

# 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, March 21, 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 6:16 p.m.*

**2**  
Roll Call / ORA & Council

ORA\Councilmember Present: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

3

Open Forum / Citizens Comments

(Time Available: 15 minutes)

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

- *Sanjiv Handa*

- *Scott Bohning*

- *Hector Reyna*

- *Hugh Bassette*

- *Nathan Burris*

- *Renato Rocha*

- *Yvonne Backan*

- *Mary Allen*

- *Deloris Allen*

- *Glenda Frost*

- *Rocio Molina*

- *Edward Baraona*

- *Andy Nguyen*

- *Malcolm Gaines*

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 March 7, 2006

**A motion was made by Councilmember Brooks to \*Approve the Minutes.**

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

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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

8.1

Subject: NCAA Men's Basketball Regional Tournament

From: Councilmember Reid

Recommendation: Adopt A Resolution Welcoming the NCAA 2006 Division I Men's

Basketball Regional Championship ("March Madness") To The Oakland Arena (06-0170)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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8.2

Subject: Michael F. Lange - Recognition

From Office Of Parks And Recreation:

Recommendation: Adopt A Resolution Commending Michael F. Lange For Thirty Seven Years

Of Outstanding And Distinguished Service To The City Of Oakland (06-0193)

**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 Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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S-8.3

Subject: Hemophilia Awareness Month

From: Vice Mayor Quan

Recommendation: Adopt A Resolution Proclaiming March As Hemophilia Awareness Month

In The City Of Oakland (06-0223)

**A motion was made 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: 6 - Councilmember Chang, Councilmember Nadel,

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

*Agency/Councilmember Quan made a motion seconded by*

*Agency/Councilmember Reid to approve an urgency finding pursuant to Section*

*2.20.080 E(2) regarding Item S-8.3 that there is a need to take immediate action*

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

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

*commendatory action.*

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

- Val Bias

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**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

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

*that the meeting be adjourned in memory of Houston Tiggs Jr. and Lewie*

*Motley*

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

*that the meeting be adjourned in memory of Judge Delmart Wong*

**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 (06-0183)

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

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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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 (06-0184)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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10.3-CC

Subject: Annetta Grady - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of Annetta Grady V. City Of Oakland, Alameda County

Superior Court Case No. RG04-141378, Our File No. 23728 In The Amount Of \$175,000.00.

This Case Involves A Slip And Fall Accident On A Crosswalk On Mountain Boulevard In

Montclair (Public Works Agency) (06-0196)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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

- *Sanjiv Handa*

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10.4-CC

Subject: James Kyle - Settlement

From: Office of the City Attorney

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

Compromise And Settle The Case Of James Kyle V. Bay Area Rapid Transit (Bay Area Rapid

Transit V. City Of Oakland), Alameda Superior Court Case No. 2002 060357, Our File No.

22151, In The Amount Of Twenty-Four Thousand Five Hundred Dollars (\$24,500.00)

(06-0197)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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10.5-CC

Subject: Port And Army Base Land Use



From: Community And Economic Development Agency

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

The Third Amendment To The Oakland Army Base Redevelopment Plan To Change The Land

Use Designation For The East Maritime Area From Business Mix To General

Industrial/Transportation (06-0086-2)

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

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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

- *Sanjiv Handa*

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S-10.6-CC

Subject: Wildfire Prevention Assessment District Annual Report

From: Office Of The City Administrator - Budget Office

Recommendation: Adopt A Resolution Initiating The Fiscal Year 2006-2007 Assessment

Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing

The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland

Municipal Code (06-0106)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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

- *Sanjiv Handa*

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S-10.7-CC

Subject: Napa Auto Parts Contract

From: Finance and Management Agency

Recommendation: Adopt A Resolution Awarding A Contract To General Auto Parts, A

Company Doing Business As Napa Auto Parts In An Annual Amount Not To Exceed Seven

Hundred Eighty Thousand Dollars (\$780,000.00) For A Three Year Period Of March 1, 2006

To February 28, 2009, For Automotive Stock And Non-Stock Parts To The City Of Oakland In

Accordance With Specification No. 03-465-14-1 (06-0159)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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S-10.8-CC

Subject: Safety And Security Lighting Installation

From: Community And Economic Development Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Contribution And Appropriation Of

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

An Amount Not To Exceed \$113,137 To Install Safety And Security Lighting On 69th, 70th

And 71st Avenues Between International Boulevard And Arthur Street, Seminary Avenue

From Trask To Walnut Street, Bancroft Avenue From Avenal Avenue To Fortune Way, And

Weld Street Between 69th Avenue And 73rd Avenue, And To Purchase And Install Nine

Candelabra Lights In The Havenscourt And Bancroft Area; (06-0181)

