

# 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**

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

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

**Tuesday, October 18, 2005**

**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 6:12 P.M.*

**2**  
Roll Call / ORA & Council

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

*The Roll Call was modified to note Councilmember Brooks present at 6:14*

*P.M.*

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

*- Hugh Bassette*

- *Dorothy Coleman*

- *Bakari Olatunji*

- *Deloris Allen*

- *Dale Gierinjer*

- *Rebecca Dekeuster*

- *Richard Muller*

- *Don Konecny*

- *Jeff Jones*

- *Richard Lee*

- *Hector Reyna*

- *Sanjiv Handa*

- *Tina Marie*

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.

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

*Agency/Councilmember Brooks, to schedule the item below to the November 1,*

*2005 City Council agenda.*

Subject: Public Works Employees Time Clocks

From: Councilmember Nadel

Recommendation: Receive A Status Report On The Implementation Of Time Clocks For

Certain Public Works Employees Including An Analysis Of The Costs Of Implementation, The

Rationale For The Program, And Other Alternatives For Achieving The Intended Goals

(05-0859)

*At the determination of the Chair and President of the Council, this matter was referred to the Rules and Legislation Committee for scheduling.*

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on October 4, 2005

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

**Councilmember Reid, to \*Approve the Minutes. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

8.1

Subject: Fukuoka-Oakland Friendship Association



From: Councilmember Quan

Recommendation: Adopt A Resolution Supporting the Fukuoka-Oakland Friendship

Association (05-0807)

**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 Excused: 1 - Councilmember Chang

ORA\Councilmember Absent: 1 - Councilmember Brooks

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

*This item was taken out of order.*

[View Report.pdf](#),

[79512 CMS.pdf](#)

Subject: Marianna A. Marysheva - Recognition

From: Council President De Le Fuente

Recommendation: Adopt A Resolution Honoring Marianna A. Marysheva For Her

Distinguished Service To The City Of Oakland (05-0815)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[79513 CMS.pdf](#)

Subject: Bill Peterson - Recognition

From: Vice Mayor Brunner

Recommendation: Adopt A Resolution Recognizing Bill Peterson For His Years Of Service To

The Community (05-0755)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

*- Colleen Brown*

- *Charles Porter*

[View Report.pdf,](#)

[79514 CMS.pdf](#)

8.4

Subject: Oakland Museum Women's Board 50th Anniversary

From: Councilmember Nadel

Recommendation: Adopt A Resolution In Recognition Of Oakland Museum Women's Board

50th Anniversary (05-0796)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79515 CMS.pdf](#)

8.5

Subject: League Of California Cities Award

From: Office Of The City Attorney

Recommendation: A Presentation Of The 2005 League Of California Cities Helen Putnam

Award Of Excellence Grand Prize Winner To The Office Of The City Attorney Neighborhood

Law Corps Program (05-0822)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

*This item was taken out of order.*

[View Report.pdf](#)

**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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

*requested that the meeting be adjourned in memory of Dorothy Reid Pete.*

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

*that the meeting be adjourned in memory of Jamani Robinson.*

*Agency/Councilmember Reid and Agency/Councilmember De La Fuente took a*

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

*memory of Demarco Baines Jr.*

**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 (05-0809)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79516 CMS.pdf](#)

10.2-CC

Subject: Medical Cannabis Health Emergency

From: Office of the City Attorney

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

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

The City Of Oakland (05-0810)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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



Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79517 CMS.pdf](#)

10.3-CC

Subject: Monterey Mechanical Co. - Settlement

From: Office Of The City Attorney

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

Compromise And Settle The Case Of Monterey Mechanical Co., Et Al. v. City Of Oakland, Et

Al., Alameda County Superior Court Case No. RG03103744 In The Amount Of \$25,000

(Public Works Agency) (05-0835)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79518 CMS.pdf](#)

10.4-CC

Subject: Ramona Ford - Settlement

From: Office Of The City Attorney

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

Compromise And Settle The Case Of Ramona Ford, Et Al. v. City Of Oakland, Et Al., United

