

# 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 17, 2005**

**6:00 PM**

**City Council Chambers - 3rd Floor**

1  
Pledge of Allegiance  
2

Roll Call / ORA & Council

COUNCIL MEMBERS; Vice Mayor Brunner, Dist. 1; Vacant, Dist. 2; Nancy Nadel, Dist.

3; Jean Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry Chang, At-Large,

and President Ignacio De La Fuente, Dist. 5

ORA\Councilmember Present: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Thyet Tram*

- *Dorthy Coleman*

- *Gilliam Garro*

- *Joe Gomez*

- *Deloris Allen*

- *Ken Katz*

- *Tom Guarino*

- *Hefor Reyna*

- *Vivian Huang*

- *Lynne Rodezno*

- *Oriva Sasson*

- *William Gahan*

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 3, 2005

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - 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: "Michael Morgan Day"

From: Council President De La Fuente

Recommendation: Adopt a Resolution honoring Maestro Michael Morgan on his 15th

Anniversary as the Conductor and Musical Director of the Oakland East Bay Symphony and

proclaiming May 20, 2005 as "Michael Morgan Day" in the City of Oakland (05-0103)

**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: 7 - 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: National Public Works Week

From: Public Works Agency/Councilmember Nadel

Recommendation: Adopt a Resolution Celebrating The Week Of May 15, Through May 21,2005

As National Public Works Week In The City Of Oakland (05-0324)

**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: 7 - 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: City Clerk Appointment

From: Office of the City Administrator

Recommendation: Consider a Motion to Confirm The Appointment of LaTonda Simmons to the

Position of City Clerk and Clerk of the Council (05-0351)

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

**Councilmember Reid, that this matter be \*Received and Filed. The motion**

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - 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 in favor of this item:*

- *Deborah Konkol*

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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**



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

*that the meeting be adjourned in memory of Demtra Camilla Diamonte.*

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

*congratulated Ron Davis on being appointed Chief of Police for the City of*

*East Palo Alto.*

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

10.1-CC

Subject: Declaration of a Local Emergency due to AIDS epidemic

From: Office of the City Attorney

Recommendation: Adopt a Resolution renewing and continuing the City Council's Declaration of

a Local Emergency due to the existence of a critical public health crisis with regard to the AIDS

epidemic (05-0341)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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 (05-0342)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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 in favor of this item:*

- *Keith Stephenson*

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[79213 CMS.pdf](#)

10.3-CC

Subject: Josephine McCondochie - Settlement Agreement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Josephine McCondochie In The Amount Of \$8,300.00, For

Property Damage Sustained As A Result Of Flooding Caused By Failure Of The City's Storm

Drain On October 19, 2004 (Public Works Agency) (05-0344)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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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10.4-CC

Subject: Margaret Morris - Settlement Agreement

From: Office of the City Attorney

Recommendation: Adopt a Resolution Authorizing and Directing the City Attorney to

Compromise and Settle the Case of Margaret Morris v. City of Oakland, et al., Alameda County

Superior Court Case No. 835121-6, our File No. 21903, in the Amount of \$20,000.00. This Case

Involves Claims of a Landslide (Public Works Agency) (05-0366)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Sheffield Village S-20 Rezoning

From: Community and Economic Development Agency

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance rezoning

Sheffield Village, all properties located on Roxbury Avenue, Marlow Drive, Middleton Street,

Covington Street, Brookfield Avenue, Dan bury Street properties from 2900 to 3200 inclusive,

Revere Avenue and 11810 to 11848 Foothill Blvd., to an S-20 Preservation Combining Zone

pursuant to Sections 17.101.d and 17.102.030 of the Oakland Planning Code (05-0155)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Seven Street Commercial Historic District

From: Community and Economic Development Agency

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance rezoning

1600-1642 7th Street (7th Street Commercial Historic District) to an S-7 Preservation Combining

Zone pursuant to Sections 17.84 and 17.102.030 of the Oakland Planning Code (05-0157)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Establishment of Green Building Requirements

From: Councilmember Nadel and Vice Mayor Brunner

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance establishing

Green Building (e.g. sustainable site development, water savings, energy efficiency, materials

selection and indoor environment quality) requirements for certain City projects (TITLE

CHANGE) (05-0070)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: City-Port Parcel Nine

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution Supporting a Public Trust Land Exchange at the former

Oakland Army Base Authorizing the City Administrator to Negotiate and Enter into a Purchase

and Sale Agreement with the California Department of Transportation for a 6.5 Acre portion of

the property known as City-Port Parcel Nine (05-0353)

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



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

**by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Nadel, Councilmember Quan, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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S-10.9-CC

Subject: Lake Merritt Cleanup and Monitoring Services

From: Public Works Agency

Recommendation: Adopt a Resolution Authorizing the City Administrator to Enter into a

Professional Services Agreement for Two Years for an Amount Not to Exceed \$300,000 with

The Lake Merritt Institute for Cleanup and Monitoring Services for Lake Merritt From June 1,

2005 to May 31, 2007 (05-0294)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.9.1-CC

