

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on December 4, 2007

A motion was made by Councilmember Reid, seconded by Councilmember Chang, to *Approve the Minutes. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Brunner and Councilmember Kernighan
ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

8. PRESENTATION OF CEREMONIAL MATTERS

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- 8.1 Subject: Mac Jean Harris - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Honoring Mac Jean Harris For Twenty-Two Years Of Distinguished Service To The Citizens Of The City Of Oakland And Congratulating Her On Her Retirement
[07-0777](#)

A motion was made by Councilmember Reid, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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- 8.2 Subject: Debbie Corso - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Honoring Debbie Corso For Twenty Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Her On Her Retirement
[07-0849](#)

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 Absent: 3 - Councilmember Brunner, Councilmember Kernighan and Councilmember Brooks
ORA\Councilmember Ayes: 5 - Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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S-8.3 Subject: 1981 Apollo Class - Recognition
 From: Councilmember Jane Brunner
 Recommendation: Adopt A Resolution Honoring And Celebrating The Twenty-Fifth Year
 Anniversary Of Dr. Martin Luther King, Jr., Holiday And Recognizing And Commending The
 Contributions And Civic Efforts Of The 1981 Apollo Class Of Oakland Technical High School
 And Their Faculty Advisor, Tay McArthur In Pursuing State Legislation To Establish This
 Historic Holiday
[07-0899](#)

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 Absent: 1 - Councilmember Kernighan
 ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks, Councilmember Reid and Councilmember Chang
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ORA\Councilmember Present: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and Councilmember Chang
The Roll Call was modified to note Councilmember Kernighan present at 6:28 PM

S-8.4 Subject: American Red Cross Month
 From: Councilmember Jane Brunner
 Recommendation: Adopt A Resolution Declaring January 2008 To Be Oakland's American Red
 Cross Blood Donor Month
[07-0908](#)

A motion was made by Councilmember Chang, seconded by Councilmember Reid, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
 ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, Councilmember Kernighan, President of the Council De
 La Fuente, Councilmember Reid and Councilmember Chang
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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 Dorothy Williams

Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Marnesba T. Tacket

City Administrator Edgerly took a point of personal privilege and requested that the meeting be adjourned in memory of Antonia Baptiste

10. CONSENT CALENDAR (CC) ITEMS:

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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
[07-0861](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.2 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
[07-0862](#)

A motion was made that this matter be Adopted as Amended. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.3-CC Subject: John Goyena - 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 John A. Goyena, In The Amount Of \$15,000.00, As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Clogged City Sewer Main. (PWA)
[07-0866](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.4-CC Subject: California Model Housing Code Amendment
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Adopting Local Amendments To The California Housing Law, California Code Of Regulations (CCR), Title 25, Division 1, Chapter 1, Subchapter 1, Division 32, And Amending The Oakland Municipal Code Chapter 15.08
[07-0273-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.5-CC Subject: California Model Building Code Amendment
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Adopting Local Amendments To The 2007 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Part 2 (Buildings), 3 (Electrical), 4 (Mechanical), And 5 (Plumbing), And Amending Oakland Municipal Code Chapter 15.04 To Establish The 2007 Oakland Building Construction Code
[07-0274-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.6-CC Subject: Municipal Code Amendment - Utility Users Tax
From: Office of the City Attorney
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending Chapter 4.28 Of The Oakland Municipal Code, Entitled Utility Users Tax, To Clarify The Provisions Of The Telephone Utility Users Tax And Remove Obsolete Provisions
[07-0755](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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~~10.7-CC~~ ~~Subject: Municipal Code Amendment - Cabarets~~
~~From: Office Of The City Administrator~~
~~Recommendation: Adopt The Following Pieces Of Legislation:~~

~~1) Approve The Final Passage (Second Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To (1) Allow Discretion In Permitting Cabarets Within 300 Feet Of Places Of Public Worship, Public Schools, And Public Libraries And 2) Require Background Checks For Cabaret Permit Applicants (TITLE CHANGE); And~~
~~[07-0759](#)~~

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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~~2) Approve The Final Passage (Second Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.02 To Provide More Notice To Residents And Community Groups Of Business Permit Applications~~
~~[07-0759-1](#)~~