States District Court, Northern District Of California Case No. C-03-3304-MJJ, In The Amount

Of \$83,750.00 As A Result Of Shooting On January 20, 2003 (Oakland Police Department -

Excessive Force) (05-0834)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79519 CMS.pdf](#)

10.5-CC

Subject: Natalia Musihin - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Natalia Musihin V. City Of Oakland, Et Al., Superior

Court, County Of Alameda, Case No. RG03116645, In The Amount Of \$30,000.00 As A

Result Of Trip And Fall Accident On College Avenue, On June 5, 2002 (Public Works Agency-

Trip And Fall) (05-0833)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79520 CMS.pdf](#)

10.6-CC

Subject: Deborah Carney And Aaliyah Carney - Settlement

From: Office Of The City Attorney

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

Compromise And Settle The Case Of Deborah Carney And Aaliyah Carney v. City Of Oakland,

Et Al., Superior Court, County Of Alameda, Case No. RG04184732, In The Amount Of

\$22,500.00 As A Result Of An Automobile Collision Accident In The Vicinity Of MacArthur

Boulevard And Enos Avenue, Oakland, On February 18, 2004 (Public Works Agency -

Automobile Accident) (05-0836)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79521 CMS.pdf](#)

10.7-CC

Subject: Patricia Hill - Settlement

From: Office Of The City Attorney

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

Compromise And Settle The Case Of Patricia Hill v. City Of Oakland, Alameda County

Superior Court Case No. RG03090159 In The Amount Of \$16,000.00 (Public Works Agency)

(05-0837)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#),

10.8-CC

Subject: Richard Blakey - Settlement

From: Office Of The City Attorney

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

Compromise And Settle The Claim Of Richard Blakely, In The Amount Of \$17,500, As A

Result Of Bodily Injury Sustained In A Bicycle Accident On September 01, 2004 (Public

Works Agency) (05-0838)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid



[View Report.pdf,](#)

[79523 CMS.pdf](#)

10.9-CC

Subject: Second Hand Smoke Policy

From: President De La Fuente

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

Oakland Municipal Code, Title 8, Chapter 8.30, Smoking, To Define The Smoke-Free Area

Required Outside Work Buildings As 25 Feet From Any Entrance, Exit, Window And Air

Intake Vent Of Buildings That Serve As Places Of Employment (05-0633)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[12708 CMS.pdf](#)

10.10-CC

Subject: Montclair Business Improvement District

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal

Year 2006-2007 For The Montclair Business Improvement District, Approving The Annual

Report Of The Montclair Business Improvement District Advisory Board And Scheduling A

Public Hearing For November 15, 2005 (05-0717)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#),

[79524 CMS.pdf](#)

10.11-CC

Subject: Rockridge Business Improvement District

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Of Intention To Levy An Annual Assessment For Fiscal

Year 2006-2007 For The Rockridge Business Improvement District, Approving The Annual

Report Of The Rockridge Business Improvement District Advisory Board And Scheduling A

Public Hearing For November 15, 2005 (05-0725)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79525 CMS.pdf](#)

S-10.12-C

C

Subject: Andes Construction - Sanitary Sewers

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, 73rd Avenue, Sunkist Avenue And 75th Avenue - Sub-basin 84-105

(Project No. C158010) For The Amount Of One Million Four Hundred Seven Thousand Two

Hundred Eight Dollars (\$1,407,208.00) (05-0713)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79526 CMS.pdf](#)

S-10.13-C

C

Subject: D'arcy And Harty - Sanitary Sewers

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Contract To D'arcy & Harty

For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 82nd Avenue, Dowling

Street, And Blandon Road - Sub-basin 85-004 (Project No. C96210) For The Amount Of Two

Million Two Hundred Ninety-One Thousand Eight Hundred Dollars (\$2,291,800.00) (05-0715)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#),

S-10.14-C

C

Subject: Mocon Corporation - Sanitary Sewers Contract

From: Public Works Agency

Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Mocon

Corporation For The Rehabilitation Of Sanitary Sewers In The Area Bounded By MacArthur

Boulevard, Seneca Street, Dowling Street And Stearns Avenue - Sub-basin 85-212 (Project No.