Subject: Lake Merritt Cleanup and Monitoring Services

From: Public Works Agency

Recommendation: Receive a report from the City Auditor on the Resolution Authorizing the City

Administrator to Enter into a Professional Services Agreement for Two Years for an Amount Not

to Exceed \$300,000 with The Lake Merritt Institute for Cleanup and Monitoring Services for

Lake Merritt From June 1, 2005 to May 31, 2007 (05-0294-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.10-C

C

Subject: West Oakland Multi-Purpose Center Project

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing the City Administrator to award a contract to

Konesky Construction Company in the amount Not to Exceed (\$80,000) for the siding

replacement at the West Oakland Multi-purpose Center Project (Project No. B04910) (05-0183)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.11-C

C

Subject: Montclair Village Farmer's Market

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution authorizing the Chief of Police to issue a conditional

revocable encroachment permit to the Montclair Village Association for a Farmer's Market on La

Salle Avenue between Moraga Avenue and Mountain Boulevard every Sunday between the hours

of 2:00 a.m. and 8:00 p.m. (05-0288)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Refunding Revenue Bonds

From: Finance and Management Agency

Recommendation: Adopt a Resolution of the City Council of the City of Oakland Approving the

Issuance By the Oakland Joint Powers Financing Authority of Not to Exceed \$178,000,000

Aggregate Principal Amount of Refunding Revenue Bonds in One or More Series to Refund the

Authority's Outstanding Lease Revenue Bonds, 1998 Series A; Authorizing Execution and

Delivery of an Amended and Restated Lease and Amended and Restated Sublease; and

Authorizing Execution of Documents and the Taking of all Necessary Actions Relating to the

Refunding Financing with the Oakland Joint Powers Financing Authority; and (05-0322)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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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2) A Resolution of the Oakland Joint Powers Financing Authority Approving the Issuance and

Sale of Refunding Revenue Bonds in One or More Series to Refund the Authority's Outstanding

Lease Revenue Bonds 1998 Series A; Approving the Forms of and Authorizing Execution and

Delivery of an Amended and Restated Lease, An Amended and Restated Sublease, A Trust

Agreement and a Bond Purchase Contract and Related Agreements; Authorizing the Procurement

of Bond Insurance; and Authorizing Execution of Documents and the Taking of All Necessary

Actions Relating to the Issuance of the Bonds (05-0322-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Issuance and Sale of Tax and Revenue Anticipation Notes

From: Finance and Management Agency

Recommendation: Approve the Introduction (First Reading) of an Ordinance providing for the

borrowing of funds for Fiscal Year 2005-2006 in an amount not to exceed \$70,000,000 and the



issuance and sale of 2005-2006 Tax and Revenue Anticipation Notes therefore, approving the

publication of notices in the connection with such sale, and authorizing the award of such notes

subject to certain conditions, and certain related matters (05-0298)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on June 7, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 7 - 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: CalPERS Contract Amendment - Firefighters Local 55

From: Finance and Management Agency

Recommendation: Approve the Introduction (First Reading) of an Ordinance of the City of

Oakland Authorizing an Amendment to the Contract Between the City of Oakland and the Board

of Administration of the California Employees' Retirement System (CalPERS) that Authorizes

Conversion of up to Seventy-Five Percent (75%) of Unused Accumulated Sick Leave to

Additional Service Credit for Members of the International Association of Firefighters, Local 55

(05-0297)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on June 7, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.15-C

C

Subject: Salary Ordinance Amendment - Firefighters Local 55

From: Office of Personnel

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance Amending the

Salary Schedule of Ordinance No. 12347 C.M.S. to Adjust the Salaries of Employees in Job

Classifications Represented by the International Association of Firefighters, Local 55 (05-0300)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on June 7, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Salary Ordinance Amendment - Oakland Park Rangers Association

From: Office of Personnel

Recommendation: Approve the Introduction (First Reading) Of An Ordinance amending

Ordinance No. 12379 C.M.S. to adjust the wages of Employees represented by the Oakland Park

Rangers Association (OPRA) pursuant to a Memorandum of Understanding between the City of

Oakland and OPRA (05-0299)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on June 7, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.17-C

C

Subject: Animal Shelter Director Classification Update

From: Office of the City Administrator

Recommendation: A Report on Recommended Changes to the Salary and Duties of the Animal

Control and Shelter Manager Classification (05-0174)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Real Estate Title And Escrow Services

From: Community and Economic Development Agency

Recommendation: Adopt following pieces of legislation:

1) Resolution Authorizing the City Administrator, without returning to Council for Further

Approval, to Negotiate and Execute, Agreements to Obtain to Real Estate Title and Escrow

Services for the City of Oakland for the Four Year Period from July 1, 2005 through June 30,

2009 in an Aggregate Amount Not To Exceed \$ 175,000 Per Year (05-0275)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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) Adopt an Agency Resolution authorizing the Agency Administrator, without returning to

Agency for Further Approval, to Negotiate and Execute Agreements to Obtain Real Estate Title

and Escrow Services for the Redevelopment Agency of the City of Oakland for the Four Year

