

# 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**

**DRAFT**

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

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

**Tuesday, January 16, 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 6:10 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:*

*- Oscar Wright*

- *Lynda Dann*

- *Pat Ruelas*

- *Minerva Lehmkuhl*

- *Samuel Ng*

- *Deloris Allen*

- *Doug Boxer*

- *Gilda Gonzales*

- *Monsa Nitoto*

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 December 19, 2006

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

**Chang, to \*Approve the Minutes. 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

**8. PRESENTATION OF CEREMONIAL MATTERS**  
8.1

Subject: Ethel Howze - Recognition

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Commending Ethel Howze For Forty-One Years Of

Outstanding And Distinguished Service To The City Of Oakland

[06-0912](#)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Reid and

Councilmember Brooks

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[80348 CMS.pdf](#)

8.2

Subject: Jonelyn Weed - Recognition

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Honoring Jonelyn Weed For Her Forty Years Of

Distinguished Service And Dedication To The City Of Oakland, And Congratulating Her On Her

Retirement

06-1001

**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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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8.3

Subject: Sharon Nichols - Service Recognition

From: Councilmember Brooks

Recommendation: Adopt A Resolution Honoring Sharon Nichols For Thirty Years Of

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

Retirement

[06-1024](#)

**A motion was made by Councilmember Brooks, 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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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8.4

Subject: Kwock Yee - Service Recognition

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Commending Kwock Yee For Thirty Years of



Outstanding And Distinguished Service To The City Of Oakland

[06-1040](#)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

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

*requested that the meeting be adjourned in memory of Carter Gilmore and*

*Tammy Anderson.*

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

*requested that the meeting be adjourned in memory of Bill Peterson*

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

10.1-CC

Subject: Declaration Of A Local Emergency Due To AIDS Epidemic

From: Office Of The City Attorney

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

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

With Regard To The AIDS Epidemic

[06-1049](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, 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

[06-1050](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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10.3-CC

Subject: Priority Project Funds - District Three

From: Councilmember Nancy Nadel

Recommendation: Adopt A Resolution Authorizing Immediate Allocation Of One Thousand Five

Hundred Dollars (\$1,500) Of Councilmember Nancy J. Nadel's Priority Project Funds To The

Attitudinal Healing Connection, ("AHC") Of Oakland, As Fiscal Sponsor For Restorative Justice

For Oakland Youth ("RJOY") For Grant-Writing Services To Develop And Implement

Restorative Justice Practices In Oakland

06-0986

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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10.4-CC

Subject: Priority Project Funds - District Five

From: Council President De La Fuente

Recommendation: Adopt A Resolution Immediately Allocating \$10,000 From The Priority

Project Funds Of City Council President Ignacio De La Fuente To The Oakland Unified School

District For Funding Of A School Safety Officer For The Cesar Chavez Education Center

06-1000

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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10.5-CC

Subject: CBI Helicopter Purchase - Amendment

From: Oakland Police Department

Recommendation: Adopt A Resolution Amending Resolution No. 79930 CMS, Which

Authorizes The Purchase Of A Schweizer 300 CBI Training Helicopter For \$230,000, To

Increase The Purchase Price By Twenty Thousand One Hundred Twenty-Five Dollars (\$20,125)

To Cover The Purchase Tax, For A Total Purchase Price Not To Exceed Two Hundred Fifty

Thousand One Hundred Twenty Five Dollars (\$250,125)

06-1002

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, 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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10.6-CC

Subject: Standard Specifications For Public Works Construction

From: Public Works Agency

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

The "Standard Specifications For Public Works Construction, 2006 Edition" And Repealing

Ordinance No. 12614 C.M.S. And All Resolutions Related Thereto

06-0913

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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10.7-CC

Subject: Rent Adjustment Program Amendment



From: Community and Economic Development Agency

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

O.M.C. Chapter 8.22, Rent Adjustment Program, To Provide A Set Date For Implementing The

Consumer Price Index (CPI) Based Rent Adjustment And New Procedures For Rental Property

Owners To Obtain A Certificate Of Exemption

[06-0788](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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10.8-CC

Subject: Lobbyist Registration Act Amendment

From: Public Ethics Commission

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

Chapter 3.20 Of The Oakland Municipal Code (AKA "The Lobbyist Registration Act") To

Provide 1) A Restriction On Elected Officials From Acting As Professional Lobbyists For One

Year After Leaving Office; 2) A Limitation On The Amount Of Gifts Lobbyists Can Give To

City Officials, Staff And Their Immediate Families; 3) Quarterly Disclosure Of A Lobbyist's

Campaign Fundraising Activities; 4) Quarterly Disclosure Of Any Employment Relationship

Among Lobbyists, City Officials And Staff; 5) Disclosure Of The Names And Titles Of The