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

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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

- *Sanjiv Handa*

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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 \$113,137 For Safety And Security Lighting To Alleviate Crime And Blight On 69th,

70th And 71st Avenues Between International Boulevard And Arthur Street, Seminary Avenue

From Trask To Walnut Street, Bancroft Avenue From Avenal Avenue To Fortune Way, And

Weld Street Between 69th Avenue And 73rd Avenue And For The Purchase And Installation

Of Nine Candelabra Lights In The Havenscourt And Bancroft Area; and (06-0181-1)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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3) An Agency Resolution Authorizing The Agency Administrator To Solicit, Negotiate,



Award, And Execute Design And Engineering Contracts Without Returning To The Agency

For Three Streetscape Areas In The Central City East Project Area, The Eastlake/14th Avenue,

Melrose/Bancroft Avenue, And 5th Avenue Areas, In Amounts Not To Exceed \$300,000 Each

For A Total Contract Amount Of \$900,000 (06-0181-2)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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[2006-0034 CMS.pdf](#)

S-10.9-CC

Subject: Firefighter's Grant Funds

From: Oakland Fire Department

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

Accept And Appropriate Up To Three Hundred Fifty Thousand Dollars (\$350,000.00) Of 2006

Federal Assistance To Firefighter's Grant Funds And Award Contracts To Provide Firefighting

And Emergency Response Specialized Training And Equipment To The Lowest Responsible

Bidder(s) Or To The Successful Respondent(s) To The City's Request For Proposals

Competitive Selection Process, Without Return To Council (06-0162)

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

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**Passed The Consent Agenda**

**A motion was made, seconded by Councilmember Chang, including all the preceding items marked as having been adopted on the Consent Agenda.**

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

**Votes:**

ORA\Councilmember Absent: 1 - Councilmember Brunner

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

Councilmember Kernighan, Councilmember Brooks, President of the Council

De La Fuente and Vice Mayor Quan

11

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

Closed Session

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

*Agency/Councilmember Chang, 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*

12

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

*Agency/Councilmember Chang 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

*There was no action necessary for this item.*

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

14.1

Subject: Delinquent Transient Occupancy Taxes - Public Hearing

From: Finance And Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following

Resolutions:

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

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

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

Pursuant To Title 4, Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice

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

(06-0036)

**A motion was made by Councilmember Kernighan that this matter be**

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

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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



*opened at 7:00 p.m*

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

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

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

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

*De La Fuente -8*

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

*- Sanjiv Handa*

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

Administrator On The Delinquent Transient Occupancy Taxes And Confirming The

Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary

Pursuant To Title 4, Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice

Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; Or (06-0036-1)

**Not Adopted**

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

Transient Occupancy Taxes And Confirming The Recordation Of Liens, Administrative

Charges And Assessment Charges As Necessary Pursuant To Title 4, Chapter 4.24 Of The

Oakland Municipal Code (06-0036-2)

**Not Adopted**

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14.2

Subject: Delinquent Real Property Transfer Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following

**Resolutions:**

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

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

Confirming The Recordation Of Liens, Administrative Charges, And Assessment Charges, As

Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The

Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; or (06-0037)

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

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

**by the following vote:**

**Votes:**

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

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks and Vice Mayor Quan

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

*opened at 7:05 p.m*

*AT 7:05PM PRESIDENT OF THE CITY COUNCIL, DE LA FUENTE,*

*RELINQUISHED THE CHAIR AND AGENCY/COUNCILMEMBER REID*



*PRESIDED AS PRESIDENT PRO TEMPORE.*

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

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

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

*Brunner, Chang, Kernighan, Nadel, Reid, and Quan -7, Absent: President of*

*the Council De La Fuente -1*

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

- *Sanjiv Handa*

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

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

Property Transfer Taxes, And Authorizing The Recordation Of Liens, Administrative Charges

As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The

Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; or (06-0037-1)

**Not Adopted**

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

Real Property Transfer Taxes And Confirming Of The Recordation Of Liens, Administrative

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

Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned

Over To The Alameda County Tax Collector For Collections (06-0037-2)

**Not Adopted**

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14.3

Subject: Delinquent Mandatory Garbage Fees - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding Delinquent Mandatory Garbage Fees

For July/August/September 2005 Monthly Accounts And October/November/December 2005

Quarterly Accounts And Upon Conclusion Adopt One Of The Following Resolutions:

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

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

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

Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien

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

(06-0038)

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

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

**carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan



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

*opened at 7:09 p.m.*

*PRESIDENT OF THE COUNCIL DE LA FUENTE WAS NOTED PRESENT AT*

*7:06 P.M. AND RESUMED PRESIDING AS CHAIRPERSON*

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

*Agency/Councilmember Kernighan, to close the Public Hearing, and hearing*

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

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

*La Fuente -8*

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

- *Sanjiv Handa*

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

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

Garbage Service Fees, And Authorizing The Recordation Of Liens, Administrative Charges, As