Period from July 1, 2005 through June 30, 2009 in an Aggregate Amount not to exceed \$175,000

Per Year (05-0275-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.19-C

C

Subject: Laurel Property Business Improvement Management District of 2005

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation:

1) Resolution of Intention to Form the Laurel Property Business Improvement District of 2005,

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 19, 2005; and ( 05-0280)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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) Adopt a Resolution Appointing the Laurel Property Business Improvement District Advisory

Board as the Advisory Board for the Laurel Property Business Improvement District of 2005

(05-0280-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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: Lake Merritt Municipal Boathouse

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution Accepting a Donation of \$100,000 From the Rotary Clubs

of Oakland #3, East Oakland, North Oakland/Emeryville, Oakland Sunrise and

Piedmont/Montclair for the Lake Merritt Municipal Boathouse Entry Plaza (1520 Lakeside

Drive) (05-0179)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.21-C

C

Subject: Child Development Services

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 Head Start basic, training and technical assistance,

quality improvement, Cost of Living Adjustment (COLA), and Early Head Start grants for

Program Year 2005-06 from the U.S. Department of Health & Human Services, Administration

for Children and Families (DHHS/ACF) in the estimated amount of \$14,513,908, and authorizing

a grant agreement with the Unity Council for the estimated amount \$4,613,555 to fund Child

Development Services in Accord with said grants (05-0208)

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

ORA\Councilmember Ayes: 7 - 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-10.22-C

C

Subject: Head Start Family Child Care Home Services

From: Department of Human Services

Recommendation: Adopt the following pieces of legislation:

1) Resolution authorizing the City Administrator, on behalf of the City of Oakland, to execute a

grant agreement in an amount not to exceed \$32,250.00 to Jontanika Stroud to fund Head Start

Family Child Care Home Services for a one-year Period and Authorizing the City Administrator

to extend grant funding for one Additional year in an Additional Amount not to exceed

\$32,250.00 (05-0207)

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

ORA\Councilmember Ayes: 7 - 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) Adopt a Resolution authorizing the City Administrator, on behalf of the City of Oakland, to

execute a grant agreement in an amount not to exceed \$37,625.00 to Regina Benoit to fund Head

Start Family Child Care Home Services for a one-year Period and Authorizing the City

Administrator to extend grant funding for one Additional year in an Additional Amount not to

exceed \$37,625.00 (05-0207-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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3) Adopt a Resolution authorizing the City Administrator, on behalf of the City of Oakland, to

execute a grant agreement in an amount not to exceed \$37,625.00 to Valerie Hamilton to fund

Head Start Family Child Care Home Services for a one-year Period and Authorizing the City

Administrator to extend grant funding for one Additional year in an Additional Amount not to

exceed \$37,625.00 (05-0207-2)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.23-C

C

Subject: Henry Robinson Multi-service Center (Touraine Hotel)

From: Director of Human Services

Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Authorizing Lease Agreements

With East Oakland Community Project For The Families In Transition/Scattered Sites Properties

From June 1, 2005 Through February 28, 2006 And The Matilda Cleveland Transitional Housing

Property From June 1, 2005 Through September 30, 2006; And Authorizing The City

Administrator To Extend Said Leases, Or Enter Into New Lease Agreements With Future

Transitional Housing Providers As Necessary, For As Long As HUD Supportive Housing

Program Funding Remains Available Without Returning To Council (05-0214)

**This Matter was Approved on Introduction for Final Passage to the**

**Concurrent Meeting of the Oakland Redevelopment Agency / City Council,**

**due back on June 7, 2005 on the Consent Agenda.**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

[12667 CMS.pdf](#)

2) Adopt An Agency Resolution Authorizing A Lease Agreement With Phoenix Programs, Inc.

For The Henry Robinson Multi-Service Center (Touraine Hotel) From June 1, 2005 Through

February 28, 2006 And Authorizing The Agency Administrator To Extend Said Leases, Or Enter

Into New Lease Agreements With Future Transitional Housing Providers As Necessary, For As

Long As HUD Supportive Housing Program Funding Remains Available Without Returning To

Council (05-0214-1)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[View Report.pdf,](#)

S-10.24-C

C

Subject: Operation Dignity, Inc. - Agreement

From: Department of Human Services

Recommendation: Adopt a Resolution authorizing a grant agreement with Operation Dignity,

Inc. for the Homeless Mobile Outreach Program (HMOP) in an amount not to exceed \$358,620

for the Period of July 1, 2005 through June 30, 2007 and Authorizing a two-year Option to renew

for the Period July 1, 2007 through June 30, 2009 without Returning to Council (05-0243)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[View Supplemental Report.pdf,](#)

[79230 CMS.pdf](#)

S-10.24.1-

CC

Subject: Operation Dignity, Inc. - Agreement

From: Office of the City Auditor

Recommendation: Receive a Report on a Resolution authorizing a grant agreement with

Operation Dignity, Inc. for the Homeless Mobile Outreach Program (HMOP) in an amount not to

exceed \$358,620 for the period of July 1, 2005 through June 30, 2007 with a two-year option to

renew for the period July 1, 2007 through June 30, 2009 without returning to Council