C72910) For The Amount Of Two Million Three Hundred Seventy-Five Thousand Two

Hundred Eighty-Eight Dollars (\$2,375,288.00) (05-0763)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79528 CMS.pdf](#)

S-10.15-C

C

Subject: Temporary Parking at San Leandro Street and 73rd Avenue

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:



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

Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not

To Exceed \$50,000 For The Installation Of Temporary Parking On City And Agency Parcels

At 7425 San Leandro Street And 728 73rd Avenue To Alleviate Blight, Support Intermodal

Transit, And Provide Additional Parking Capacity In The Coliseum Redevelopment Area; And

(05-0701)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[2005-0058 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 \$50,000 For The Installation Of Temporary Parking On City And Agency Parcels At

7425 San Leandro Street And 728 73rd Avenue To Alleviate Blight, Support Intermodal

Transit, And Provide Additional Parking Capacity In The Coliseum Redevelopment Area

(05-0701-1)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79529 CMS.pdf](#)

S-10.16-C

C

Subject: City Attorney Annual Report

From: Office Of The City Attorney

Recommendation: Receive The City Attorney's Annual Report (05-0739)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[View Supplemental Report.pdf,](#)

[View Report.pdf](#)

S-10.17-C

C

Subject: Gerald Cheney - Purchase And Sales Agreement

From: Community And Economic Development Agency

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

The City Administrator To Enter Into A Purchase And Sales Agreement To Sell To Gerald

Cheney, The Adjoining Property Owner Approximately 10,600 Square Feet Of City Owned

Surplus Real Property Located At The Terminus Of Northwood Court (APN#

048E-7319-043-05) For The Fair Market Value Of \$125,000.00 (05-0721)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#)

S-10.18-C

C

Subject: Sale Of City Owned Surplus Properties

From: Community And Economic Development Agency

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

Public Auction For The Sale Of Eight City-Owned Surplus Properties; Assessor Parcel

Numbers 005-0421-00 (20th And Mandela Parkway); 003-0071-024 (632 - 14th Street);

045-5230-001-01 And 045-5230-003-03 (Assembled - 862 - 850 98th Avenue);

048H-7602-012, 048H-7602-013, 048H-7602-014, 048H-7602-015 (4 Parcels - Between 1530

And 1580 Grand View Drive); And 033-2250-001-04 (569 High Street/Howard Street)

(05-0723)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#),

[79530 CMS.pdf](#)

S-10.19-C

C

Subject: Permanent Storm Drain Easements

From: Community And Economic Development Agency

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

The City Administrator To Acquire Permanent Storm Drain Easements From Mortimer

Howard For Properties Located At 3761 Park Boulevard Way (Assessor Parcel Number

024-0532-043-01) And 3829 Greenwood Avenue (Assessor Parcel Number 024-0532-035-01)

For The Appraised Fair Market Value Of \$57,200.00 Plus Closing Costs Of \$4,800 (05-0726)

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

**Votes:**



ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#)

S-10.20-C

C

Subject: Phoenix Programs - Agreement

From: Department Of Human Services

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

Six Month Agreement In The Amount Of \$326,000 With Phoenix Programs, Inc. To Operate

The Oakland Army Base Temporary Winter Shelter (OABTWS), And A Six Month Lease For

\$1.00 With The Oakland Base Reuse Authority (OBRA) For Use Of Building 740 At The

Army Base, And Accept And Appropriate Funds From Alameda County (\$125,000) And The

City Of Berkeley (\$56,000) To Establish And Operate The Temporary Winter Shelter At The

Oakland Army Base (05-0728)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79531 CMS.pdf](#)

S-10.21-C

C

Subject: City-County Neighborhood Initiative

From: Department Of Human Services

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

Appropriate A Grant From The East Bay Community Foundation In The Amount Of \$10,000

