrator To Negotiate And

Execute A Grant Funding Agreement With The Alameda County Transportation Improvement

Authority, And 3) Accepting And Appropriating \$125,000 From The Redevelopment Agency Of

The City Of Oakland Under The Cooperation Agreement For The Required Local Match

07-0249

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) An Agency Resolution Allocating \$125,000 From The Broadway/MacArthur/San Pablo Tax

Allocation Bonds Series 2006C-TE To The City Of Oakland Under The Cooperation Agreement

To Fund The MacArthur Transit Hub Streetscape Improvement Project As Matching Funds For

The 2006/2007 Coordinated Program Grant Funding Awards

07-0249-1

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[2007-0048 CMS.pdf](#)

S-10.12-C

C

Subject: Revocable And Conditional Permit - Lincoln Elementary School

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Granting A Revocable And Conditional Permit To The

Oakland Unified School District To Allow Portable Classroom Buildings For Lincoln Elementary

School At 225 11th Street To Encroach Into A Closed Section Of Alice Street

[07-0272](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.13-C

C

Subject: Lake Merritt Institute Agreement

From: Public Works Agency

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

Year Agreement From July 1, 2007 To June 30, 2009 With The Lake Merritt Institute For

Professional Services To Provide Cleanup, Maintenance, Monitoring, Volunteer Coordination,

And Technical Assistance At Lake Merritt In An Amount Not To Exceed Three Hundred Twenty

Thousand Dollars (\$320,000), And To Extend The Initial Contract Period (July 1, 2007 To June

30, 2009) An Additional Two Years (Through June 30, 2011) If The Performance Standards In

the Scope Of Work Are Met

[07-0297](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.14-C

C

Subject: Community Facilities Districts

From: Office of the City Administrator

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The City Council Of The City Of Oakland Approving Local Goals

And Policies And Appraisal Standards For Community Facilities Districts; And

07-0168

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Of Intention Of The City Of Oakland To Establish Community Facilities

District No. 2007-1, In The Wood Street Project Area Generally Bounded By 10th Street, Wood

Street, West Grand Avenue And Frontage Road, Interstate-880, Levy A Special Tax To Finance

Certain Public Services And Approving A Proposed Boundary Map For Community Facilities

District No. 2007-1

07-0168-1

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.15-C

C

Subject: Parcel Purchases At Various Locations

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Purchase Of The Following Tax Defaulted Properties

In The Coliseum And Central City East Redevelopment Project Areas From The County Of

Alameda: (1) 7951 MacArthur Boulevard (APN 40-3407-1), Purchase Price \$165,261 Plus

Interest; (2) 7963 MacArthur Boulevard (APN 40-3407-2), Purchase Price \$188,270 Plus

Interest; And (3) 606 Clara Street (APN 44-5014-6-3), Purchase Price \$256,029 Plus Interest;

And

07-0207

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[2007-0049 CMS.pdf](#)

2) Approve The Introduction (First Reading) Of An City Ordinance Authorizing The Purchase Of

Two Tax Defaulted Parcels On Sunshine Court (APN 40-3319-47-3 And APN 40-3319-47-2)

From The County Of Alameda For A Price Not To Exceed \$14,520 Plus Interest, And Accepting

A Contribution Of \$14,520 Plus Interest From The Redevelopment Agency Under The

Cooperation Agreement For The Purchase Of The Properties; And

07-0207-1

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3) An Agency Resolution Authorizing The Contribution Of \$14,520 Plus Interest In Agency

Funds To The City Under The Cooperation Agreement For The Acquisition Of Sunshine Court

07-0207-2

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[2007-0050 CMS.pdf](#)

S-10.16-C

C

Subject: Uncollectible, Defaulted And Delinquent Loans

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution To Remove Non-Performing Loans Receivable Of

Approximately \$806,912 From The Oakland Redevelopment Agency Accounts

[07-0238](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.17-C

C

Subject: Peter And Helen Shiu - Lease

From: Community and Economic Development Agency

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

Two-Year Lease With An Additional Two Year Option, With Peter And Helen Shiu For Real