(05-0243-1)

**This Matter was \*Received and Filed on the Consent Agenda.**  
**Votes:**

ORA\Councilmember Ayes: 7 - 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-10.25-C

C

Subject: 2005 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

\$749,000 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

2005 Summer Food Service Program for Children (05-0248)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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*

[View Report.pdf,](#)

[79231 CMS.pdf](#)

S-10.26-C

C

Subject: Immigration and Customs Enforcement Task Force - Overtime Reimbursement

From: Oakland Police Department

Recommendation: Adopt a Resolution Authorizing the City Administrator to Accept and

Appropriate an Amount Not to Exceed Fifteen Thousand Dollars (\$15,000) from the United

States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE),

to the Oakland Police Department for Overtime Reimbursement Costs of One (1) Police Officer

Assigned to the OPD-ICE Task Force for the Period January 22, 2005 through January 20, 2006

(05-0292)

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

**Votes:**

ORA\Councilmember Ayes: 7 - 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*

[View Report.pdf](#),

[79232 CMS.pdf](#)

S-10.27-C

C

Subject: Organized Crime Drug Enforcement Task Force - Overtime Reimbursement

From: Oakland Police Department

Recommendation: Adopt a Resolution Authorizing the City Administrator to Accept and

Appropriate an Amount Not to Exceed Ten Thousand Dollars (\$10,000) in Federal Funds from

the Department of Justice, United States Drug Enforcement Administration (USDEA) to the

Oakland Police Department (OPD) in Overtime Reimbursement Costs for Five (5) Police

Officers Assigned to an Organized Crime Drug Enforcement Task Force (OCDETF) for the

Period of April 1, 2005 to September 30, 2005 (05-0293)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[79233 CMS.pdf](#)

S-10.28-C

C

Subject: North County Center for Self-Sufficiency - Encroachment Permit

From: Community and Economic Development Agency

Recommendation: Adopt a Resolution Granting North County Center For Self-Sufficiency, A

California Non-Profit Public Benefit Corporation, a Conditional, Revocable Permit to allow two

corners of a new building at 630 Thomas L. Berkley Way to encroach over the public

right-of-way (20th Street) (05-0283)

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

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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**Passed The Consent Agenda**

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

**Councilmember Quan, including all the preceding items marked as having**

**been adopted on the Consent Agenda. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

11

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

Closed Session

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

**Councilmember Reid, to \*Approve as Submitted. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - 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 Closed Session Report-out Form marked as "Attachment A".*

12

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

Sunshine Ordinance

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

**Councilmember Nadel, to \*Approve as Submitted. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

*Agency/Councilmember Brooks made a motion seconded by*

*Agency/Councilmember Nadel confirming that there were no discussions*

*pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections,*

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

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

**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: Malonga Casquelourd - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the Introduction (First

Reading) of an Ordinance designating the Malonga Casquelourd Arts Center (historic name:

Women's City Club, later Alice Arts Center) at 1426 Alice Street as a Landmark pursuant to

Section 17.102.030 of the Oakland Planning Code (05-0148)

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

**Councilmember Quan, that this matter be Approved on Introduction for**

**Final Passage to the Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council, due back on June 7, 2005. The motion carried by**

**the following vote:**

**Votes:**



ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

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[12659 CMS.pdf](#)

14.2

Subject: Lionel Wilson Building - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon Conclusion approve the Introduction (First

Reading) of an an Ordinance designating the Broadway Building, Lionel Wilson Building

(historic name: First National Bank Building) at 150 Frank H. Ogawa Plaza/1401-19 Broadway

as a Landmark pursuant to Section 17.102.030 of the Oakland Planning Code (05-0149)

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

**Councilmember Quan, that this matter be Approved on Introduction for**

**Final Passage to the Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council, due back on June 7, 2005. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

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[12660 CMS.pdf](#)

Subject: St. Andrew Missionary Baptist Church - Landmark Designation

From: Community and Economic Development Agency

Recommendation: Conduct a Public Hearing and upon conclusion approve the Introduction (First

Reading) of an Ordinance designating St. Andrew Missionary Baptist Church (historic name: St.

Augustine's Mission) at 2624 West Street as a Landmark pursuant to Section 17.102.030 of the

Oakland Planning Code (05-0150)

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

**Nadel, that this matter be Approved on Introduction for Final Passage to**

**the Concurrent Meeting of the Oakland Redevelopment Agency / City**

**Council, due back on June 7, 2005. The motion carried by the following**

**vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

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[12661 CMS.pdf](#)

14.4

Subject: Municipal Boathouse - Landmark Designation

From: Community and Economic Development Agency

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

The Municipal Boathouse - Parks & Recreation Administration Building (Historic Name:

Municipal Boathouse - High Pressure Pumping Station #1) At 1520 Lakeside Drive As A

Landmark Pursuant To Section 17.102.030 Of The Oakland Planning Code (05-0153)

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

**Councilmember Quan, that this matter be Approved on Introduction for**

**Final Passage to the Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council, due back on June 7, 2005. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