Persons Whom A Lobbyist Attempts To Influence; And 6) Misdemeanor Prosecution For

Knowing And Willful Violations Of The Act And A One-Year Practice Ban Upon Conviction

06-0863

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, 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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10.9-CC

Subject: Conflict Of Interest Waiver

From: Office Of The City Attorney

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

That The Law Firm Of Hanson, Bridgett, Marcus, Vlahos, Rudy LLP May Have As A Result Of

Providing Employee Benefit Advice To The City, And Permitting Them To Represent Yellow

Cab In Its Upcoming Appeal Of The Decision Revoking 10 Of Yellow Cab's Taxi

Permits/Medallions

[06-1051](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, 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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S-10.10-C

C

Subject: Latham Square And Telegraph Avenue Streetscape

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing The Design Of The Latham Square And

Telegraph Avenue Streetscape Improvement Project (Estimated Construction Cost Of

\$8,600,000), On Telegraph Avenue Between Broadway And 20th Street, Including Reducing

The Travel Lanes Between 16th And 20th Street

06-0819

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

*- Jonathan Bair*

- *Jason Doyle*

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

- *Sanjiv Handa*

- *Doug Johnson*

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S-10.11-C

C



Subject: Façade Improvement Program - Contract Amendment

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Authorizing An Additional \$120,000 For A Total Of

\$420,000 For On Call Design Services For The Neighborhood Commercial Revitalization Façade

Improvement Program For The Period Of January 1, 2007 Through June 30, 2007; And

Authorizing The City Administrator To Amend Existing Professional Services Contracts For On

Call Design Services

06-0984

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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S-10.12-C

C

Subject: Airport Gateway-Doollittle Drive Streetscape

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A City Resolution Authorizing An Amendment To The Memorandum Of Understanding With

The City Of San Leandro And The Port Of Oakland For The Airport Gateway-Doolittle Drive

Streetscape Construction Project To Increase The City Of Oakland Contribution To The Project

From \$700,210 To \$1,263,167, And Accepting An Additional Redevelopment Agency

Contribution Of \$650,000 For This Purpose; And

[06-1005](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, 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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[80360 CMS.pdf](#)

2) An Agency Resolution Authorizing An Increase In The Redevelopment Agency Contribution

To The Airport Gateway-Doolittle Drive Streetscape Construction Project By An Amount Not To

Exceed \$650,000 For A Total Agency Contribution of \$1,400,000

**06-1005-1**

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

[2007-0001 CMS.pdf](#)

S-10.13

Subject: Fruitvale Public Market Incubator - Agreement

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement

With Fruitvale Development Corporation To Provide A Residual Receipts Loan In An Amount

Not To Exceed \$200,000 For Financing Development Of The Cultural And Performing Arts

Center Located At Plaza De La Fuente And East 12th Street

[06-1022](#)

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

**Councilmember Reid, 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, President of the

Council De La Fuente, Councilmember Quan, 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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[2007-0002 CMS.pdf](#)

S-10.14-C

C

Subject: Carter Gilmore Sports Complex Contract

From: Public Works Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Increase The Contract

Amount For The Carter Gilmore Sports Complex (Formerly Known As Greenman Field)

Renovation And Community Park Project With Star Construction, Inc., In The Amount Of

\$362,000.00, For The Construction Of A New Soundwall Bringing The Total Contract Amount

To \$1,562,000.00

06-0983

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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[80361 CMS.pdf](#)

2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of

Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed

\$362,000.00 For The Construction Of A New Landscaped Soundwall A The Carter Gilmore

Sports Complex (Formerly Known As Greenman Field) Renovation And Community Park

Project In The Coliseum Redevelopment Area

06-0983-1

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the



Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

[80362 CMS.pdf](#)

3) An Agency Resolution Authorizing The Contribution And Allocation Of Redevelopment

Agency Funds To The City Of Oakland Under The Cooperation Agreement In The Amount Of

\$362,000 For The Carter Gilmore Sports Complex (Formerly Known As Greenman Field)

Renovation And Community Park Project From Fiscal Year 2006-2007 Coliseum

Redevelopment Project Area Funds

[06-0983-2](#)

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

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

*- Chester Livingston*

*- Louie Butler*

[2007-0003 CMS.pdf](#)

**Passed The Consent Agenda**

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

**Councilmember Reid, 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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

Closed Session

*There was no action necessary for this item.*

12

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

Sunshine Ordinance

*There was no action necessary for this item.*

**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: Mills Act Property Tax Abatement Program - Historic Preservation

From: Community and Economic Development Agency

Recommendation: Adopt the Following Pieces of Legislation:

- 1) Approve The Introduction (First Reading) Of An Ordinance Adopting A Two-Year Pilot

Mills Act Property Tax Abatement Program For Qualified Historic Properties, And Making

