

Meeting Minutes City of Oakland

Office of the City Clerk

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, California 94612

LaTonda Simmons, City Clerk

Concurrent Meeting of the Oakland Redevelopment

Agency/City Council

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

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

Tuesday, May 30, 2006

6:00 PM

Oakland City Hall, 3rd Floor

1
Pledge of Allegiance

A meeting of the Joint Oakland Redevelopment Agency and City Council was

held on the above date. Opening with the Pledge of Allegiance, the meeting

was convened at 6:10pm.

2

Roll Call / ORA & Council

COUNCIL MEMBERS: Jane Brunner, Dist. 1; Patricia Kernighan, Dist. 2; Nancy Nadel,

Dist. 3; Vice Mayor Quan, Dist. 4; Desley Brooks, Dist. 6; Larry Reid, Dist. 7; Henry

Chang, At-Large, and President Ignacio De La Fuente, Dist.

ORA\Councilmember Present: 8 - Councilmember Chang, Councilmember

Nadel, Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individuals spoke under Open Forum:

- Hugh Bassette

- Reverend Henry Williams

- *Rajiv Bhatia*

- *Hector Reyna*

- *Ed Rosenthal*

- *Brian Lunden*

- *Sanjiv Handa*

4

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

There was no action necessary for this item

5

Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding

Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a

non-consent item. (Motion Maker must have voted on prevailing side)

There was no action necessary for this item

6

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

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

as a non-consent item.

There was no action necessary for this item.

7

Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment

Agency/City Council held on May 16, 2006

A motion was made by Councilmember Reid, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Vice Mayor Quan, President of the Council De La

Fuente, Councilmember Brooks and Councilmember Reid

8. PRESENTATION OF CEREMONIAL MATTERS

8.1

Subject: Recognition Of College Track Oakland Students

From: Office of the City Attorney

Recommendation: Receive A 10 Minute Award Presentation To Ten College Track Oakland

Students For The Completion Of Over 600 Hours Of Community Service (06-0411)

Council heard a Presentation to Ten College Track Students for the

completions of over 600 hours of Community Service

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8.2

Subject: Youth Empowerment Day

From: Councilmember Nadel

Recommendation: Adopt A Resolution Declaring June 3, 2006 Youth Empowerment Day In

The City Of Oakland (06-0383)

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

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

vote:

Votes:

ORA\Councilmember Absent: 1 - Councilmember Brunner

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Vice Mayor Quan, President of the Council De La

Fuente, Councilmember Brooks and Councilmember Reid

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8.3

Subject: 90th Anniversary of The Oakland Women's Rowing Club

From: Councilmember Nadel

Recommendation: Adopt A Resolution Celebrating The 90th Anniversary Of The Oakland

Women's Rowing Club, a.k.a. The Ladies Of The Lake (06-0384)

A motion was made by Councilmember Nadel, seconded by

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

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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8.4

Subject: Recognition Of Michael C. Hammock

From: Office Of Parks And Recreation

Recommendation: Adopt A Resolution Commending Michael C. Hammock for Thirty Six

Years of Outstanding and Distinguished Service to the City Of Oakland (06-0341)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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8.5

Subject: West Oakland Transportation Plan

From: Councilmember Larry Reid

Recommendation: Hear A 5 Minute Presentation On The West Oakland Community Based

Transportation Plan (06-0403)

Council heard a Presentation on the West Oakland Community Based

Transportation Plan

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8.6

Subject: Recognition of Michael McPherson

From: Councilmember Larry Reid

Recommendation: Adopt A Resolution Recognizing And Honoring Michael McPherson Upon

His Retirement From The Oakland Business Development Corporation After 25 Years Of

Dedicated Service (06-0446)

A motion was made by Councilmember Reid, seconded by President of the

Council De La Fuente, that this matter be Adopted. The motion carried by

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

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

that the meeting be adjourned in memory of Elliott Smith

Agency/Councilmember Brooks took a point of personal privilege and

requested that the meeting be adjourned in memory of Helen Boden

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

that the meeting be adjourned in memory of Shelton Craine

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 (06-0435)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.2-CC