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**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Improve Community Policing

From: Office of the City Administrator/President De La Fuente

Recommendation: Adopt a Resolution amending Resolution No. 72727 C.M.S., which

implemented the City of Oakland's Community Policing Policy, to provide a structured approach

to community involvement (05-0169)

**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 Ayes: 7 - 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 in favor of this item:*

*- Roger Brett*

*- Hannah James*

*- Nicholas Vigilante III*

- *Mark Daly*

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

- *Sanjiv Handa*

- *Jane Jackson*

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Subject: Banking/Depository Services and Security Custody Services

From: Finance and Management Agency

Recommendation: Adopt the following pieces of Legislation:

1) Adopt a Resolution authorizing an agreement with Bank of America to provide primary

banking/depository services for the City at an annual cost not to exceed \$275,000 and (05-0229)

**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 Abstained: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

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2) Adopt a Resolution authorizing an agreement with Wells Fargo Bank to provide security

custody services for the City at an annual cost not to exceed \$25,000 (05-0229-1)

**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: 7 - 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-17

Subject: Amendment to the Sunshine Ordinance

From: City Clerk's Office/Public Ethics Commission/Vice Mayor Brunner/City Attorney

Recommendation: Approve the Introduction (First Reading) of an Ordinance Amending Chapter

2.20 Of The Oakland Municipal Code To Require That City Executive Officers Provide

Agenda-Related Materials To The City Clerk, Add Additional Documents To Supplemental

Agenda Packet, Allow Attendance At An Open And Publicized Meeting, And Allow For

Hardware And Software Impairment (04-0651)

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

**Councilmember Reid, that this matter be Approve as Amended on**

**Introduction for Final Passage to the Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council, due back on June 7, 2005. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*Agency/Councilmember Reid, to approved the Introduction of the Ordinance as*

*amended on Item 17 to reflect the changes indicated in Attachment B, and*

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

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

*La Fuente -7*

*The following individual(s) spoke in favor of this item:*

- *Judy Cox*

- *Lousise Rothman Reiman*

- *Ralph Cannon*

- *Rashidah Grinage*



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

*- Sanjiv Handa*

*- Ralph Kanz*

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[12668 CMS.pdf](#)

18

Subject: Amendment to the Master Fee Schedule

From: Public Works Agency

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending

Ordinance Number 12611 C.M.S. (Master Fee Schedule), as amended, increasing hourly, daily

and monthly parking fees, and adding new promotional programs for parking facilities operated

by the City of Oakland (05-0113)

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

**Councilmember Quan, that this matter be Approve as Amended on**

**Introduction for Final Passage to the Special Concurrent Meeting of the**

**Oakland Redevelopment Agency/City Council - Fiscal Year 2005-2007**

**Proposed Policy Budget, due back on May 31, 2005. The motion carried**

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*Agency/Councilmember Quan, to approve the Introduction of the Ordinance as*

*amended to include the following changes 1) Reclassify the Pacific Renaissance*

*Plaza garage from a downtown parking facility to a neighborhood retail*

*parking facility with an hourly rate of \$1.25; and 2) the second reading for the*

*approval of the Master Fee Scheduled be placed on the May 31st Special*

*Meeting of the Council to discuss the Budget, and hearing no objections, the*

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

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

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

- *Carl Chang*

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

- *Sanjiv Handa*

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19

Subject: Andes Construction, Inc. - Contract

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a contract to Andes Construction,

Inc. for the rehabilitation of sanitary sewers in the area bounded by MacArthur Boulevard,

Patterson Avenue, Reinhardt Drive, Carson Street and Madrone Street - sub-basin 81-014

(Project No. C157910) for the amount of one million four hundred fifteen thousand seventy-nine

dollars (\$1,415,079) (05-0254)

**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: 7 - 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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From: Public Ethics Commission

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending Chapter

3.13 Of The Oakland Municipal Code (aka "The Limited Public Financing Act") To Provide,

Among Other Things, That 1) Matching Funds Be Available Only To Candidates For City

Council And The Oakland School Board; 2) The Maximum Amount Which A Candidate May

Receive In Matching Funds Be Raised From 15 Percent To 25 or 30 Percent Of The Voluntary

Expenditure Ceiling; 3) Require Candidates To Collect Eligible Contributions Only From

Sources Located Within The City Of Oakland; 4) Candidates May Receive An Initial Grant Of

Matching Funds Upon A Determination Of Eligibility; And 5) Run-off Candidates Shall Be

Limited In the Receipt Of Matching Funds (05-0282)

**A motion was made that this matter be Approved on Introduction for Final**

**Passage to the Concurrent Meeting of the Oakland Redevelopment Agency**

**/ City Council, due back on June 7, 2005. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Reid

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks and Councilmember Chang

*The following individual(s) spoke in favor of this item:*

*- Anne Spanier*

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

- *Sanjiv Handa*

- *Ralph Kanz*

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21

Subject: Consent Decree Resolving Actions

From: Office of the City Attorney

Recommendation: Receive a Report from the Office of the City Attorney on the consent decree

resolving actions filed by PUEBLO and the ACLU and the OPOA's request for immediate

dispute resolution related to the CPRB (05-0252)