For A Twelve Month Period, June 15, 2005 Through June 15, 2006, To Support The

City-County Neighborhood Initiative (05-0735)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79532 CMS.pdf](#)

S-10.22-C

C

Subject: Head Start Federal Review Results

From: Department of Human Services

Recommendation: Receive A Report To The City Council On The 2005 Head Start Federal

Review Results And Follow-Up Quality Improvement Plan (05-0734)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#)

S-10.23-C

C

Subject: Head Start Advisory Panel

From: Department Of Human Services

Recommendation: Adopt A Resolution Confirming The Appointment Of Krishen Laetsch And

Jeffrey Thomas To The Head Start Advisory Panel To Fill Vacancies (05-0737)

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

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79533 CMS.pdf](#)

S-10.24-C

C

Subject: 2005 Forensic Casework DNA Backlog Reduction Program

From: Oakland Police Department

Recommendation: Adopt A Resolution Authorizing The City Administrator Accept And

Appropriate Grant Funds In The Amount Of Sixty Nine Thousand Five Hundred And

Twenty-Four Dollars (\$69,524) From The U.S. Department Of Justice, National Institute Of

Justice (USDOJ/NIJ) For The 2005 Forensic Casework DNA Backlog Reduction Program In

The Police Department (05-0750)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79534 CMS.pdf](#)

S-10.25-C

C

Subject: 2005 DNA Capacity Enhancement Grant

From: Oakland Police Department

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

Appropriate Eighty-Three Thousand Nine Hundred Four Dollars (\$83,904) In Grant Funds

From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) To The

Police Department For The 2005 DNA Capacity Enhancement Grant (05-0751)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79535 CMS.pdf](#)

S-10.26-C

C



Subject: Family Violence Intervention Unit

From: Oakland Police Department

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

Appropriate Ninety-Five Thousand Seven Hundred And One Dollars (\$95,701) From The State

Of California, Office Of Emergency Services, Law Enforcement Specialized Units Grant

Program And Authorize A Professional Services Agreement With The Family Violence Law

Center In The Amount Of One Hundred Ten Thousand Dollars (\$110,000) For Continued

Services Associated With The Police Department's Family Violence Intervention Unit (FVIU)

For The Period July 1, 2005 Through June 30, 2006 (05-0753)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79536 CMS.pdf](#)

S-10.27-C

C

Subject: Reckless Driving And Sideshow Prevention

From: Oakland Police Department

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

City Of Oakland, To Enter Into A Contract For Services With, And Receive Twenty-Five

Thousand Dollars (\$25,000) From, The California Highway Patrol For Increased Traffic

Enforcement Operations Targeted At Preventing Reckless Driving And Exhibitions Of Speed

Commonly Referred To As Sideshows (05-0785)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf,](#)

[79537 CMS.pdf](#)

S-10.28-C

C

Subject: Opposition To State Proposition 75

From: Council President De La Fuente

Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 75 Titled

"Public Employee Union Dues. Restrictions On Political Contributions. Employee Consent

Requirement. Initiative Statute." (05-0798)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[79538 CMS.pdf](#)

S-10.29-C

C

Subject: Opposition To State Proposition 76

From: Council President De La Fuente

Recommendation: Adopt A Resolution Declaring Opposition To State Proposition 76 Titled

"State Spending And School Funding Limits. Initiative Constitutional Amendment." (05-0802)

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

[View Report.pdf](#),

[79539 CMS.pdf](#)

**Passed The Consent Agenda**

**A motion was made by Councilmember Quan, 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 Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

11

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

Closed Session

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

**Councilmember Reid, to \*Received and Filed. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

12

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

Sunshine Ordinance

*Agency/Councilmember Reid made a motion seconded by*

*Agency/Councilmember Brooks 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, Nadel,*

*Reid, Quan, Kernighan and President of the Council De La Fuente -7, Excused:*

*Agency/Councilmember Chang -1*

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

**THEREAFTER:**

13

Reconsideration of Ordinances pursuant to Charter Section 216

*There was no action necessary for this item.*

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

14.1

Subject: Tree Appeal - 335 Hanover Avenue

From: Public Works Agency

Recommendation: Conduct A Public Hearing And Adopt A Resolution Denying The Appeal