Property Located At 530 Lake Park Avenue, For Use As A Community Meeting Facility In An

Annual Amount Not To Exceed \$40,000 Plus Telephone And Utility Costs And A \$200 Monthly

Water Charge, For The Initial Term And The Option Term

07-0248

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.18-C

C

Subject: Tax And Revenue Anticipation Notes

From: Finance and Management Agency

Recommendation: Adopt A Resolution Authorizing The Sale Of 2007-2008 Tax And Revenue

Anticipation Notes, Series A And Series B (Federally Taxable); Authorizing The Execution And



Delivery Of Related Documents and Approving Certain Related Actions

07-0359

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.19-C

C

Subject: Parking Ordinance Amendment

From: Finance and Management Agency

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

Oakland Municipal Code Sections 10.36.010 "Parking Meter Defined," 10.36.020 "Parking

Meter Installation-Painting Of Lines," 10.36.030 "Deposit Of Coins - Amount Of Coins

Corresponds To Value Of Coins," 10.36.050 "Parking Meter Indication That Space Is Illegally In

Use," 10.48.010 "Scheduling Of Parking Fines" To Apply To Pay-And-Display Parking Meters

And Adding Section 10.36.015 "Acceptable Card And Pay-And-Display Meter Defined"

[07-0352](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.20-C

C

Subject: Dog Ordinance Amendment

From: Office of Parks and Recreation

Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal

Code Title 6, Chapter 6.04, Section 6.04.080 Dogs At Large In Parks, To Allow Dogs To Be

Off-Leash, Under Specific Conditions, In The Mosswood Park Dog Play Area As Authorized By

The Parks And Recreation Advisory Commission; And

[07-0254](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

Broadway/MacArthur/San Pablo Redevelopment Project Area Under The Cooperation

Agreement In An Amount Not To Exceed \$15,000 For The Construction Of The Mosswood Park

Dog Play Area Project; And

[07-0254-1](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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3) An Agency Resolution Authorizing A Contribution Of Agency Funds From The

Broadway/MacArthur/San Pablo Redevelopment Project Area To The City Under The

Cooperation Agreement In An Amount Not To Exceed \$15,000 For The Construction Of The

Mosswood Park Dog Play Area Project

[07-0254-2](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[2007-0052 CMS.pdf](#)

S-10.21-C

C

Subject: Stinger Operation Equipment Purchase

From: Oakland Fire Department

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

Appropriate Up To Ten Thousand Seven Hundred Fifty Dollars (\$10,750.00) Of Grant Funds

From Fireman's Fund Insurance Company For The Purchase Of Stinger Operation Equipment

Inventory And Training Materials

07-0293

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.22-C

C

Subject: Michael Palmertree, MFT - Contract

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee, On

Behalf Of The City Of Oakland, To: 1)Waive The Competitive Bid Process, 2) Enter Into A

Contract With Michael Palmertree, MFT For Behavioral Science Consulting In Support Of The

Police Department's Required Compliance With The Negotiated Settlement Agreement (Tasks 40

And 41) For Fiscal Year 2007-2008 (July 1, 2007 Through June 30, 2008) At A Cost



Not-To-Exceed Forty-Nine Thousand Nine Hundred And Ninety-Nine Dollars (\$49,999.00),

And 3) Appropriate Fifteen Hundred (\$1,500) To Cover The City Mandated 3% Contract

Assessment Fee For This Agreement

07-0309

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[View Report.pdf,](#)

[80647 CMS.pdf](#)

S-10.23-C

C

Subject: VBS Services - Professional Services Agreement

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee,

On Behalf Of The City Of Oakland, To: 1) Waive The Competitive Bid Process, 2) Enter Into A

Two-Year Professional Services Agreement For The Period Of July 1, 2006 Through June 30,

2008 With VBS Services, In An Amount Not To Exceed Forty Nine Thousand, Nine Hundred

And Ninety-Eight Dollars (\$49,998) To Perform Sexual Assault Suspect Examinations For