Subject: Medical Cannabis Health Emergency

From: Office Of The City Attorney

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

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

The City Of Oakland (06-0436)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.3-CC

Subject: Anita Greene - Settlement Agreement

From: Office Of The City Attorney

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

Compromise And Settle The Case Of Anita Greene V. City Of Oakland, Alameda County

Superior Court Case No. 2002-071625, Our File No. 22643 In The Amount Of \$65,000.00.

This Case Involves A Slip And Fall Accident On At Or Near A Residence On 57th Avenue.

(Public Works Agency) (06-0437)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.4-CC

Subject: Port 10 Local - Settlement - Attorney Fees

From: Office Of The City Attorney

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

Compromise And Settle The Attorneys Fees Claims Of The Local 10 Plaintiffs In The

Consolidated Matters Of Port Local 10 Warehouse And Longshoremen Et Al. V. City Of

Oakland, Et Al., United States District Court Case No. C03-2962 TEH (JL), Our File No.

X01958 And Sri Louise Coles Et Al. V. City Of Oakland Et Al., United States District Court

Case No. C03-2961 TEH, Our File No. 23333, For A Sum Not To Exceed A Total Of Two

Hundred Fifty Thousand Dollars And No Cents (\$250,000.00) Payable To James B. Chanin,

Trustee, The Local 10 Plaintiffs' Lawsuit Arises From The April 7, 2003 Port Of Oakland

Police Action (Excessive Force/Civil Rights Violation) (06-0438)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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10.5-CC

Subject: East Bay Restaurant Supply - Settlement Agreement

From: Office Of The City Attorney

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

Compromise And Settle The Claim Of East Bay Restaurant Supply, In The Amount Of Seven

Thousand Eight Hundred Ninety Two Dollars And 29 Cents (\$7,892.29), As A Result Of

Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On

January 3, 2006. (PWA) (06-0440)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.6-CC

Subject: Vice Mayor Jean Quan - Urban Park And Recreation Summit

From: Vice Mayor Jean Quan

Recommendation: Adopt A Resolution Authorizing Councilmember Jean Quan To Travel To

Chicago To Attend The Urban Park And Recreation Summit, May 17-18, 2006; On The May

30, 2006 City Council Agenda (06-0421)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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10.7-CC

Subject: Salary Ordinance Amendment

From: Finance And Management Agency

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

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

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

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

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

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

Equivalent Classification, Concrete Finisher (06-0350)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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10.8-CC

Subject: Altering The Port Area

From: Office of the City Attorney

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

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

The Former Oakland Army Base (06-0352)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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S-10.9-CC

Subject: Homeless And Special Needs Housing Plan

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The 1) Adoption Of The Alameda

County-Wide Homeless And Special Needs Housing Plan And 2) City Administrator To

Extend The Performance Period Of Existing Agreements Under The 2005-2006 Emergency

Shelter Grant, Emergency Housing And Winter Relief Programs From The Original June 30,

2006 End Date To January 31, 2007 And, To Support Said Program Performance Periods With

Available Program Balances From The 2004-2005 And 2005-2006 Emergency Shelter Grant,

Emergency Housing And Winter Relief Program Years, And 3) Development Of An Oakland

Strategy And Action Plan As A Companion To The County-Wide Homeless And Special

Needs Housing Plan and 4) Extension Of The Professional Service Contract With Debbie

Greiff Consulting, Inc. Through June 2007 In An Amount Not To Exceed \$15,000.00 To

Facilitate The Development And Implementation Of The Companion Oakland Strategy For A

Total Contract Amount Of \$43,471.00 (06-0234)

This Matter was Adopted on the Consent Agenda.
Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.10-C

C

Subject: Central City East Redevelopment Project

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Authorizing A One-Year Extension Of The Project