Filed By Jesse Kupers, Kim Goodwin, Deborah Cowder, Keith Wilson And Jessica Seaton



Against The Decision Of The Public Works Agency Approving The Issuance Of Tree Removal

Permit DRO4-019 For 335 Hanover Avenue, In Order To Build A Nine Unit Condominium

Building (05-0635)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

*opened at 7:45 P.M.*



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

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

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

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



*Fuente -7; Excused: Agency/Councilmember: Chang -1*



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

*Agency/Councilmember Kernighan to adopt the resolution and further directed*

*staff to include; a good faith effort with staff assessment and feasibility, that the*

*canary island palm be moved to the rear of the property, that the oak tree be*

*planted on Jesse Kuper's property if he wants it, that 20 street trees on suitable*

*sites on this block of Hanover Street and Stow Street, one block over from*



*where appellants live and who currently enjoy the beauty of the existing trees at*

*the expense of the the developers and hearing no objections, the motion passes*

*Ayes: Agency/Councilmember Brooks, Brunner, Kernigan, Nadel, Quan, Reid*

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

*Agency/Councilmember Chang -1*



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

- *Kimberley Goodwin*



- *Bene Gatzert*

- *Barbara Armstrong*

- *Sylvia Leung*

- *Frederick Hertz*

- *Keith Wilson*

- *Jess Kupers*

[View Report.pdf,](#)

[79540 CMS.pdf](#)

14.2

Subject: Forest City Residential West - Amendments

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution (1) Approving Amendments To The Lease Disposition And

Development Agreement, Ground Lease, And Related Documents Between The

Redevelopment Agency, The City, And FC Oakland, Inc. Or Related Entities, For The

Development Of A Mixed-Use Residential Rental And Retail Development Project In The

Uptown Activity Area Of The Central District Redevelopment Project Area To (A) Modify



Public Park Maintenance Obligations, (B) Change The Date For Receipt Of Net Available Tax

Increment, And (C) Change The Noise Reduction Plan For The Oakland School For The Arts,

And Related Amendments; (2) Approving The Revised Site Plan For The Project; And (3)

Changing The Use Of Agency Funds For The Implementation Of The Project; And (05-0729)

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

**Brunner, that this matter be Adopted as Amended. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

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

*opened at 8:10 P.M.*



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

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

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



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

*Fuente -7; Excused: Agency/Councilmember Chang -1*



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

*Agency/Councilmember Brunner, to support the staff proposal with the addition*

*that the City will own the park, Forest City will maintain the park, the City will*

*indemeify Forest City for the park except for Forest City's gross negligence,*

*that the City will have the right at it's discretion to terminate Forest City's fair*



*maintenance agreement and revert back to City maintainng park and Forest City*

*pay per agreed upon pay schedule, and hearing no objections, the motion*

*passed by Ayes: Agency/Councilmember: Brooks, Brunner, Kernighan, Nadel,*

*Reid, Quan, and President of the Council De La Fuente -7; Excused:*

*Agency/Councilmember Chang -1*



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

- *Hugh Bassette*





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

- *Eddie Dillard*



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

- *Sanjiv Handa*

[View Report.pdf,](#)

[View Revised Resolution.pdf,](#)

[View Supplemental Report.pdf,](#)

[2005-0059 CMS.pdf](#)

2) A Resolution (1) Approving Amendments To A Lease Disposition And Development

Agreement, Ground Lease, And Related Documents Between The Redevelopment Agency, The

City, And FC Oakland, Inc. Or Related Entities, For The Development Of A Mixed-Use

Residential Rental And Retail Development Project In The Uptown Activity Area Of The

Central District Redevelopment Project Area To (A) Modify Public Park Maintenance

Obligations, (B) Change The Date For Receipt Of Net Available Increment, (C) Change The

Noise Reduction Plan For The Oakland School For The Arts, (D) Modify The Replayment

Schedule; And (E) Add Various Amendments; (2) Approving The Revised Site Plan For The