Related Amendments To The City's Master Fee Schedule; And

06-0876

**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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Amending The Historic Preservation Element Of The General Plan To Clarify

The Definition Of Qualified Historic Properties For Mills Act Agreements To Include Heritage

Properties And To Waive Design Review Fees For Properties That Are In A Mills Act

Agreement; And

[06-0876-1](#)

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

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

**vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

*opened at 7:28 PM.*

*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*

[80363 CMS.pdf](#)

3) An Agency Resolution Allocating \$3,500 Of West Oakland Redevelopment Plan Funds To

Serve As Matching Funds For A Johanna Favrot Fund For Historic Preservation Grant Through

The National Trust For Historic Preservation To Fund An Economic Analysis Of The Mills Act

Program

06-0876-2

**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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

*opened at 7:28 PM.*



*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*

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

*- Mary Becker*

- *Francis Rush*

- *Valerie Garry*

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

- *Sanjiv Handa*

[2007-0004 CMS.pdf](#)  
14.2

Subject: Service-Enriched Permanent Housing - Appeal

From: Community and Economic Development Agency

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

Denying The Appeal And Sustaining The Decision Of the Planning Commission Approving The

Establishment Of A Service-Enriched Permanent Housing Residential Activity For 8 Adults

Within An Existing Structure Located At 2815 West Street

06-0973

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

**Councilmember Reid, 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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid



*Councilmember Nadel made a substitute motion, seconded by Councilmember*



*Reid to 1) uphold the appeal and deny the application; and 2) direct staff to*

*develop the detailed findings and legislation for Council to consider at a future*

*meeting. The motion passed with the following vote; 8 Ayes*





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

*opened at 7:43 PM.*





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

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

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

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

*De La Fuente -8*



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

- *Carolyn Robinson*



- *Kalandra Robinson*

- *Bruce Beasley*

- *Kathy Koshgalian*

- *Harold Rosenthal*

- *Madeline Wells*



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

- *Jeff Baker*



- *Larry Rice*

- *Matthew Livermore*

- *Alternier Cook*

- *Ghanya Thomas*

- *Alice Abercrombie*

- *Ludia Felts*



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



- *Steven Levine*

- *Burt Weaver*

- *Demiz Muhammad*

- *Carolyn Mixon*

- *Sanjiv Handa*

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[80364 CMS.pdf](#)

Subject: Four Unit Residential Project - Appeal

From: Community and Economic Development Agency

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

Denying The Appeal And Sustaining The Decision Of The Planning Commission Certifying The

EIR And Approving The Subdivision Of Two Parcels Into Four Lots For The Development Of

Four Single Family Residences Located At The Intersection Of Crestmont Drive And Westfield

Way (Case File Number(s) A06-532; ER05-007; And TPM7940)

[06-0972](#)

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

**Councilmember Chang, 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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

*Councilmember Quan made a substitute motion seconded by Councilmember*

*Chang to agree with the EIR with the following conditions: 1) the state must*

*grant their permit regarding the endangered flower species before any*

*disturbance can happen, 2) a peer review of the final geological reports will be*

*conducted; and 3) examine issues regarding the hill stability and landscaping*







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

*opened at 8:53 PM.*



*Agency/Councilmember Quan 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*



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

- *Dennis Woodruff*

- *Tom Fraser*



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



- *Ralph Kanz*

- *Marcus Alexis*

- *Audrius Zukas*

- *Elizaeth Bashnick*

- *Peter Mundy*



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

- *Terri Hansford*



- *Joe DeCredico*

- *Lech Naumovich*

*-Geraldine Alexis*

- *Kimberly Hicks*

- *Carol Sideman*

- *John Shively*

- *Sanjiv Handa*

- *Sanjiv Handa*

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[80365 CMS.pdf](#)

14.4

Subject: Revocation of Ten Taxi Cab Medallions

From: Office Of The City Administrator

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

Denying The Appeal Filed By Mr. And Mrs. Baljit Singh On Behalf Of Yellow Cab And

Denying The Appeal Filed By Enayat Aminy On Behalf Of East Bay Driver Association Against

The Administrative Hearing Officer's Decision To Revoke Ten Taxi Medallions Issued To

Yellow Cab Company

[06-1038](#)

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

**Redevelopment Agency / City Council on 2/6/2007**

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

- *Chris Nwadiso*

- *Sanjiv Handa*



Subject: Oakland Base Reuse Authority Projects

From: Community and Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Agency Administrator To: (1) Accept And

Appropriate \$29,303,864 In Funds From The Oakland Base Reuse Authority (OBRA) Budget;

And

06-0901

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

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

Councilmember Quan, Councilmember Brooks and Councilmember Reid

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[2007-0005 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Accept Funds From The Redevelopment

Agency For Reimbursement Of Expenses Related To The Implementation Of OBRA Projects

[06-0901-1](#)