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.8-CC Subject: Children's Fairyland Disclosure Category
From: Office Of The City Attorney
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) To Create A New Disclosure Category For The Children's Fairyland, Inc., Board Of Trustees
[07-0767-1](#)

A motion was made that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Noes: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
The following individual(s) spoke under and did not indicate a position on this item:
- Sanjiv Handa
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10.9-CC Subject: Vehicle Seizure - Public Nuisance Ordinance Amendment
From: Oakland Police Department
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Repealing Ordinances No. 11987, 12015, 12093, And 12684 C.M.S. Which Declared Vehicles Used To Solicit An Act Of Prostitution, For Pandering, For Pimping, Or To Illegally Acquire A Controlled Substance, To Be Public Nuisances And Authorizing The Seizure And Forfeiture Of Said Vehicles
[07-0782](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
The following individual(s) spoke under and did not indicate a position on this item:
- Sanjiv Handa
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10.10-CC Subject: Residential Permit Parking Program - Jack London Square
From: Councilmember Nancy Nadel
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Of The City Of Oakland Adding Chapter 10.45 Of The Oakland Municipal Code Entitled "Interim Mixed Use Permit Parking Program For The Jack London District" To Implement A Temporary, Three (3) Year Preferential Parking Program (TITLE CHANGE)
[07-0640](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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10.11-CC Subject: On-Call Citywide Sidewalk Repair Contracts
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Rejecting All Bids And Authorizing Negotiation Of A Contract With AJW Construction For On-Call Citywide Sidewalk Repair Fiscal Year 2007 - 2008 Contract B - Council Districts 4, 5, 6, And 7 (Project No. C269160) For A Not-To-Exceed Amount Of Eight Hundred Fifty Thousand Dollars (\$850,000.00)
[07-0843-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.12-C Subject: Jack London Square Investors II, LP - Revocable And Conditional Permit
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Jack London Square Investors II, LP, A Revocable And Conditional Permit To Allow Underground Foundations, Transformers, And Vaults For A New Multi-Modal Parking Garage At 255 2nd Street To Encroach Beneath The Public Right-Of-Way Along 2nd Street And Embarcadero And Beneath Public Easements In Alice Street And Harrison Street
[07-0776](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.13-C Subject: Civil Engineering Services - Professional Services Agreements
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing A Professional Services Agreement With Moffatt & Nichol For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And
[07-0792](#)

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 Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa
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2) A Resolution Authorizing A Professional Services Agreement With Rajappan And Meyer Consulting Engineers For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-1](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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3) A Resolution Authorizing A Professional Services Agreement With URS Corporation For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-2](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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4) A Resolution Authorizing A Professional Services Agreement With Winzler & Kelly Consulting Engineers For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-3](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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5) A Resolution Authorizing A Professional Services Agreement With DKS Associates For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-4](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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6) A Resolution Authorizing A Professional Services Agreement With Wood Rodgers For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-5](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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7) A Resolution Authorizing A Professional Services Agreement With BKF Engineers For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years; And

[07-0792-6](#)

Adopted

Votes:
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8) A Resolution Authorizing A Professional Services Agreement With Kimley-Horn And Associates, Inc., For As-Needed Civil Engineering Services For An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00) For A Period Of Three Years

[07-0792-7](#)

A motion was made that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Reid and Councilmember Chang
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S-10.14-C Subject: Shah Kawasaki Architects - Contract Amendment
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Waiving The Competitive Request For
Proposal/Qualification Process And Authorizing Amendment No. 1 To Increase The Agreement
With Shah Kawasaki Architects For As-Needed Architectural Services For An Amount Not To
Exceed Five Hundred Fifty Thousand Dollars (\$550,000.00), Bringing The Total Contract
Amount To Nine Hundred Thousand Dollars (\$900,000.00)
[07-0812](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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S-10.15-C Subject: Revocable And Conditional Permit - 311 Company, LLC
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting 311 Company, LLC, A Revocable And
Conditional Permit To Allow Above Ground Transformers, Fencing, A Wall, And A Kiosk For A
New Residential Building At 311 2nd Street To Encroach Into A Public Easement In A Vacated
Portion Of Harrison Street
[07-0819](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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S-10.16-C Subject: Closed Captioning Contract
C From: Office of the City Clerk

Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Two (2) Year Professional Service Contract Between The City Of Oakland And Aberdeen Captioning To Provide Stenography Services For Real-Time Off-Site Closed Captioning Of All Regularly Scheduled And Special Concurrent Oakland Redevelopment Agency/Oakland City Council, And City Council Committee Meetings In A Total Amount Not To Exceed Seventy Thousand Dollars (\$70,000) Per Year For The Period From January 1, 2008 Through December 31, 2010 And Authorizing The Extension Of The Contract For Up To Two (2) Years For An Additional Amount Not To Exceed Seventy Thousand Dollars (\$70,000) Per Year

[07-0825](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.17-C Subject: Purchase Of Real Property - 710 73rd Avenue
C From: Community and Economic Development Agency

Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property Located At 710 - 73rd Avenue In The Coliseum Redevelopment Project Area For Redevelopment Purposes From James A. And Frances Lee Metz, For A Purchase Price Of \$515,000, Plus Environmental Insurance And Customary Real Estate Closing Costs Not To Exceed \$56,500

[07-0762](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.18-C Subject: Civil Service Exemption - Various Positions
C From: Finance and Management Agency
Recommendation: Adopt A Resolution Recommending To The Civil Service Board That The Classifications Of: Chief Of Police, Assistant; Police Services Manager I; Police Services Manager II; Budget Director, Assistant; Director Of Information Technology; Director Of Contracting & Purchasing; And Associate Director, Library Services Be Exempted From The Operation Of The Civil Service
[07-0815](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.19-C Subject: Priority Development Area - Application
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Submittal Of An Application To Designate Priority Development Area For Oakland As A Part Of The Focusing Our Vision (FOCUS) Planning Initiative Being Undertaken By The Association Of Bay Area Governments And The Metropolitan Transportation Commission
[07-0791](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

*- John Gatewood
- Joyce Roy*

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S-10.20-C Subject: Business Improvement Districts - Annual Report
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving The Annual Reports Of The Lakeshore/Lake Park Business Improvement Management District, Temescal/Telegraph Avenue Property Business Improvement District Of 2005, The Laurel Property Business Improvement District Of 2005, And The Fruitvale Property Business Improvement District Of 2006 Advisory Boards And Confirming The Continuing Annual Assessment For Each District For Fiscal Year 2007-2008
[07-0817](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa
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S-10.21-C Subject: Subprime Lending Report
C From: Councilmembers Jane Brunner And Desley Brooks
Recommendation: Action On A Report On Activities Initiated In Response To Subprime Lending And Foreclosure Activity
[07-0709-1](#)

This Matter was Approved on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa
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S-10.22-C Subject: Interim Land Use Controls - Two-Year Workplan
C From: Council President De La Fuente
Recommendation: Action On A Report and Recommendations For A Two Year Workplan To
Bring The Zoning Code Into Conformity With The General Plan
[07-0713-1](#)

This Matter was Approved on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang
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S-10.23-C Subject: Lake Chabot Golf Course Management
C From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Waiving The Request For Proposals Requirements For
the Operation And Management Of Lake Chabot Golf Course And Authorizing The City
Administrator To Extend The Existing Operation And Management Agreement With Touchstone
Golf LLC For An Additional Year With Two One-Year Options For Extention In An Amount
Not To Exceed \$288,000
[07-0778](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang
*The following individual(s) spoke under and did not indicate a position on this
item:*
- Michael Smith
- Miriam Delagrang
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S-10.24-C Subject: Cityspan Technologies Agreement
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute An Amendment To Increase The Amount Of The Agreement Between The City Of Oakland And Cityspan Technologies For An Amount Not To Exceed Ten Thousand Dollars (\$10,000), For A Total Amount Not To Exceed Fifty-Five Thousand Dollars (\$55,000), To Develop And Maintain A Database For The California Department Of Corrections And Rehabilitation Intergovernmental Partnership Grant For The Period Of July 1, 2007 To June 30, 2008 With A One-Year Option To Renew
[07-0178](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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S-10.25-C Subject: Agreement Renewal - Project Re-Connect And Oakland Unified
C From: Department of Human Services
Recommendation: Action On A Report And Recommendation Authorizing The City Administrator To Renew For A Second Year Grant Agreements Between The City Of Oakland And Project Re-Connect For An Amount Not To Exceed \$85,000 And The Oakland Unified School District Office Of Alternative Education For An Amount Not To Exceed \$190,000 To Provide To Provide Gang Prevention And Intervention Services In Accordance With The Violence Prevention And Public Safety Act Of 2004 For The Period Of January 1, 2008 To December 31, 2008
[07-0756](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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S-10.26-C Subject: Fire Prevention And Safety Grants
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Two Hundred Fifty Thousand Dollars (\$250,000.00) Of Grant Funds From The U.S. Department Of Homeland Security's Assistance To Firefighters Grant Program, Fire Prevention And Safety Grants (FPSG) For The Provision Of The Training Materials And Staffing Of The Oakland Fire Department's Risk Watch Program
[07-0775](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-10.27-C Subject: Townsend Public Affairs - Agreement Extension
C From: Contracting and Purchasing
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal / Qualifications (RFP/Q) Process And Authorizing The City Administrator: 1) To Extend The Existing Agreement With Townsend Public Affairs, Inc., The City's State Legislative Representative, To June 30, 2008, 2) To, Thereafter, Continue The Agreement On A Month-To-Month Basis Until October 31, 2008, At The City's Discretion, And 3) And To Increase The Agreement Up To An Amount Not-To-Exceed One Hundred Twenty Five Thousand Dollars (\$125,000.00) As Needed, For A Total Agreement Amount Not-To-Exceed Three Hundred Twenty Five Thousand Dollars (\$325,000.00)
[07-0772](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- *Sanjiv Handa*