**\*Withdrawn with No New Date**

*The Council directed staff to Come Back To The Next Scheduled Council*

*Meeting With The Appropriate Titling to Incorporate The Motion Previously*

*Made By Councilmember Nadel wherein She Stated That Immediate Dispute*

*Resolution Is Not Required To Resolve The CPRB Law and The Police Are*

*Required To Attend The C.P.R.B. Cases Whether Or Not A Tort Claim Has*

*Been Filed.*

[View Report.pdf](#)  
21.1

Subject: Consent Decree Regarding CPRB Complaints

From: Public Safety Committee

Recommendation: Approve the Introduction (First Reading) of an Ordinance amending ordinance

number 12454, which perscribes the powers and duties of the Citizen's Police Review Board

("CPRB") so that CPRB staff are authorized to investigate but not bring to hearing complaints

that are the subject of Tort claims and to make recommendations directly to the City

Administrator (05-0252-1)

**\*Withdrawn with No New Date**



*The following individual(s) spoke in favor of this item:*

*- Rashidah Grinage*

*- Mario Andrews*

- *Andy Radlow*

- *Janelle Orsi*

- *Bernardo Garcia Pandavenes*

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

- *Sanjiv Handa*

- *Greg Hodge*

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22

Subject: Wood-Smoke Ordinance

From: Councilmembers Nancy Nadel and Jean Quan

Recommendation: Approve the Final Passage (Second Reading) of an Ordinance amending the

Oakland Municipal Code adding Chapter 8.19.010, wood burning appliances, to regulate the

installation, repair, and operation of wood burning appliances such as wood-burning fireplaces,

wood heaters, pellet heaters (05-0030)

**\*Rescheduled to Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council on 6/7/2005**

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[12671 CMS.pdf](#)

Subject: Waiver of Potential Conflict of Interest-Farella, Braun and Martel

From: Office of the City Attorney

Recommendation: Adopt A Resolution Authorizing Waiver Of Any Potential Conflict Of Interest

That The Law Firm Of Farella, Braun + Martel May Have As A Result Of Providing Insurance

Coverage Advice To The City Regarding The Port Protest And Riders Litigation (Port Local 10

Warehouse And Longshoremen v. City Of Oakland And Delphine Allen v. City Of Oakland),

And Permitting The Firm To Provide Environmental Law Advice To California Urban

Investment Partners, An Entity That Is Considering Joint Venturing With Forest City On The

Uptown Project (05-0375)

**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: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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24

Subject: Appointments to the CPRB

From: Office of the Mayor

Recommendation: Adopt A Resolution Re-Appointing Barbara Montgomery And Beneba

Thomas And Appointing Charliana Michaels And Gregory Harris As Members Of The Citizen's

Police Review Board (05-0378)

**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: 7 - 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-25

Subject: Andes Construction, Inc. - Contract

From: Public Works Agency

Recommendation: Adopt a Resolution authorizing award of a contract to Andes Construction,

Inc. for the rehabilitation of sanitary sewers in the area bounded by Crest, Michigan and 82nd

Avenues and MacArthur Boulevard-sub-basin 84-112 (Project No. C158110) for the amount of

one million two hundred seventy-one thousand fifty-one dollars (\$1,271,051) (05-0255)

**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: 7 - 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*

[View Report.pdf](#),

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S-25.1

Subject: Bikeway Projects

From: Public Works Agency

Recommendation: Adopt the following pieces of legislation:

1) Resolution authorizing the City of Oakland to apply for, accept and appropriate up to three

hundred eleven thousand one hundred forty-four dollars (\$311,144) in Fiscal Year 2005-2006

State Transportation Development Act (TDA) Article 3 Funds, as follows: on hundred sixty-five

thousand dollars (\$165,000) for the Market Street Bikeway Project; twenty-five thousand dollars

(\$25,000) for the Bancroft Avenue Bikeway Gap Closures Project; and one hundred twenty-one

thousand one hundred forty-four dollars (\$121,144) Citywide Curb Ramps Program (05-0256)

**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: 7 - 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) Resolution authorizing the City of Oakland to apply for, accept and appropriate up to two

hundred thirty-five thousand dollars (\$235,000) in Fiscal Year 2005-2006 Measure B Bicycle

and Pedestrian Discretionary Funds for the Market Street Bikeway Project (05-0256-1)

**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: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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3) Resolution authorizing the City of Oakland to apply for, accept and appropriate up to two

hundred thousand dollars (\$200,000) in Fiscal Year 2005-2006 Bicycle Transportation Account

(BTA) Funds for the Bancroft Avenue Bikeway Gap Closures Project (05-0256-2)

**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: 7 - 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-25.2

Subject: Issuance and Sale of Series 2005 Revenue Bonds

From: Finance and Management Agency

Recommendation: Adopt the following pieces of legislation:

1) Resolutions of the City Council of the City of Oakland Approving the Financing of Public

Capital Improvements of the Oakland Joint Powers Financing Authority (05-0290)