Police Department Investigations

07-0310

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.24-C

C

Subject: Travel Authorization - Councilmember Brooks

From: Councilmember Desley Brooks

Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend

The United States Crime Prevention Through Environmental Design Conference From July 30th

- August 1, 2007

07-0413

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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**Passed The Consent Agenda**

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

**Councilmember Chang, 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, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

11  
An oral report from the Agency Counsel / City Attorney of final decisions made during  
Closed Session

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

**Councilmember Chang, to \*Approve as Submitted the City Attorney's**

**report that there were 4 final decisions made during Closed Session (see**

**Attachment A). The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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**

**Brooks, to \*Approve as Submitted the City Attorney's report that there**

**was no non-confidential Closed Session Discussion pursuant to Section 15**

**of the Sunshine Ordinance. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

**THEREAFTER:**

13

Reconsideration of Ordinances pursuant to Charter Section 216

*There was no action necessary for this item*

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

14.1

Subject: LLAD - Improvement And Assessment

From: Office of the City Administrator

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

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

Approval Of Engineer's Report, And Confirming The Levying Of The Assessments And

Directing The Fiscal Year 2007-2008 Assessment To Be Turned Over To The County

Auditor-Controller For Billing And Collection

07-0170

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:11 PM*



*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

*De La Fuente -8*

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[80650 CMS.pdf](#)

14.2

Subject: Wildfire Prevention Assessment District-Annual Report

From: Office of the City Administrator

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

Confirming The Information In The Annual Report For The City Of Oakland Wildfire Prevention

Assessment District For Fiscal year 2007-2008 And Levying Of The Assessments

[07-0172](#)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:16 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

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[80651 CMS.pdf](#)

14.3

Subject: Emergency Medical Services Tax Increase

From: Office of the City Administrator

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

(First Reading) Of An Ordinance Authorizing A Fiscal Year 2007-2008 Increase To A Special

Tax Imposed For Emergency Medical Services In Accordance With The Emergency Medical

Services Retention Act of 2004 (Measure M)

07-0173

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

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

**The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:19 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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



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

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

*De La Fuente -8*

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[12806 CMS.pdf](#)

14.4

Subject: Paramedic Emergency Services Tax Increase

From: Office of the City Administrator

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

(First Reading) Of An Ordinance Authorizing A Fiscal Year 2007-2008 Increase To A Special

Tax Imposed For Paramedic Emergency Services In Accordance With The Paramedic Services

Act Of 1997 (Measure N)

[07-0174](#)

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

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

**The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:24 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

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[12807 CMS.pdf](#)

14.5

Subject: Library Services Retention Tax Increase

From: Office of the City Administrator

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

(First Reading) Of An Ordinance Authorizing A Fiscal Year 2007-2008 Increase To A Special

Tax Imposed For Library Services In Accordance With The Library Services Retention And

Enhancement Act Of 2004 (Measure Q)

07-0175

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:27 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

*De La Fuente -8*

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[12808 CMS.pdf](#)

14.6

Subject: 5253 College Avenue - Appeal

From: Community and Economic Development Agency

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



Denying The Appeal And Upholding The CEQA Determination Of A Categorical Exemption For

Case File Number CD06-604 (Construction Of 6 Dwelling Units Over Ground Floor

Commercial At 5253 College Avenue, Oakland)

[07-0322](#)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*opened at 8:31 PM*

*The following individual spoke on this item:*

- *Sanjiv Handa*

- *Bert Verrips*

- *Kirk Peterson*

- *Cheryl Koehler*

- *Leila Moncharsh*

- *Amanda Menchamp*

- *Joyce Roy*

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

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

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

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

*De La Fuente -8*

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14.6.1

Receive The Legal Opinion From The Office Of The City Attorney Regarding The 5253 College

Avenue Appeal

[07-0322-1](#)

**\*Received and Filed**

[View Report.pdf](#)

14.7

Subject: Delinquent Business Taxes

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Business

Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:



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

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

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

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

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

07-0378

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

*Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was*

*opened at 8:11 PM*

*Staff was requested to come back in September with a report providing an*

*analysis of if the trend of mortgage liens impacts foreclosures in the City and a*