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S-10.28-C Subject: Amicus Brief - Heller v. District Of Columbia
C From: City Attorney
Recommendation: Adopt A Resolution Authorizing The City Attorney, On Behalf Of The City Of Oakland To Join In An Amicus Brief In The United States Supreme Court Supporting The District Of Columbia's Appeal Of A Lower Court Decision Invalidating Its Local Firearms Ban [07-0911](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa
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Passed The Consent Agenda

A motion was made by Councilmember Nadel, 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 Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

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

- Sanjiv Handa
- Barry Luboviski
- Cheryl Chambers

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

***Approve as Submitted**

**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.

AT THE CONCLUSION OF THE CONSENT CALENDAR, DEPENDING UPON THE HOUR, COUNCIL WILL BEGIN HEARING THE DISCUSSION (NON-CONSENT) ITEMS. THE PUBLIC HEARINGS WILL COMMENCE AT 7 PM OR AS SOON AS REASONABLY PRACTICAL THEREAFTER

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Underground Utility District No. 235 - Intention
From: Public Works Agency
Recommendation: Adopt A Resolution Of Intention To Establish Underground Utility District No. 235: Coliseum BART Station Area Underground Utility District Which Includes San Leandro Street, Between 66th And 73rd Avenues, And 73rd Avenue, Between San Leandro Street And The Inter-City Railway Station, Pursuant To Ordinance No. 7769 C.M.S., As A California Public Utilities Commission (CPUC) Rule 20B Project With City Project Costs Estimated To Be Four Million Twenty Four Thousand One Hundred Sixty Nine Dollars (\$4,024,169.00); And
[07-0346](#)
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A motion was made by Councilmember Nadel, seconded by Councilmember Brunner, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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[81001 CMS.pdf](#)

Subject: Underground Utility District No. 235
From: Public Works Agency
Recommendation: Adopt A Resolution Establishing Underground Utility District No. 235: Coliseum BART Station Area Underground Utility District Which Includes San Leandro Street, Between 66th And 73rd Avenues, And 73rd Avenue, Between San Leandro Street And The Inter-City Railway Station, Pursuant To Ordinance No. 7769 C.M.S., As A California Public Utilities Commission (CPUC) Rule 20B Project With City Project Costs Estimated To Be Four Million Twenty Four Thousand One Hundred Sixty Nine Dollars (\$4,024,169.00), Accepting Three Hundred Thirty Eight Thousand Eight Hundred Two Dollars (\$338,802.00) From Comcast Towards The Project Budget For It's Project Costs, And Authorizing The City Administrator To Pay PG&E Two Million Six Hundred Thirteen Thousand Two Hundred Dollars (\$2,613,200)
[07-0724](#)

**A motion was made by Councilmember Nadel that this matter be Adopted.
The motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 7:31 pm