**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: 7 - 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) Resolution of the Oakland Joint Powers Financing Authority Authorizing the Issuance and Sale

of Revenue Bonds, Series 2005 (City of Oakland General Obligation Bond Program);

Authorizing the Procurement of Bond Insurance; Approving the Forms of a Local Obligation

Purchase Contract, Trust Agreement, Bond Purchase Agreement and Official Statement;

Authorizing the Execution and Delivery Thereof and Authorizing the Taking of all Necessary

Actions Relating to the Issuance of the Bonds (05-0290-1)

**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 Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[2005-0003 JPFA.pdf](#)

3) Resolution Authorizing the Issuance and Sale of Not to Exceed \$140,000,000 Principal

Amount of the "City of Oakland General Obligation Refunding Bonds, Series 2005," Prescribing

the Terms of the Sale of the 2005 Bonds, Approving Forms of the Local Obligation Purchase

Contract and Escrow Agreements, Appointing a Paying Agent and Authorizing Necessary

Actions Related Thereto (05-0290-2)

**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: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[79246 CMS.pdf](#)

S-25.3

Subject: Sale Agreement to Purchase Two Parcels

From: Community and Economic Development Agency

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

City Administrator, Without Returning To Council, To Enter Into And Execute A Purchase And

Sale Agreement To Acquire Two Parcels Of Land Containing 21,905 SF Known As APN 029-

1158-011-03 And APN 029-1159-006-02 Located On Butters Drive For Open Space From The

Butters Land Trust In The Amount Of One Hundred Fifty Thousand Dollars (\$150,000) Plus

Closing Costs Not To Exceed Eight Thousands Dollars (\$8,000) From Measure DD Funds (05-



0230)

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

**Councilmember Reid, that this matter be Approved on Introduction for**

**Final Passage to the Concurrent Meeting of the Oakland Redevelopment**

**Agency / City Council, due back on June 7, 2005. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[View Supplemental Report.pdf,](#)

[12670 CMS.pdf](#)

Subject: Realigning SDS and NCPC Boundaries

From: Chief of Oakland Police

Recommendation: Action on a Report and Recommendation from the City Administrator

regarding a Request to Realign Service Delivery System and Neighborhood Crime Prevention

Council Boundaries to Conform with City Council Boundaries (05-0219)

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

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

**vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Reid and Councilmember Chang

*The following individual(s) spoke in favor of this item:*

- *Mark Daly*

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

- *Sanjiv Handa*

[View Report.pdf](#)  
S-25.5

Subject: Animal Shelter Operations

From: Oakland Police Department

Recommendation: Actions on a Report and Recommendations Regarding Operations at the

Oakland Animal Shelter and Responses to Issues Raised at the February 17, 2005 Town Hall

Meeting (05-0227)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - 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:*

- *Hannah James*

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[View Supplemental Report.pdf](#)

26

Subject: Citywide Housing Funding Reallocation

From: Community and Eonomic Development Agency

Recommendation: Action On A follow-up Report To Provide Further Direction To The City

Administrator For Allocation Of The Community Development Block Grant (CDBG) Funding

For Fiscal Year 2005-2007, Including, But Not Limited To Allocations To Alice Street Learning

Center And Centro Legal De La Raza. (05-0152-1)

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

**Councilmember Reid, that this matter be Approve as Amended. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Councilmember Quan

ORA\Councilmember Ayes: 6 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Brooks,

Councilmember Reid and Councilmember Chang

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

*Agency/Councilmember Reid, to approve the recommendations as amended on*

*item 26 to include the following changes*

*1) In exchange for additional CDGB Funding to East Bay Community Law*

*Center (EBCLC) in the amount of \$20,000, we will work in partnership with*



*Centro Legal de al Raza to increase housing legal services in Oakland.*

*2) In addition to continuing to make and accept referrals from each agency,*

*EBCLC will offer the following capacity-building assistance to staff at Centro*

*Legal:*

*3) In-depth training to Centro Legal staff on a broad range of housing-related*

*legal services (eviction defense, public housing, rent board, etc.);*

*4) On-site support at Centro Legal in the form of regular tenant workshops and*

*attorney supervision;*

*5) Back-up support at Centro Legal staff by telephone and email as needed;*

*6) Co-council with Centro Legal staff on eviction cases and affirmative lawsuits*

*(habitability, lock-outs, etc.) as appropriate; and*

*7) Resource exchange, such as self-help materials in English and Spanish,*

*resource guides and sample legal documents , and hearing no objections, the*

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

*Nadel, Reid, and President of the Council De La Fuente -6. Noes: Quan - 1*



*The following individual(s) spoke in favor of this item:*

*- Vivian Huang*

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

- *Sanjiv Handa*

[View Report.pdf](#)  
27

Subject: Wood Street Development Project

From: Community and Economic Development Agency

Recommendation: Adopt the following pieces of legislation regarding the Joint City and Agency

action on the proposed Wood Street Development Project, West Oakland:

(1) A Resolution Denying the Appeals of Arthur D. Levy and Margaretta Lin, Sustaining the