Area Committee For The Central City East Redevelopment Project To July 29, 2007 (06-0335)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.11-C

C

Subject: Broadway/MacArthur/San Pablo Project Area - Extension

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A One-Year Extension Of The Project Area Committee For The

Broadway/MacArthur/San Pablo Redevelopment Project To July 25, 2007; And (06-0378)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Amending The Procedures Of Formation For The Broadway/MacArthur/San

Pablo Redevelopment Project Area Committee To Designate The Temescal Telegraph

Community Association As A Community Organization Represented On The Project Area

Committee (06-0378-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.12-C

C

Subject: Head Start/Early Head Start Basic Training And Technical Assistance

From: Department Of Human Services

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

City Of Oakland, To Apply For, Accept, And Appropriate Head Start And Early Head Start

Basic And Training And Technical Assistance Grants For Program Year 2006-2007 From The

U.S. Department Of Health And Human Services, Administration For Children And Families

(DHHS/ACF) In The Estimated Amount Of \$14,513,944, And Authorizing A Grant Agreement

With The Unity Council For The Estimated Amount Of \$4,637,993 To Fund Child

Development Services In Accord With Said Grants (06-0231)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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S-10.13-C

C

Subject: Career Academies Program

From: Department Of Human Services

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

Execute A Grant Agreement With The Oakland Unified School District In An Amount Not To

Exceed \$600,000 For Fiscal Years 2005-2007 To Provide 640 Internship Stipends For Students

Participating In The Career Academies Program (06-0346)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

The following individual(s) spoke against this item:

- *Hugh Bassette*

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S-10.14-C

C

Subject: Oakland Police Department Transactions

From: Oakland Police Department

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City

Of Oakland To Sell The Police Department's 1977 Enstrom Training Helicopter And;

(06-0368)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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2) A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City

Of Oakland To Purchase A Schweizer 300 CBI Training Helicopter For A Purchase Price Not

To Exceed Two Hundred Thirty Thousand Dollars (\$230,000) (06-0368-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.15-C

C

Subject: Summer Youth Employment Program Strategy

From: Department Of Human Services

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

Execute An Agreement For \$205,848 Between The City Of Oakland And The Youth

Employment Partnership To Support The Subsidized Summer Youth Employment Program

Strategy In Accordance With Measure Y For The Period Of July 1, 2006 Through June 30,

2007, With Two One-Year Options To Renew (06-0369)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.16-C

C

Subject: Renaming Of Lincoln Square Recreation Center Basketball Courts

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Authorizing The Renaming Of The Lincoln Square

Recreation Center Basketball Court, Located At 250 10th Street, To "Al Attles Court" For A

Period Of Ten Years (06-0404)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.17-C

C

Subject: Support Of Senate Bill 638

From: Department of Human Services

Recommendation: Receive An Informational Report Recommending Support Of Senate Bill

638 (Torlakson) Reform Legislation For Proposition 49 And After School Programs (06-0414)

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

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-10.17.1-

CC

Subject: Support Of Senate Bill 638

From: Department of Human Services

Recommendation: Adopt A Resolution To Adopt A Position To Strongly Support Senate Bill

638 As Legislation Reforming Proposition 49 And Amending The Education Code Relating To

Before And After School Programs And Enhancing After School Programs Under the After

School Education And Safety Program (06-0414-1)

This Matter was Adopted on the Consent Agenda.

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Agency/Councilmember Brunner made a motion seconded by

Agency/Councilmember Quan to approve an urgency finding pursuant to

Section 2.20.080 E(2) regarding item 10.17.1CC on the Consent Calendar, that

there is a need to take immediate action which came to the attention of the local

body after the agenda was posted, and that the need to take immediate action is

required to avoid a substantial adverse impact that would occur if the action

were deferred to a subsequent special or regular meeting.