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

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

Councilmember Quan, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[80366 CMS.pdf](#)

16

Subject: Legislative Priorities

From: City Council

Recommendation: Action On A Report And Recommendations From Townsend Public Affairs,

State Lobbyist For The City Of Oakland, To Adopt The City's State Legislative Priorities For

2007

[06-0903](#)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

*Staff was directed to schedule the infrastructure bond through the Rules*

*committee for committee discussion. Staff was also directed to include the*

*following issues as legislative priorities: 1) Support for the Oakland Unified*

*School District as a legislative priority to return the organization to local*

*control; 2) Telecommunications specifically related to cable franchises; 3)*

*further information regarding the status of imminent domain; 4) information on*

*passed legislation and the analysis of the alignment of legislative decision*

*w/State priorities seemingly conflicting with the ABAG report on local*

*priorities. 5) Cultural and historical City grant priorities capturing all location*

*opportunities city-wide; 6) a review of the March 1 project funding deadline for*



*cultural and historical project including those not owned by the City (even*

*leased); 7) housing element law and policies with State support; 8)*

*Infrastructure bonds and priority funding for Oakland low income and poor*

*families; 9) Affordable Housing opportunities; and 10) determine if the school*

*district has no lobbyist, staff should coordinate financial support from OUSD*

*for the City's lobbyist activities that impact the Oakland Unified School District*

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

- *Sanjiv Handa*

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[View Supplemental Report.pdf,](#)

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17

Subject: Appointments to City Council Committees

From: Office of the Council President

Recommendation: Action Pursuant To The Council's Rules of Procedure (Resolution No. 79006

C.M.S.) To Confirm The City Council President's Appointments Of The Members And

Chairpersons Of The Following Committees: Public Works, Finance And Management,

Community And Economic Development, Life Enrichment, Public Safety, Rules And Legislation,

And Education Partnership

[06-1052](#)

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

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

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

- *Nicholas Vigilante*

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

- *Ophelia Long*

- *Sanjiv Handa*

Subject: Amendment To The Conflict of Interest Code

From: Office Of The City Attorney

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

City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted March

23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) Enacting A Conflict Of Interest

Code For City Of Oakland Employees, Members Of Boards And Commissions, And Consultant

Positions To Update The Designation Of Positions Covered By The Code

[06-1039](#)

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

**Councilmember Quan, 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, President of the

Council De La Fuente, Councilmember Quan, Councilmember Brooks and

Councilmember Reid

*Introduction (First Reading) was approved as amended to reflect changes to the*

*designated positions for the City Clerk's office as follows: the following*

*positions were deleted: Administrative Services Manager II and Project*

*Manager; the following position was added: Management Assistant*

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

*- Sanjiv Handa*

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19

Subject: City Auditor's Salary

From: City Council

Recommendation: Adopt A Resolution Establishing The Salary And Salary Range For The City

Auditor Of The City Of Oakland, Pursuant To The Oakland City Charter, Article IV, Section 403

[06-0968-2](#)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan and Councilmember Reid

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

- *Sanjiv Handa*

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[80367 CMS.pdf](#)

19.1

Subject: City Auditor's Salary

From: City Council

Recommendation: Action On A Report And Recommendation On The City Auditor's Salary

06-0968

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan and Councilmember Reid

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Recommendation: Receive The City Auditor's Report Regarding The Report Calculating The

Oakland City Auditor's Salary In Conformity With The Oakland City Charter

06-0968-1

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember

Chang, Councilmember Nadel, Councilmember Brunner, President of the

Council De La Fuente, Councilmember Quan and Councilmember Reid

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

- *Sanjiv Handa*

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S-20

Subject: Housing Activities

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Allocating An Estimated Award Of \$8,601,041 Of

Community Development Block Grant (CDBG) Funds For Fiscal Year 2007-2008 Between The

Categories Of Administration, Economic Development, Housing, HUD 108 Loan Repayment

And Neighborhood Programs And Allocating An Additional Estimated Amount Of \$2,500,000 In

Program Income To A Revolving Loan Fund For Housing Rehabilitation Activities

[06-1006](#)

**Not Adopted**

*This item was referred to rules for scheduling to the Life Enrichment and*

*Community and Economic Development Committees for further discussion on*

*the following: 1) developing a system that captures everyone's ideas and*

*suggestions, 2) developing a process through the committee structure to be*

*creative, 3) an in depth analysis with in each category so we're not continuously*

*repeating our programs; and 4) look at what other jurisdictions are doing*

*versus what we do now*

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

*- Sanjiv Handa*

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**ADJOURNMENT OF COUNCIL SESSION**

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

**Council)**



-

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

*Agency/Council adjourned the meeting in memory of Carter Gilmore, Tammy*

*Anderson and Bill Peterson at 12:05 AM.*

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...

*City Clerk and Clerk of the Council*