March 16, 2005 Planning Commission Actions on the Wood Street Development Project and

Certifying the Final Environmental Impact Report for the Wood Street Project; (05-0144-1)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*De La Fuente, to approved the four Resolutions and the three Introduction of*

*the Ordinances as amended on Item 27 to reflect the changes indicated in*

*Attachment D, and change the language ... 60% AMI to 50% AMI and on page*



*6, Sections E & F: remove the word "current", and hearing no objections, the*

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

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



*The following individual(s) spoke in favor of this item:*

- *Jabari Herbert*

- *Alyssa Dennis*

- *Carmen McDonald*



- *Anita Jones*

- *Mark Jones*

- *Stephen Tompkins*

- *Shawn Brooks*

- *Regina Davis*

- *Teresa (from the Coalition)*

- *Connie Payne*

- *Mark Daly*



- *Carol Galante*

- *Marcus Johnson*

- *Marilyn Harris*

- *Laura Norin*

- *Clarence Thomas*

- *Clarence Johnson*

- *Elissa Dennis*

- *Ellen Wyrick-Parkinson*



- *Stefanie Parrott*

- *Karin MacDonald*

- *Tique Lee Caul*



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

- *Slyvester Brooks*

- *Diana Baldwin*

- *Kenny Sasser*



- *Joseph Brecher*

*The following individual(s) spoke and indicated a neutral position on this item:*

*- - Naomi Schiff*

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

- *Sanjiv Handa*

- *Sean Heron*

*-Threasa Pine-Smith*

*- Monsa Nito*

- *Anita Jones*

- *Joyce Roy*

- *Reggie Green*

- *Yvonne Smith*

- *Theo Oliphant*

- *Sharon Cornv*



- *Barry Lubovisky*

- *Margaret Gordon*

- *Greg Hodge*

- *Gregory Reed*

- *Andre Spearman*

- *Simuel Ramey*

- *Arthur Levy*

- *Marilyn Reynolds*

- *Bob Tuck*

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[View Report Part 7.pdf,](#)

[View Report Part 8.pdf,](#)

[View Report Part 9.pdf,](#)

[View Report Wood Street Project.pdf,](#)

[View Report Wood Street pt 2.pdf,](#)

[View Report Wood Street pt 3.pdf,](#)

[View Report Wood Street pt 4.pdf,](#)

[View Report Wood Street pt 5.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[79247 CMS.pdf](#)

(2) A Resolution Amending the General Plan Land Use Designation of the 29.2 Acre Wood

Street Project Area, bounded by 10th Street to the South, West Grand Avenue to the North,

Wood Street to the East, and the I-880 Frontage Road to the West, from Business Mix to Urban

Residential; (05-0144-2)

**Adopted**  
[79248 CMS.pdf](#)

(3) An Agency Resolution Approving and Recommending Adoption of the Second Amendment

to the Oakland Army Base Redevelopment Plan to Revise Land Use Designations for the 16th

and Wood Street Subarea and to Make Various Text Changes; (05-0144-3)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[2005-0027 CMS.pdf](#)

(4) Approve the Introduction (First Reading) Of An Ordinance Adopting the Second Amendment

to the Oakland Army Base Redevelopment Plan to Revise Land Use Designations for the 16th

and Wood Street Subarea and to Make Various Text Changes; (05-0144-4)

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

**the Council De La Fuente, that this matter be Approved on Introduction**

**for Final Passage to the Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council, due back on June 7, 2005. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[12672 CMS.pdf](#)

(5) Approve the Introduction (First Reading) Of An Ordinance Adopting the Wood Street Zoning

District for 29.2 Acres in West Oakland Between 10th Street to the South, West Grand Avenue

to the North, Wood Street to the East, and the I-880 Frontage Road to the West; (05-0144-5)

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

**the Council De La Fuente, that this matter be Approved on Introduction**

**for Final Passage to the Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council, due back on June 7, 2005. The**



**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[12673 CMS.pdf](#),

[12673 CMS - Zoning District.pdf](#)

*(6) Final Passage (Second Reading) Of An Ordinance of the City of Oakland Rezoning Property*

*Into The Wood Street Zoning District Located In West Oakland Between 10th Street To The*

*South, West Grand Avenue To The North, Wood Street To The East, And The I-880 Frontage*

*Road to the West (05-0144-6)*

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

**the Council De La Fuente, that this matter be Approved on Introduction**

**for Final Passage to the Concurrent Meeting of the Oakland**

**Redevelopment Agency / City Council, due back on June 7, 2005. The**

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[12674 CMS.pdf](#)

*(7) A Resolution Approving Five Separate Vesting Tentative Parcel Maps within the Wood*

*Street Zoning District (Maps 8551, 8552, 8553, 8554, 8555) (05-0144-7)*

**A motion was made by Councilmember Nadel, 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: 7 - President of the Council De La Fuente,

Councilmember Brunner, Councilmember Nadel, Councilmember Quan,

Councilmember Brooks, Councilmember Reid and Councilmember Chang

[79249 CMS.pdf,](#)

[79249 MAPS.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)**

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