*fiscal analysis of liens on affordable housing properties*

*The following individual spoke on this item:*

- *Sanjiv Handa*

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

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

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

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

*De La Fuente -8*

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[80653 CMS.pdf](#)

2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City

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

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

5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment

Charges To Be Turned Over To The County Tax Collector For Collection; Or

07-0378-1

**Not Adopted**

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

Business Taxes And The 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

[07-0378-2](#)

**Not Adopted**

14.8

Subject: Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For

October/November/December 2006, Monthly Accounts And January/February/March 2007,



Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

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

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

Recordation Of Liens With 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 Be Turned Over To The County Tax Collector For Collection; Or

07-0379

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

*Upon the reading of Item 14.8 by the City Clerk, the Public Hearing was*

*opened at 9:02 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

*De La Fuente -8*

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[80654 CMS.pdf](#)

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

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

Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment

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

Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax

Collector For Collection; Or

07-0379-1

**Not Adopted**

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

Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment

Charges As Necessary - Pursuant Chapter 8.28 Of The Oakland Municipal Code

[07-0379-2](#)

**Not Adopted**

14.9

Subject: Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real

Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of

Legislation:

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

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

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

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

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

07-0380

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid



*Upon the reading of Item 14.9 by the City Clerk, the Public Hearing was*

*opened at 9:06 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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

*De La Fuente -8*

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[80655 CMS.pdf](#)

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

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

Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And

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

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

County Tax Collector For Collection; Or

07-0380-1  
**Not Adopted**

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

Real Property Transfer Taxes And The Recordation Of Liens With Administrative And

Assessment Charges As Necessary - Pursuant Chapter 4.20 Of The Oakland Municipal Code

[07-0380-2](#)

**Not Adopted**

14.10

Subject: Transient Occupancy Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient

Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

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

Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming

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

Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien

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

07-0381

**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, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

*Upon the reading of Item 14.10 by the City Clerk, the Public Hearing was*

*opened at 9:09 PM*

*The following individual spoke on this item:*

*- Sanjiv Handa*

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

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

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

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



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[80656 CMS.pdf](#)

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

The City Administrator On The Costs Incurred By The City Of Oakland Delinquent Transient

Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And

Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal

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

County Tax Collector For Collection; Or

[07-0381-1](#)

**Not Adopted**

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

Transient Occupancy Taxes And The Recordation Of Liens With Administrative And

Assessment Charges As Necessary - Pursuant Chapter 4.24 Of The Oakland Municipal Code

[07-0381-2](#)

**Not Adopted**

**ACTION ON NON-CONSENT ITEMS:**

Subject: McKillop Roadway - Landslide Damage

From: Public Works Agency

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

Landslide Damage To McKillop Roadway First Proclaimed By the City Of Oakland On October

17, 2006

[07-0391](#)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[80657 CMS.pdf](#)

Subject: Chicago Climate Exchange

From: Public Works Agency

Recommendation: Adopt A Resolution Adopting The Statement Of Principles Regarding The

Chicago Climate Exchange (A Voluntary, Legally Binding Greenhouse Gas Emission Registry,

Reductions And Trading System) As Drafted By Participating State And Local Government

Members Of The Exchange

07-0270

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*Agency/Councilmember Nadel, to amend "Attachment A" of the resolution by*

*adding the following language: "7. Endorsement of these principles and of cap*

*and trade as a mechanism for addressing global warming is in no way exclusive*

*of other available methods of regulating or limiting greenhouse gases including*

*efficiency and conservation measures, regulation or other strategies"; and*

*hearing no objections, the motion passed by Ayes: Agency/Councilmember:*

*Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the*

*Council De La Fuente -8*

*The following individual spoke on this item:*

- *Sanjiv Handa*

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S-17

Subject: Williams Energy Settlement

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing The City Administrator To Proceed With

Multiple Energy Efficiency Projects As Follows: 1) Accept And Appropriate Six Hundred



Sixty-Six Thousand Six Hundred And Sixty-Six Dollars and Sixty-Seven Cents (\$666,666.67)