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

Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For

Collection; or (06-0038-1)

**Not Adopted**

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

Garbage Services Fees And Confirming Of The Recordation Of Liens, Administrative Charges,

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

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

Alameda County Tax Collector For Collections (06-0038-2)

**Not Adopted**

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14.4

Subject: Delinquent Business Taxes - Public Hearing

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing Regarding The Assessment Of Liens For

Delinquent Business Taxes And Upon Conclusion Adopt One Of The Following Pieces Of

Legislation:

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

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

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



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

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

(06-0039)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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

*opened at 7:10 p.m*

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

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

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

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

*De La Fuente -8*

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

- *Sanjiv Handa*

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

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

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

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

Charges To Be Turned Over To The County Tax Collector For Collection; or (06-0039-1)

**Not Adopted**

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

Business Taxes, And Confirming Of The Recordation Of Liens, Administrative Charges And

Assessment Charges, As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland

Municipal Code (06-0039-2)

**Not Adopted**

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14.5

Subject: Central City East Redevelopment Project

From: Community And Economic Development Agency

Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following

Pieces Of Legislation:

1) An Agency Resolution Adopting The Second Amendment To The Five-Year

Implementation Plan, 2003-2008, For The Central City East Redevelopment Project To Modify

Fund Allocations To The Streetscape Project And Infrastructure Component, Update The

Affordable Housing Section, And Make Other Changes; and (06-0175)

**A motion was made, seconded by Vice Mayor Quan, that this matter be**

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

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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

*opened at 7:12 p.m.*

*Agency/Councilmember Reid 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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2) An Agency Resolution Modifying The Central City East Homeownership Rehabilitation

Program To Increase The Maximum Loan Amount From \$10,000 To \$75,000 And To

Authorize The Provision Of Design Assistance To Homeowners In An Amount Not To Exceed

\$5,000 (06-0175-1)

**A motion was made, seconded by Vice Mayor Quan, that this matter be**

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

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan



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[2006-0036 CMS.pdf](#)

14.6

NUMBER NOT USED

14.7

Subject: Mixed Use Development - 51st and Telegraph Avenue

From: Community And Economic Development Agency

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

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

Construction Of A New Mixed-Use Development Consisting Of 67 Residential Units And

2,990 Square Feet Of Commercial Space Located At The Inter Section Of 51st Street And

Telegraph Avenue (Case File Number CMDV05-469) (06-0140)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

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

*opened at 7:13 p.m.*

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

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

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

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

*De La Fuente -8*

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

*- Roy Alper*

- *Patrick Zimski*

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

- *Sanjiv Handa*

- *Virginia Browne*

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[79803 CMS.pdf](#)

**ACTION ON NON-CONSENT ITEMS:**

15

Subject: Local Emergency Due To Winter Storms

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 (06-0185)

**A motion was made by Councilmember Brunner that this matter be**

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

**Votes:**

ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks, President of the Council De La Fuente and Vice Mayor Quan

*This item was taken out of order*

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[79804 CMS.pdf](#)

S-15.1

Subject: Oakland Police Department Staffing

From: City Council

Recommendation: Adopt A Resolution Declaring An Emergency Pursuant To The

Meyers-Milias Brown Act (California Government Code Section 3504.5) To Permit The Chief



Of Police To Redeploy Police Officers To Address The Recent Surge In Crime (06-0198)

**\*Withdrawn with No New Date**

*Agency/Councilmember Quan made a motion seconded by*

*Agency/Councilmember De La Fuente to approve an urgency finding pursuant*

*to Section 2.20.080 E(2) regarding Item S15.1 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.*

*This item was taken out of order*

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

*- Hugh Bassette*

- *Yvonne Backman*

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

- *Sanjiv Handa*

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[View Supplemental Report.pdf](#)

*The Roll Call was modified to note Vice Mayor Quan absent at 8:33 p.m.*

16

Subject: Measure Y Implementation

From: Oakland Police Department

Recommendation: Action On A Semi-Annual Report And Recommendation Regarding The

Status Of Implementation Of The Department's Reorganization To Expand Community

Policing And The Status Of Measure Y Implementation, Specifically Regarding Officer

Recruiting, Training Hiring And Deployment Of Officers To Measure Y Positions (06-0084)