Agency/Councilmember Nadel made a motion, seconded by Agency/Councilmember Brunner, 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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[81002 CMS.pdf](#)

S-14.2 Subject: Underground Utility Project - Additional Funding
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Agency Funds To The City Under The
Cooperation Agreement In The Additional Amount Of \$1,828,650 For A Total Amount Of
\$3,498,650 For The Undergrounding Of Utilities Along San Leandro Street And 73rd Avenue As
Part Of The Coliseum BART Station Area Underground Utility Project; And

[07-0790](#)

**A motion was made by Councilmember Kernighan, seconded by
Councilmember Reid, that this matter be Adopted. The motion carried by
the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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[2007-0085 CMS.pdf](#)

2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of
Redevelopment Agency Funds Under The Cooperation Agreement In An Additional Amount Of
\$1,828,650 For A Total Amount Of \$3,498,650 For The Undergrounding Of Utilities Along San
Leandro Street And 73rd Avenue As Part Of The Coliseum BART Station Area Under Ground
Utility Project

[07-0790-1](#)

**A motion was made by Councilmember Brooks, seconded by
Councilmember Reid, that this matter be Adopted. The motion carried by
the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was
opened at 7:34 PM*

*Agency/Councilmember Brooks 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*

[81003 CMS.pdf](#)

14.3 Subject: Freeway Auto Mall
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) A City Resolution Amending The Oakland Army Base Final Reuse Plan To Include A Revised
Layout Of The Freeway Auto Mall; And

[07-0848](#)

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**A motion was made by Councilmember Nadel, seconded by
Councilmember Quan, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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[81004 CMS.pdf](#)

2) An Agency Resolution Amending The Oakland Army Base Final Reuse Plan To Include A
Revised Layout Of The Freeway Auto Mall

[07-0848-1](#)

**A motion was made by Councilmember Nadel, seconded by
Councilmember Quan, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was
opened at 8:11 PM*

The following individuals spoke on this item:

- Edward McCormick

- Derek McDonald

- Sanjiv Handa

*Agency/Councilmember Nadel 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*

[2007-0086 CMS.pdf](#)

S-14.4 Subject: Retail Re-Zoning On Broadway
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:
1) Approve The Introduction (First Reading) Of An Ordinance Amending The Zoning
Regulations For Three Years Or Until The City Council Adopts Permanent Regulations To A)
Create The S-5 Broadway Retail Frontage Interim Combining Zone Regulations (S-5 Zone) And
B) Amend The Zoning Maps To Include The S-5 Zone On And Near Broadway From 23rd
Street To Hawthorne Avenue; And
Approve The Following Staff Recommendations:

1. To Pursue Upper Broadway Strategy Alternative 1: Urban Mixed Use With Major
Ground-Level Retail Along The Major Arterials Of Broadway, 27th Street And Valdez Street,
With Residential And/Or Office Development Above; And
2. To Issue A Request For Proposals For An Upper Broadway Specific Plan And An
Accompanying Environmental Impact Report And Parking Study
[07-0497](#)

**A motion was made by Councilmember Kernighan, seconded by
Councilmember Brunner, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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2) Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls Requiring Design Review For All New Auto Related Construction And A Conditional Use Permit For Automotive-Related Uses In The Community Thoroughfare Commercial Zone (C-40), To Take Effect Immediately Upon Introduction And Adoption
[07-0497-1](#)

A motion was made by Councilmember Kernighan, seconded by Councilmember Brunner, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 7:37 PM

*The following individuals spoke on this item:
- Sanjiv Handa*

Agency/Councilmember Kernighan made a motion, seconded by Agency/Councilmember Brunner, 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: McKillop Roadway - Landslide Damage
From: Public Works Agency
Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due To Landslide Damage To McKillop Roadway First Proclaimed By the City Of Oakland On October 17, 2006
[07-0863](#)

A motion was made by Councilmember Reid, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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16 Subject: Oil Spill - Local Emergency
From: Office of Emergency Services
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The November 7, 2007 Catastrophic Oil Spill In The San Francisco Bay That Occurred When M/V Cosco Busvan, A Container Ship, Side Swiped One Of The Bay Bridge Western Anchorages
[07-0864](#)

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 Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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