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Passed The Consent Agenda

A motion was made by Vice Mayor 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 Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Closed Session

A motion was made by Councilmember Brunner, seconded by

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

the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor 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 accept the oral report from the City Attorney

on final decisions made during Closed Session, and hearing no objections, all

members present were recorded as voting: Ayes: Agency/Councilmember:

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

Council De La Fuente -8

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

- Sanjiv Handa

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

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Agency/Councilmember Reid made a motion seconded by

Agency/Councilmember Quan confirming that there were no discussions

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

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

Nadel, Reid, Quan, Kernighan and President of the Council De La Fuente-8

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

THEREAFTER:

13

Reconsideration of Ordinances pursuant to Charter Section 216

No action was necessary for this item

14. Consideration of items with statutory Public Hearing Requirements:

14.1

Subject: Panoramic Hill - Rezoning

From: Community and Economic Development Agency

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

(First Reading) Of An Ordinance To Rezone The Panoramic Hill Neighborhood, Comprising

Approximately 30 Acres Of Land, In An Area Generally Located North of Dwight Way, South

Of Panoramic Place, East Of The Oakland Berkeley Border, And West Of Panoramic Way,

From The R-20 Low Density Residential Zone / S-4 Design Review Combining Zone and S-18

Mediated Residential Design Review Combining Zone To R-10 Estate Residential Zone / S-4

Design Review Combining Zone and S-18 Mediated Residential Design Review Combining

Zone (Case File Number RZ04-042) (06-0280)

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

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

the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on June 20, 2006. The motion carried by the following

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- Jerry Wachtel

The following individual(s) spoke against this item;

- David S. Boyd

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

- Robert Mark Fallon

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

at 7:39 pm

Agency/Councilmember Brunner made a motion, seconded by

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

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

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

De La Fuente -8

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ACTION ON NON-CONSENT ITEMS:

15

Subject: Winter Storms - Local Emergency

From: Oakland Fire Department

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

To Winter Storms First Proclaimed By The City Of Oakland On January 5, 2006 (06-0439)

***Withdrawn with No New Date**

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16

Subject: Comcast Settlement Agreement

From: Office Of The City Attorney

Recommendation: Resolution Approving Compromise And Settlement Of Comcast Of

California/Colorado, LLC, v. City Of Oakland, United States District Court, Northern District

Of California, Case No. 06-02163 MJJ, Which calls for Repeal Of Ordinance No. 12728

(Proprietary Interest Franchise Labor Requirements - Card Check, Procedure For Determining

Employee Preference On Representation By Labor Organization) And Dismissal Of The

Litigation (06-0444)

A motion was made by Councilmember Reid, seconded by Councilmember

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

the following vote:

Votes:

ORA\Councilmember Recused: 1 - Councilmember Kernighan

ORA\Councilmember Noes: 2 - Councilmember Brunner and President of the

Council De La Fuente

ORA\Councilmember Ayes: 5 - Councilmember Chang, Councilmember Nadel,

Vice Mayor Quan, Councilmember Brooks and Councilmember Reid

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

- Sanjiv Handa

Agency/Councilmember Reid made a motion, seconded by

Agency/Councilmember Brooks, to adopt the resolution as amended on Item 16

to include the following changes: 1) on the last "whereas", put a period after

"court" and strike the language thereafter, and 2) strike the first "Further

Resolved ", and hearing no objections, the motion passed by Ayes:

Agency/Councilmember: Brooks, Chang, Nadel, Reid, and Quan - 5; 2 Noes -

Brunner, President of the Council De La Fuente -2, Recused: Kernigahan - 1

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[79934 CMS.pdf](#)

Subject: Repeal Of Ordinance 12728

From: Office Of The City Attorney

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

Ordinance No. 12728, Which Amended Title 5 Of The Oakland Municipal Code To Add

Chapter 5.82, To Require Franchises In Which The City Has An Proprietary Interest To Enter

Into A Card Check Agreement, A Procedure For Determining Employee Preference On

Representation By A Labor Organization That Requests Such An Agreement (06-0445)