Of Reliant Energy Settlement Funds And An Additional Nineteen Thousand Four Hundred Nine

Dollars And Seventy-Four Cents (\$19,409.74) Of Williams Energy Settlement Funds For

Alternative Energy Or Energy Efficiency Activities; 2) Recognize And Appropriate Ninety-Five

Thousand And Twenty Dollars And Twenty-Two Cents (\$95,020.22) Of Solar Project-Related

Interest And Refund Revenue; 3) Re-appropriate One Million Five Hundred Thousand Dollars

(\$1,500,000.00) Of Williams Energy Settlement Funds; 4)Accept And Appropriate Rebates,

Grants And Incentives For Energy Projects; 5) Waive The Competitive Solicitation Processes For

Various Energy Efficiency Services And Construction; 6) Award Contracts For Various Energy

Efficiency Services And Construction In Excess Of The City Administrator's Purchase Authority;

7) Award A Contract To Iclei Local Governments For Sustainability For Greenhouse Gas

Emissions Assessment And Climate Action Planning In An Amount Not-To-Exceed Eighty

Thousand Dollars (\$80,000.00); And 8) Award Grants To Rising Sun Energy Center In The

Amount Of Eighty Thousand Dollars (\$80,000.00) For The 2007 And 2008 Cyes Program, Eco

Logos, Inc. In The Amount Of Thirty-Five Thousand Dollars (\$35,000.00) For Launch Of A

Pilot Carbon Credit Card Program, And Community Energy Services Corporation In The



Amount Of Fifteen Thousand Dollars (\$15,000.00) For Its Smartlights Program

07-0127

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

- *Ian Kim*

- *Jay Hermon*

- *Erica Mackie*

- *Carla Din*

- *Ingrid Severson*

- *Kent Lewandowski*

- *Tom Mullarkey*

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[View Supplemental Report.pdf,](#)

[80659 CMS.pdf](#)

*The Roll Call was modified to note Councilmember Brunner absent at 9:45 PM*  
S-18

Subject: Broadway Phase II And III Sidewalk Improvement Project

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To Sposeto Engineering, Inc. For The

Broadway Phase II And II Sidewalk Improvement Project (C1949+20) For An Amount

Not-To-Exceed Two Million Six Hundred Fifty-One Thousand Three Hundred Seventy-Six

Dollars And Forty-Five Cents (\$2,651,376.45), And Accepting And Appropriating A

Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement for An

Amount Not To Exceed Six Hundred Eighty Thousand Four Hundred Twelve Dollars

(\$680,412.00)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

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[80660 CMS.pdf](#)

2) An Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed Six

Hundred Eighty Thousand Four Hundred Twelve Dollars (\$680,412.00) From The Central

District Redevelopment Project To The City Of Oakland Under The Cooperation Agreement To

Fund The Construction Of The Broadway Phase II And III Sidewalk Improvement Project

[07-0205-1](#)

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks and Councilmember Reid

[2007-0053 CMS.pdf](#)  
S-19

Subject: Historic East 18th Street Pier Overlook Reconstruction Project

From: Public Works Agency

Recommendation: Adopt A Resolution 1) Rejecting All Bids Submitted For The Historic East

18th Street Pier Overlook Reconstruction Project (C242212); 2) Waiving Further Competitive

Bidding Requirements; And 3) Authorizing The City Administrator To Purchase The Necessary

Construction Services And Materials For The Project On the Open Market In An Amount Not To

Exceed One Million Three Hundred Thousand Dollars (\$1,300,000.00), Without Return To The

City Council

07-0301

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

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

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner



ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Quan, President of the Council

De La Fuente, Councilmember Brooks and Councilmember Reid

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[80661 CMS.pdf](#)

*The Roll Call was modified to note Councilmember Brunner present at 10:00*

*PM*

S-20

Subject: Chinatown Pedestrian-Oriented Improvements

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Top Grade

Construction In The Amount Of Two Million Six Hundred Ninety Thousand One Hundred

Seventy-Two Dollars (\$2,690,172.00) For The Revive Chinatown Pedestrian-Oriented