- Sanjiv Handa
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17 Subject: (A Motion To Reconsider) Arcadia Park Subdivision - New Public Street
From: Community and Economic Development Agency
Recommendation: A Motion To Reconsider The Adoption On November 6, 2007, Of Resolution No. 80922 C.M.S. Conditionally Accepting The Dedication of Public Right Of Way To Extend Ellington Way To 92nd Avenue For The Arcadia Park Project

If Reconsidered, Either To

§ Reconfirm The Adoption Of Resolution No. 80922 C.M.S., Or

§ Not Adopt A Resolution Conditionally Accepting The Dedication, Or To

§ Continue The Item For A Future Meeting Of The City Council, Or To

§ Refer The Item To The Public Works Committee For Further Consideration

[07-0610](#)

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**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 1/29/2008**

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18 Subject: Gateway Development Area - (RFQ)
From: Community and Economic Development Agency
Recommendation: Action On A Report On The Request For Qualifications (RFQ) Process To
Select A Master Developer For The Central Gateway Development Area Of The Former Oakland
Army Base
[07-0846](#)
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**A motion was made by Councilmember Brunner, seconded by
Councilmember Brooks, that this matter be Approved as Amended. The
motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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

- Sanjiv Handa

- Sharon Cornu

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19 Subject: The Independent Assessment & Monitoring, LLP - Contract Extension
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee On
Behalf Of The City Of Oakland To 1) Extend The Five-Year Contract With The Independent
Assessment & Monitoring, LLP, To Continue Monitoring The Police Department's Reform
Efforts Required By The Negotiated Settlement Agreement, From January 21, 2008 To January
20, 2010 For An Additional Cost Of One Million Eight Hundred Thousand Dollars (\$1,800,000)
For A Total Contract Amount Not To Exceed (\$5,019,208.92), 2) Waive The Competitive Bid
Process, And 3) Appropriate \$54,000 To Cover The City Mandated 3% Contract Assessment
Fee For This Agreement
[07-0853](#)
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**A motion was made by Councilmember Reid, seconded by Councilmember
Kernighan, that this matter be Adopted. The motion carried by the
following vote:**

Votes: ORA\Councilmember Noes: 2 - Councilmember Brunner and President of the
Council De La Fuente

ORA\Councilmember Ayes: 6 - Councilmember Nadel, Councilmember Quan,
Councilmember Kernighan, Councilmember Brooks, Councilmember Reid and
Councilmember Chang

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

- Sanjiv Handa

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20 Subject: Cabaret Permit Application - Notification Fee
From: Office of the City Attorney
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish A Notification Fee For Business Permit Applications Subject To Title 5, "Business Taxes, Permits, And Regulations," Of The Oakland Municipal Code That Involve The Ongoing Use Of Property
[07-0854](#)
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**Approved on Introduction for Final Passage to Concurrent Meeting of the
Oakland Redevelopment Agency / City Council on 1/15/2008**

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Subject: Municipal Code Amendment - Cabarets
From: Office Of The City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Final Passage (Second Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To (1) Allow Discretion In Permitting Cabarets Within 300 Feet Of Places Of Public Worship, Public Schools, And Public Libraries And 2) Require Background Checks For Cabaret Permit Applicants (TITLE CHANGE); And
[07-0759](#)

**Approved As Amended On Re-Introduction to Concurrent Meeting of the
Oakland Redevelopment Agency / City Council on 1/15/2008**

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2) Approve The Final Passage (Second Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.02 To Provide More Notice To Residents And Community Groups Of Business Permit Applications
[07-0759-1](#)

**Approved As Amended On Re-Introduction to Concurrent Meeting of the
Oakland Redevelopment Agency / City Council on 1/15/2008**

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21 Subject: Laurel District Pedestrian/Bike Connection Project Grant
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To (\$300,000) In California Department Of Transportation Community-Based Transportation Planning Grant Funds For The Under I-580 Freeway, Mills College To Laurel District Pedestrian/Bike Connection Project
[07-0875](#)

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22 Subject: Appointments To The Citizen's Police Review Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Melody Fuller, Tina Allen, And Janelle
 Green As Members Of The Citizen's Police Review Board
 [07-0865](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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23 Subject: Community Policing Advisory Board Appointments
 From: Office of the Mayor
 Recommendation: Adopt A Resolution Appointing Jason Victor Serinus And Marguerite Fuller
 As Members of the Community Policing Advisory Board
 [07-0882](#)