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

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

the Concurrent Meeting of the Oakland Redevelopment Agency / City

Council, due back on June 20, 2006. The motion carried by the following

vote:

Votes:

ORA\Councilmember Recused: 1 - Councilmember Kernighan

ORA\Councilmember Noes: 1 - President of the Council De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Brunner, Vice Mayor 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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[12740 CMS.pdf](#)

Subject: Roofing And Waterproofing Installation

From: Public Works Agency

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

Contract To Elliott & Elliott Company For A Not To Exceed Amount Of Five Hundred Sixty

Eight Thousand Three Hundred Sixty Two Dollars And Twenty One Cents (\$568,362.21) For

Roofing And Waterproofing Installation And Repairs At Various City-Owned Facilities

(06-0359)

A motion was made by Vice Mayor Quan, seconded by Councilmember

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[79935 CMS.pdf](#)

19

Subject: Clinton Park Playground Renovations

From: Public Works Agency

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

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

Designee, To Negotiate And To Award A Construction Contract For An Amount Not To

Exceed Two Hundred And Eighty Thousand Dollars (\$280,000.00) Without Return To Council

(TITLE CHANGE) (06-0338)

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[79912 CMS.pdf,](#)

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20

Subject: Commission On Aging Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Trung Duy Nguyen As A Member Of The

Commission On Aging (06-0441)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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21

Subject: Citizen's Police Review Board Appointment

From: Office Of The Mayor

Recommendation: Adopt A Resolution Re-Appointing Angela Cheung, Corey Dishmon,

Jamilah Jefferson Scates And Andrew Radlow As Members Of The Citizen's Police Review

Board (06-0442)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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22

Subject: Cultural Affairs Commission Appointment

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Diana Tran And Esteban Sabar To The

Cultural Affairs Commission (06-0443)

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 Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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23

Subject: Board Of Port Commissioners - Appointment

From: Mayor Brown

Recommendation: Adopt A Resolution Re-Appointing Kenneth Katzoff As A Member Of The

Board Of Port Commissioners (06-0448)

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 Abstained: 1 - Councilmember Brooks

ORA\Councilmember Noes: 1 - Councilmember Nadel

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Kernighan, Councilmember Brunner, Vice Mayor Quan, President of the

Council De La Fuente and Councilmember Reid

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

- *Sanjiv Handa*

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24

Subject: JetBlue Airways Agreement

From: Community And Economic Development Agency

Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland

Authorizing The City Administrator To Negotiate, Enter Into, And Execute An Economic

Development Agreement Between The City Of Oakland And JetBlue Airways Corporation,

Which Will Provide For Business Incentive Payments To JetBlue Airways Corporation That

Will Be Equivalent To Sixty (60) Percent Of The Sales Taxes Generated By Its Single Source

Purchasing And Resale Business Located In The City Of Oakland (06-0415-1)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- *Sanjiv Handa*

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S-25

Subject: Oakland Museum ADA Ramp

From: Public Works Agency

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

Construction Contract With The Lowest Responsive Bidder, McGuire And Hester Construction

Company, For The Oakland Museum ADA Ramp Project (No. C274220) In An Amount

Not-To-Exceed Three Hundred Seventeen Thousand One Hundred And Ninety-Nine Dollars

(\$317,199.00) And Authorizing An Informal Competitive Bidding Process (06-0360)

A motion was made by Councilmember Brunner, seconded by

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

the following vote:

Votes:

ORA\Councilmember Noes: 2 - Councilmember Chang and Councilmember

Brooks

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember

Kernighan, Councilmember Brunner, Vice Mayor Quan, President of the

Council De La Fuente and Councilmember Reid

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S-26

Subject: Youth Employment Partnership, Inc.

From: Public Works Agency

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

Year Agreement With Youth Employment Partnership, Inc. (YEP) To Implement The Team

Oakland Program And For City Beautification Services In An Amount Not To Exceed

\$498,000.00, Or \$249,000.00 In Each Year Of The Agreement (06-0336)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Staff was directed to bring back to Council at the next meeting, the Resolution

in prepared by Councilmember Brunner.