Improvement (Project No. G278210)

07-0319

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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[80662 CMS.pdf](#)

S-21

Subject: Billboard Relocation Agreement

From: Community and Economic Development Agency

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

Billboard Relocation Agreement With Clear Channel Outdoor, Inc. ("CCO"): (1) Allowing CCO

To Remove And Waive Its Rights To Compensation, Including All Real Property And Personal

Property Interests, For A Number Of Billboards At Various Locations In Exchange For: (A)

Removal Of A Billboard At 381- 5th Street And Construction Of A New Billboard At 377-5th

Street; And (B) Removal Of A Billboard At 3420 Louise Street And Construction Of A Billboard

On An Adjacent Lot (APN 007-0620-001-04); And (2) Requiring Mr. Libitzky, Property Owner

Of 3420 Louise Street, To Make A One-Time Contribution Of \$100,000 To The Chabot Space

And Science Center And Requiring CCO To Make A One-Time Contribution Of \$75,000 To A

Cause Designated By The City Council

07-0045

**A motion was made by Councilmember Quan, seconded by President of the**

**Council De La Fuente, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 2 - Councilmember Brunner and

Councilmember Brooks

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Quan, President of the Council

De La Fuente and Councilmember Reid

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

*President De La Fuente, to adopt the resolution as amended to increase the*

*contribution to Chabot Space & Science Center to \$125,000 and the*

*contribution to the City Administrator to \$125,000, language was also amended*

*to state that there would be no electric billboards and that no new billboards*

*under this agreement would be electronic, and hearing no objections, the*

*motion passed by Ayes: Agency/Councilmember Chang, Kernighan, Nadel,*

*Reid, Quan, and President of the Council De La Fuente -6; Abstentions:*

*Agency/Councilmember Brooks and Brunner*

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[80663 CMS.pdf](#)

S-22

Subject: Voluntary Earthquake Retrofitting Incentive Program

From: Councilmembers Jean Quan and Jane Brunner

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

Municipal Code Chapter 15.30 To Establish A Voluntary Seismic Strengthening Reimbursement

Incentive Program For Residential Buildings And Amending The Master Fee Schedule To

Establish A Voluntary Seismic Strengthening Permit Fee

07-0315

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember



Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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[12812 CMS.pdf](#)

S-23

Subject: Senior Services Set-Aside Program

From: Department of Human Services

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

Between The City And Eleven Oakland Nonprofit Agencies (Alameda Community Food Bank,

Mandela Marketplace, Inc., Alzheimer's Services Of The East Bay, Bay Area Community

Services, Legal Assistance For Seniors, Lifelong Medical Care, Inc., Progressive Research and

Training For Action, Rebuilding Together Oakland, Self Help For The Elderly, Mercy Retirement

And Care Center, St. Mary's Center) To Provide Services To Senior Citizens Under Senior

Services "Set-Aside" Funding For Fiscal Year 2007-2008 In An Total Amount Not To Exceed

\$470,000

07-0246

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Chang

ORA\Councilmember Recused: 1 - Councilmember Quan

ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember

Nadel, Councilmember Brunner, President of the Council De La Fuente,

Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

- *Henry Gardner*

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[80664 CMS.pdf](#)

S-24

Subject: Cultural Services Contracts

From: Cultural Arts and Marketing

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

Cultural Services Grants With Seventy-Seven (77) Oakland-Based Nonprofit Organizations And

Individual Artists Providing Arts And Cultural Services In Oakland During Fiscal Year

2007-2008 In A Total Amount Not To Exceed \$1,144,838.51

07-0275

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*- Sanjiv Handa*

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[80665 CMS.pdf](#)

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

*Agency/Councilmember Chang, to extend the meeting time past 10:30 PM and*

*hearing no objections, the motion passed by Ayes: Agency/Councilmember:*

*Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the*

*Council De La Fuente -8*

S-25

Subject: Measure Y Programs

From: Department of Human Services

Recommendation: Adopt The Following Pieces of Legislation:

1) A Resolution Authorizing The City Administrator To Amend An Agreement Between The

City Of Oakland An Youth Radio For An Additional Amount Of \$75,000 To Provide After

School Jobs In Accordance With The Violence Prevention And Public Safety Act Of 2004 For

The Period Of July 1, 2007 To June 30, 2008 With A One Year Option To Renew

07-0136

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[View Supplemental.pdf,](#)

[View Supplemental Report.pdf,](#)

[80666 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Execute An Agreement Between The

City Of Oakland And Attitudinal Healing Connection, Inc. For An Amount Not To Exceed

\$25,000 To Provide Restorative Justice Training In Accordance With The Violence Prevention

And Public Safety Act Of 2004 For The Period Of July 1, 2007 To June 30, 2008 With A

One-Year Option To Renew

[07-0136-1](#)

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,



President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[View Report.pdf,](#)

[80685 CMS.pdf](#)

3) A Resolution Authorizing The City Administrator To Execute An Agreement Between The

City Of Oakland And Work First Foundation For An Amount Not To Exceed \$390,000 To

Provide Transitional Jobs In Accordance With The Violence Prevention And Public Safety Act

Of 2004 For The Period Of July 1, 2007 To June 30, 2008 With A One-Year Option To Renew

[07-0136-2](#)

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[80667 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator To Amend The Agreement Between The

City Of Oakland And Cityspan Technologies For An Additional Amount Not To Exceed \$15,000

To Develop And Maintain A Database For Measure Y Grantees For The Period Of July 1, 2007

To June 30, 2008 With A One-Year Option To Renew

[07-0136-3](#)

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[80668 CMS.pdf](#)

5) A Resolution Authorizing The City Administrator To Amend An Agreement Between The

City Of Oakland And The Mentoring Center For An Additional Amount Not To Exceed

\$200,000 For Delivery Of Community Services Under The Pathways To Change Model For

Fiscal Year 2006-2007 With A One-Year Option To Renew

07-0136-4

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

**Councilmember Nadel, that this matter be Adopted as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

*Agency/Councilmember Nadel, to approve the committee recommendations and*

*adopt the resolution as amended to add the restorative justice program at Cole,*

*enhance the radical roving program, enhance the youth radio program, provide*

*technical assistance to the YMCA, and directed staff to ensure street outreach is*

*occurring more over than case management (at least 50% of the time). If street*

*outreach is not occurring in these programs staff should return in September*

*with a proposed outreach program that would be paid for out of the Measure Y*

*reserves, and hearing no objections, the motion passed by Ayes:*

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

*Quan, and President of the Council De La Fuente -8*



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

- *Sanjiv Handa*

- *De Carlos Anderson*

- *Demiz Muhammad*

- *Africa Williams*

- *Erik Sakamoto*

- *Patrick Johnson*

- *Michele Clark*

[80669 CMS.pdf](#)  
S-26

Subject: Sprint/Nextel Agreement

From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator Or Her Designee To 1) Waive The Request

For Proposals Competitive Selection Process And Negotiate And Execute An Agreement With

Sprint/Nextel Communications For The Replacement, Retuning, Upgrade And Modification Of

The City's 800 Mhz Radio Equipment Per The FCC Rebanding Agreement; And

[07-0351](#)

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

**Kernighan, that this matter be Adopted. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

[View Report.pdf,](#)

[80670 CMS.pdf](#)

2) A Resolution Allocating Funds From The Radio Replacement Fund In An Amount Not To

Exceed Three Hundred Thousand Dollars (\$300,000) And Authorize The City Administrator Or

Her Designee To Execute Contracts Through Competitive Bids For Inventory Control Software,

Battery Charger/Analyzer And Staff Training Without Return To Council

07-0351-1

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

**Kernighan, that this matter be Adopted. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- Sanjiv Handa

[80671 CMS.pdf](#)

**Continuation of Open Forum**

**ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**

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

*Agency/Council adjourned the meeting in memory of Aslean Walker, Opal*

*Harvey, Barbara Flood, Paul Jones and Ira Mae Lee at 12:01 AM*

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