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**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted as Amended. The
motion carried by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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24 Subject: Library Advisory Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Carolyn Mixon, Sussanna C. Gilden, Jackie Wu, And Billie Wooldridge As Members Of The Library Advisory Commission
[07-0883](#)

A motion was made by Councilmember Quan, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Chang
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25 Subject: Appointment To The Commission On Persons With Disabilities
From: Office Of The Mayor
Recommendation: Adopt A Resolution Re-Appointing Robert J. Pittman As A Member Of The Commission On Persons With Disabilities
[07-0884](#)

A motion was made by Councilmember Quan, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Chang
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26 Subject: Appointments To The Commission On Aging
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Re-Appointing Alphonso Galloway, Trung Duy Nguyen,
 And Appointing Earnest Hardmon, Antionette Warren- Williams As Members Of The
 Commission On Aging
 [07-0885](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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27 Subject: Youth Advisory Commission Appointments
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Kin Chao Pun, Kyle Stuart-Willis, And
 Anastacia Love As Members Of The Youth Advisory Commission
 [07-0886](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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28 Subject: Appointments To The Paramount Theater Of The Arts Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Re-Appointing Michael Kelley Panico, And Appointing
 Ron McClain As Members Of The Paramount Theater Of The Arts Board
 [07-0887](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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29 Subject: Budget Advisory Committee Appointment
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Nicolas C. Heidorn As A Member Of The
 Budget Advisory Committee
 [07-0888](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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30 Subject: Landmarks Preservation Advisory Board Appointment
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Thomas Biggs As A Member Of The
 Landmarks Perservation Advisory Board
 [07-0889](#)

**A motion was made by Councilmember Quan, seconded by
Councilmember Brooks, that this matter be Adopted. The motion carried
by the following vote:**

Votes: ORA\Councilmember Absent: 2 - Councilmember Kernighan and
 Councilmember Reid
 ORA\Councilmember Ayes: 6 - Councilmember Brunner, Councilmember Nadel,
 Councilmember Quan, President of the Council De La Fuente, Councilmember
 Brooks and Councilmember Chang
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 [81017 CMS.pdf](#)

S-31 Subject: On-Call Citywide Sidewalk Repair Contracts
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Award Of A Construction Contract To Rosas Brothers Construction For On-Call Citywide Sidewalk Repair Fiscal Year 2006-2007 (Project No. C269130) In The Amount Of Nine Hundred Thirty Two Thousand Forty Dollars (\$932,040.00); And

[07-0843](#)

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A motion was made by Councilmember Brooks, seconded by Councilmember Brunner, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Absent: 2 - Councilmember Kernighan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente and Councilmember Chang
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2) A Resolution Authorizing Award Of A Construction Contract To Rosas Brothers Construction For On-Call Citywide Sidewalk Repair Fiscal Year 2007-2008 Contract A - Council Districts 1, 2, And 3 (Project No. C269160) In The Amount Of Seven Hundred Eighteen Thousand Five Hundred Sixty Dollars (\$718,560.00)

[07-0843-1](#)

A motion was made by Councilmember Chang, seconded by Councilmember Brunner, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Absent: 2 - Councilmember Kernighan and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente and Councilmember Chang
[81019 CMS.pdf](#)

S-32 Subject: Prompt Payment Policy
From: Councilmember Desley Brooks
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Establishing A Prompt Payment Policy Requiring Payment Within 20 Business Days After Receipt Of An Invoice For Purchase Of Goods And/Or Services Applicable To 1) The City With Respect To Contracts Let Directly To Local Businesses, 2) To Non-Profit And For-Profit Entities Contracted To Manage Or Operate City Facilities Or Public Programs Or Concessions On City-Owned Property, And 3) To City Contractors With Respect To Their Subcontractors, And Imposing Interest Penalties For Violations, To Be Codified At Oakland Municipal Code Title 2, Chapter 2.06 (TITLE CHANGE)

[07-0800](#)

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A motion was made by Councilmember Brooks, seconded by Councilmember Reid, that this matter be Approved on Introduction for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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S-33 Subject: Citywalk Project - Disposition And Development Agreement
From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Authorizing An Amendment To The Disposition And Development Agreement With Olson 737 - Oakland 1, LLC, For The City Center T-10 Residential Project At 14th Street, 13th Street Pedestrian Walk, Jefferson Street And Martin Luther King, Jr. Way, To Extend The Date For Project Completion