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S-27

Subject: Lake Merritt Pergola Colonnade Renovation

From: Public Works Agency

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

To Award A Construction Contract To Bay Construction Company For The Lake Merritt

Pergola/Colonnade Renovation Project (No. C242117) In The Amount Of Three Hundred

Thousand Dollars (\$300,000.00) (06-0362)

A motion was made by Councilmember Nadel, seconded by

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

by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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S-28

Subject: Oakland Fund For Children And Youth

From: Department Of Human Services

Recommendation: Adopt A Resolution Appropriating \$273,250 In Interest Income Earned To

The Oakland Fund For Children And Youth; And Authorizing The City Administrator To

Negotiate And Execute Grant Agreements Between The City Of Oakland And Various

Non-Profit And Public Agencies To Provide Direct Services For Children And Youth For

Fiscal Years 2006-2007 And 2007-2008 In An Amount Not To Exceed \$10,892,268 Per Year

(06-0250)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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

- Sanjiv Handa

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[79945 CMS.pdf](#)

S-29

Subject: Alameda County Transportation Authority

From: Department Of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For and

Accept Funds In The Amount Of \$949,395 From Alameda County Transportation

Improvement Authority (ACTIA) Measure B Funds, And Up To \$200,000 Alameda County

Transportation Improvement Authority (ACTIA) Measure B Gap Funds For The Fiscal Year

2006-2007 For Paratransit Services; And Authorizing The City Administrator To Execute

Contracts To Provide Paratransit Services For Fiscal Year 2006-2007, In Amounts Not To

Exceed, As Follows: 1) At Your Service (AYS) V.I.P. DBA V.I.P. Express Transportation, Inc.

For \$500,000, 2) Bay Area Community Services (BACS) For \$250,000, 3) Friendly

Transportation DBA Friendly Cab Company, Metro Yellow Cab Company, And Yellow Cab

Company For \$200,000, 4) Veterans Transportation Inc. DBA Veterans Cab Company For

\$210,000; And Authorizing The City Administrator To Execute Amendments To The Contracts

For Any Additional Amounts Received Under The Measure B Grant Without Returning To

City Council (06-0251)

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

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

vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

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[79946 CMS.pdf](#)

S-30

Subject: Police Officer Recruitment Services Contracts - RFP/RFQ Waiver

From: Finance And Management Agency

Recommendation: Adopt A Resolution Confirming Waiver Of The Competitive Request For

Proposal/Qualification ("RFP/RFQ") Processes For Police Officer Recruitment Services

Contracts (06-0465)

A motion was made by Councilmember Brunner, seconded by

Councilmember Reid, that this matter be Adopted as Amended. The

motion carried by the following vote:

Votes:

ORA\Councilmember Ayes: 8 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brunner, Vice Mayor Quan,

President of the Council De La Fuente, Councilmember Brooks and

Councilmember Reid

Agency/Councilmember Brunner made a motion seconded by

Agency/Councilmember Quan to approve an urgency finding pursuant to

Section 2.20.080 E(2) regarding Item S-30 that there is a need to take

immediate action which came to the attention of the local body after the agenda

was posted, and that the need to take immediate action is required to avoid a

substantial adverse impact that would occur if the action were deferred to a

subsequent special or regular meeting.

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

- Sanjiv Handa

- *Rebecca Kaplan*

Agency/Councilmember Quan made a motion, seconded by

Agency/Councilmember Brunner, to adopt the resolution as amended on Item

S-30 to include the following requirement: Future monthly reports to the Public

Safety Committee shall include the value of funds spent on the recruiting efforts,

and hearing no objections, the motion passed by Ayes:

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

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

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Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

Council)

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

Agency/Council adjourned the meeting in memory of Elliott Smith, Helen

Boden, Shelton Craine at 9:45 p.m.

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