Project; And (3) Changing The Use Of City Funds For The Implementation Of The Project

(TITLE CHANGE) (05-0729-1)

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

**Brunner, that this matter be Adopted as Amended. The motion carried by**

**the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks



ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

[View Report.pdf,](#)

[View Revised Resolution.pdf,](#)

[View Supplemental Report.pdf,](#)

[79541 CMS.pdf](#)

14.3

Subject: Rental Assistance For Hurricane Katrina

From: Office Of The City Administrator

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

Establishing A Rental Assistance Program To Provide Temporary Assistance To Families

Displaced By Hurricane Katrina, Reallocating \$250,000 In Home Program Income Funds From

The Housing Rehabilitation Program For This Purpose, Authorizing A Contract With The

Oakland Housing Authority To Administer The Program, And Amending The 2005-2010

Five-Year Consolidated Plan Accordingly (05-0840)

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Nadel

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Absent: 1 - Councilmember Reid

ORA\Councilmember Ayes: 5 - Vice Mayor Brunner, Councilmember

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

Councilmember Brooks

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

*opened at 9:04 P.M.*

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

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

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

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

*Fuente -7; Excused: Agency/Councilmember Chang -1*

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

*- Sanjiv Handa*

[View Report.pdf,](#)

[79542 CMS.pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Stanton Bluiett Contract Restructuring

From: Community And Economic Development Agency

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

Loan Restructuring With Stanton D. Bluiett DBA Pill Hill Printing For Outstanding Principal

Notes Totaling \$240,000 (05-0555)

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

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

**the following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks and Councilmember Reid

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

- *Eddie Dillard*

- *Stan Bluiett*

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

- *Sanjiv Handa*

[View Report.pdf,](#)

[View Report.pdf,](#)

[79543 CMS.pdf](#)

A) City Of Oakland Mayor To Cast Tie-Breaking Vote To Approve The Resolution

Authorizing The City Administrator To Accept The Loan Restructuring Proposal Of Stanton

Bluiett To Repay Portions Of A Secured HUD Section 108 Principal Loan In The Amount Of

\$120,000 And Forgive A Secured HUD EDI Loan In The Amount Of \$120,000 And Other

Associated Actions As Discussed At The October 4, 2005 City Council Meeting (05-0555-1a)

### **No Action Taken**

B) Discussion Of And Direction On Alternative Loan Repayment Strategies In The Matter Of

Pill Hill Printing's HUD Section 108 And EDI Principal Loan Amounts Totaling \$240,000



Including Full Repayment Of Section 108 Loan By April 30, 2006, Deferral For A Period Not

To Exceed 18 Months Payments To The EDI Loan, Determination Of Appropriate Collateral

Required To Secure Remaining Notes And Authorization Of City Administrator To Execute A

Restructuring Plan Consistent With City Council Direction (05-0555-1b)

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

**Reid, that this matter be Approve as Amended. The motion carried by the**

**following vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember

Kernighan, Councilmember Quan, President of the Council De La Fuente,

Councilmember Brooks and Councilmember Reid

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

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

*Item 15, to state that 1) Pill Hill Printing will repay the outstanding HUD EEC*

*Section 108 Loan in the amount of \$120,000 defer for six months, 2) The City*

*will reschedule the outstanding EDI Loan in the amount of \$120,000 for 18*

*months, and the item will revisit to Council for final action and 3) The City of*

*Oakland will require loan security in an amount that does not exceed the*

*remaining amount owed by Pill Hill Printer and direct staff to work with Mr.*

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

*Agency/Councilmember: Brooks, Brunner, Kernighan, Reid, Quan, and*

*President of the Council De La Fuente -6; Noes: Agency/Councilmember Nadel*

*-1; Excused: Agency/Councilmember Chang -1*

Subject: Opus West Exclusive Negotiating Agreement - Extension

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Amending The Exclusive Negotiating

Agreement With Opus West Developer Group For The Development Of Approximately 50

Acres Within The Former Oakland Army Base, In Order To: (1) Change The Developer Name