[07-0852](#)

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: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang

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[2007-0087 CMS.pdf](#)

S-34 Subject: Oakland Fund For Children And Youth Evaluation Report
From: Department of Human Services
Recommendation: Adopt A Resolution Adopting The Oakland Fund For Children And Youth
Final Evaluation Report For Fiscal Year 2006-2007
[07-0651](#)
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A motion was made by Councilmember Reid, seconded by Councilmember Quan, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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S-35 Subject: Park Project Prioritization List
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adopting A Park Project Prioritization List For City Of Oakland Park Capital Improvement Projects And Authorizing The City Administrator, Or Her Designee, To Apply For Grants Without Further Council Action For Projects On The Prioritization List
[07-0820](#)

A motion was made by Councilmember Brunner, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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[81021 CMS.pdf](#)

S-36 Subject: Status Report On Settlement Agreement Tasks
From: Oakland Police Department
Recommendation: Receive An Informational Report From The Oakland Police Department On
The City's Efforts To Implement The Provisions Of The Negotiated Settlement Agreement Which
Resulted From The Case Of Delphine Allen, Et Al V. City Of Oakland, Et Al, United States
District Court Case No. C00-4599 (TEH)

[07-0829](#)

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**A motion was made by Councilmember Brunner, seconded by
Councilmember Quan, that this matter be *Received and Filed. The
motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

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S-37 Subject: Oakland Police Department Geographical Policing And Reorganization
From: Council Member Larry Reid
Recommendation: Receive An Informational Report From The Chief Of Police Concerning
Recommendations To Reorganize The Oakland Police Department (OPD) Bureau Of Field
Operations From A Watch-Based To A Geographic Based Area Command System

[07-0805](#)

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**A motion was made by Councilmember Brunner, seconded by
Councilmember Quan, that this matter be *Received and Filed. The
motion carried by the following vote:**

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel,
Councilmember Quan, Councilmember Kernighan, President of the Council De
La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember
Chang

*Staff was also directed to return in 6-months to provide a status report and
possible evaluation on the dedicated investigator assigned to each PSA.*

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S-38 Subject: Salary Ordinance Amendment - Police Classifications
From: Finance and Management Agency
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Add: Two 84 Hour Per Pay Period, Permanent Full Time Police Officer Classifications; Two 84 Hour Per Pay Period, Permanent Full Time Sergeant Of Police Classifications; And Two 84 Hour Per Pay Period, Permanent Full Time Lieutenant Of Police Classifications
[07-0898](#)
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A motion was made by Councilmember Kernighan, seconded by Councilmember Nadel, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on January 15, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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S-39 Subject: Access To Reproductive Health Care Facilities
From: Councilmembers Nancy Nadel, Jane Brunner and Jean Quan
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Final Passage (Second Reading) Of An Ordinance Amending Title 8 Of The City Of Oakland Municipal Code By Adding A New Chapter, 8.50, Entitled "Access To Reproductive Health Care Facilities," And New Sections 8.50.010 Through _____, To Protect Access To Reproductive Health Care Facilities And Creating A Private Right Of Action For Violations Of This Chapter; And
[07-0638](#)
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A motion was made by Councilmember Nadel, seconded by Councilmember Brooks, that this matter be Approved for Final Passage. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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[12849 CMS.pdf](#)

Adopt A Resolution Directing The CityAdminsitrator To Provide Instruction To The Oakland Police Services Agency Regarding Implementation Of New Chapter 8.50 Of The Oakland Municipal Code, Entitled "Access To Reproductive Helth Care Facilities, " (The "Bubble Ordinance"), And New Sections 8.50.010 Through _____, To Protect Access To Productive Health Care Facilities And Creating A Private Right Of Action For Violations Of This Chapter
[07-0638-1](#)

A motion was made by Councilmember Nadel, seconded by Councilmember Brooks, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brunner, Councilmember Nadel, Councilmember Quan, Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brooks, Councilmember Reid and Councilmember Chang
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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)

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There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Dorothy Williams, Marnesba T. Tackett and Antonia Baptiste at 12:05 am

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City Clerk and Clerk of the Council