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

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

**motion carried by the following vote:**

**Votes:**

ORA\Councilmember Abstained: 1 - Councilmember Brooks

ORA\Councilmember Absent: 2 - Councilmember Nadel and Vice Mayor Quan

ORA\Councilmember Ayes: 4 - Councilmember Chang, Councilmember

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





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

- *Sanjiv Handa*





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

*Agency/Councilmember Kernighan, to approve the recommendations as*

*amended on item 16 as follows:*





*1) Instead of the Academy Schedule outlined in the report, convene three*

*additional academies, each to being June 1, 2006 to ensure full staff by January*

*31, 2007 or earlier; and*



*2) The recruitment, hiring and training of the 59 remaining Measure Y officers*

*are to be funded from Measure Y proceeds.*



*Additionally, staff were directed to contract with an outside agency to assist the*



*City in recruiting and hiring the next four months and to deliver a proress*

*report on hiring and recruitment at each meeting of the Public Safety*

*Committee until all vacancies are filled.*



*Agency/Councilmember Kernighan proposed the following to allocate an*

*additional \$2.4 million to enhance recruiting efforts with legally fiscal support*

*from Measure Y funding with the balance paid by the general fund.*





*Agency/Councilmember Brunner accepted the Friendly amendment and upon*

*call of the roll, the motion passed by Ayes: Agency/Councilmember: Brunner,*

*Chang, Kernighan, Reid, and President of the Council De La Fuente - 5,*

*Abstain: Brooks - 1, Absent; Nadel, Quan - 2*

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17

Subject: Housing, Residential Rent And Relocation Board - Appointments

From: Office of the Mayor

Recommendation: Adopt A Resolution Appointing Charles Hargrave, Ricardo Hunter And

Jessica Leavitt And Re-Appointing Laura Arreola As Members Of The Housing, Residential

Rent And Relocation Board (06-0206)

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

**Redevelopment Agency/City Council on 4/4/2006**

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[View Report.pdf,](#)

[79836 CMS.pdf](#)

S-18

Subject: Francisco Electric Supply - Contract

From: Finance And Management Agency

Recommendation: Adopt A Resolution Awarding A Contract To Francisco Electric Supply, A

Corporation, In An Annual Amount Not To Exceed Three Hundred Thirty Six Thousand, Fifty

Two Dollars, And Thirty Three Cents (\$336,052.33) For The Three Year Period Of March 1,

2006 To February 28, 2009, For Standard Street Lighting And Traffic Signals, To The City Of

Oakland In Accordance With Specification No. 06-285-76-01 (06-0161)

**A motion was made, seconded by Councilmember Nadel, that this matter**

**be Adopted. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Noes: 1 - Vice Mayor Quan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks and President of the Council De La Fuente

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[79805 CMS.pdf](#)

S-19

Subject: Proposition 40 Grant Funds

From: Public Works Agency

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

Accept, And Appropriate Grant Funds From The California Cultural And Historical

Endowment (CCHE) For Round Two Under State Of California Proposition 40 (Clean Water,

Clean Air, Safe Parks And Coastal Protection Act Of 2002), For Peralta Hacienda Historical

Park In An Amount Up To One Million Seven Hundred Thirty-Six Thousand Dollars

(\$1,736,000.00) (06-0113)

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

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

**Votes:**

ORA\Councilmember Noes: 1 - Vice Mayor Quan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks and President of the Council De La Fuente

*Agency/Councilmember Chang made a motion seconded by*

*Agency/Councilmember Reid to approve an urgency finding pursuant to Section*

*2.20.080 E(2) regarding Item S-19 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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[79806 CMS.pdf](#)

S-20

Subject: Todd Blair And John Rogers Professional Services Agreement

From: Cultural Arts And Marketing Division

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

Enter Into Professional Services Agreements With Todd Blair And John Colle Rogers For

Public Art Design And Fabrication Services For The 12th Street Reconstruction Project In An

Amount Not To Exceed Seventy-Two Thousand Five Hundred Dollars (\$72,500) Each

(05-1006)

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

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

**by the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Quan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks and President of the Council De La Fuente

*Agency/Councilmember Brooks made a motion seconded by*

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

*Section 2.20.080 E(2) regarding Item S-20 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.*

[View Report.pdf,](#)

[79807 CMS.pdf](#)

Subject: Emergency Preparedness - Follow Up Report

From: Office Of The City Administrator

Recommendation: Receive A Follow Up Report On The City Of Oakland's State Of Emergency

Preparedness, Responding To Councilmember Questions And Requests For Additional

Information (06-0105)

**A motion was made by Councilmember Nadel that this matter be**

**\*Received and Filed. The motion carried by the following vote:**

**Votes:**

ORA\Councilmember Absent: 1 - Vice Mayor Quan

ORA\Councilmember Ayes: 6 - Councilmember Chang, Councilmember

Brunner, Councilmember Nadel, Councilmember Kernighan, Councilmember

Brooks and President of the Council De La Fuente

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**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 9:40 p.m.*

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