To Oakland West Wind, LLC; And (2) Extend The Term Of The Agreement From 6 Months

To 12 Months (05-0687)

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

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

**vote:**

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

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

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente, Councilmember Brooks and Councilmember Reid

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

- *Sanjiv Handa*

[View Report.pdf](#)

17

Subject: Public Utilities And Right-Of- Way Improvements For Uptown Project

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving A Subdivision Improvement Agreement With FC Oakland, Inc.,

For Deferred Construction Of Public Infrastructure Improvements For The Final Map From

Tract 7616 For The Uptown Oakland Mixed Use Redevelopment Project; And (05-0563)

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

[View Report.pdf,](#)

[79544 CMS.pdf](#)

2) A Resolution Approving The Final Map For Tract 7616 For The Uptown Oakland Mixed

Use Redevelopment Project And Accepting Offers Of Dedication For A Public Park And For

Public Right-Of-Way For A Portion Of William Street And For A New Street Connecting

William Street With 19th Street And Thomas L. Berkley Way (05-0563-2)

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

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

**vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,



Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

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

*- Eddie Dillard*

[79545 CMS.pdf](#)  
18

Subject: Paramount Theater - Appointments

From: Office Of The Mayor

Recommendation: Adopt A Resolution Providing The City Council's And Mayor's Concurrence

With The Paramount Theatre Of The Arts, Inc., Board's Appointments Of Davis Foulkes,

Michael Panico And Robert McKean To The Board (TITLE CHANGE) (05-0770)

**A motion was made by Councilmember Reid that this matter be Adopted.**

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

**Votes:**

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Absent: 2 - Vice Mayor Brunner and Councilmember

Brooks

ORA\Councilmember Ayes: 5 - Councilmember Nadel, Councilmember

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

Councilmember Reid

[View Report.pdf,](#)

[View Report.pdf,](#)

[79546 CMS.pdf](#)

19

Subject: Oakland Housing Authority - Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Appointing Michael Colbruno As A Member OF The

Oakland Housing Authority (05-0841)

**\*Withdrawn with No New Date**

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

- *Sanjiv Handa*

[View Report.pdf](#)

S-20

Subject: Forest City Residential West - Agreement

From: Community And Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To

Negotiate And Execute An Exclusive Negotiating Agreement For A Term Of 90 Days From

Council Action, Between The Oakland Redevelopment Agency And Forest City Residential

West, Inc. Or A Related Entity, To Develop A Market Rate, Mixed-Use Project Consisting Of

Housing And Retail On A Parcel Bounded By William Street In The North, Telegraph Avenue

On The East, 19th Street On The South And A New Public Park On The West (05-0792)

**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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Excused: 1 - Councilmember Chang

ORA\Councilmember Ayes: 6 - Vice Mayor Brunner, Councilmember Nadel,

Councilmember Kernighan, Councilmember Quan, President of the Council De

La Fuente and Councilmember Reid

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

*Agency/Councilmember De La Fuente to direct staff to find and or seek*

*considerable retail and housing options with considerable business height, and*

*hearing no objections the motion passes Ayes: Agency/Councilmember*

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

*Fuente -6; Abstain: Agency/Councilmember Brooks -1; Excused:*

*Agency/Councilmember Chang -1*

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

- *Eddie Dillard*

[View Report.pdf,](#)

[2005-0061 CMS.pdf](#)

**Continuation of Open Forum**  
**ADJOURNMENT OF COUNCIL SESSION**

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

*Agency/Council adjourned the meeting at 9:37 p.m.*

NOTE

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings

please contact the Office of the City Clerk. When possible, please notify the City Clerk 48

hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.

Also, in compliance with Oakland's policy for people with environmental illness or multiple

chemical sensitivities, please refrain from wearing strongly scented products to meetings.



Office of the City Clerk

Phone: (510) 238-7370

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451 (TDD)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER

THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE

SAFETY OF THOSE ATTENDING MEETINGS. (...)

*City Clerk and Clerk of the Council*