



City of Oakland Meeting Minutes

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

Tuesday, September 18, 2007

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:20pm.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individuals spoke under open forum:

- Araceli Gutierrez
- Hermelinda Zambrano
- Sharon Cornu
- Esteban Cvaya
- Cesar Rodriguez
- Jan Garrett
- Barbara Bernstein
- Hector Reyna
- David Unger

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 July 17, 2007

There were no draft minutes included in the packet for approval. There was no action necessary for this item.

The following individual spoke under this item:

- Sanjiv Handa

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Dr. C Dianne Howell - Recognition
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Honoring Dr. C. Dianne Howell On Her Dedicated Commitment To The Community And Convening The Black Expo To The City Of Oakland
[07-0546](#)

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

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

The following individual spoke under this item:

- Sanjiv Handa

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8.2 Subject: Pamela Williams - Recognition
From: Council Member Larry Reid
Recommendation: Adopt A Resolution Honoring Officer Pamela Williams On Her Retirement
From The Oakland Police Department After 28 Years Of Dedicated Service
[07-0519](#)
[Play Video](#)

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 Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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8.3 Subject: Rosemary Alcantara - Recognition
From: Office of the City Attorney
Recommendation: Adopt A Resolution Commending Rosemary R. Alcantara For 30 Years Of
Devoted And Dedicated Service And Congratulating Her On Her Retirement
[07-0561](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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8.4 Subject: Young Athletes - Recognition
From: Councilmembers Larry Reid and Desley Brooks
Recommendation: Adopt A Resolution Honoring The 12 Year Old Athletes From Oakland, For
Their Efforts In Participating In The Babe Ruth World Series Held In Baltimore, Maryland,
August 10th Through August 15th, 2007
[07-0571](#)

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

Agency/Councilmember Reid and Council President De La Fuente took a point of personal privilege and requested that the meeting be adjourned in memory of Tomas Merlot Smith

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
[07-0532](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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- 10.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The
City Of Oakland
[07-0533](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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10.3-CC Subject: Kent Harris - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Kent Harris V. City Of Oakland, Et Al., Case No.
RG05216478, In The Amount Of \$25,000.00 (Police Department)
[07-0545](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
COUNCILMEMBER KERNIGHAN WAS NOTED ABSENT 7:20PM

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10.4 Subject: Port Of Oakland - Conflict Of Interest Code
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Approving A Conflict Of Interest Code For Designated
Employees Of The Port Of Oakland
[07-0531](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 10/2/2007**

The following individual spoke under this item:

- *Sanjiv Handa*
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10.5-CC Subject: Marc Rosenbaum - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Rosenbaum V. City Of Oakland, Alameda County Superior
Court Case No. RG06-266560 In The Amount Of \$250,000.00 (DHS)
[07-0544](#)

**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 Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente and Councilmember Reid
The following individual spoke under this item:

- *Sanjiv Handa*
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10.6-CC Subject: East Oakland Boxing Association - Lease
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing The City Administrator To Negotiate And Execute A New Lease With The East Oakland Boxing Association For City Property Located At 816-828 98th Avenue For Zero Rent In Exchange For In-Kind Services As Authorized By Ordinance No. 11722 C.M.S., For A Term Of Five (5) Years, With The City Having The Option To Grant One Additional Five Year Term Under The Same Terms And Conditions
[07-0420](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.7-CC Subject: Purchase Of 3233 Market Street
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement With Olivet Institutional Missionary Baptist Church For The City's Purchase Of 3233 Market Street A Special Use Building, For The Fair Market Value Of Eight Hundred Fifty Thousand Dollars (\$850,000) Plus Real Estate Closing Costs
[07-0406](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
The following individual spoke under this item:
Sanjiv Handa
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10.8-CC Subject: Property Rights On Butters Drive
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing The City Administrator To Negotiate, Execute And Acquire Property Rights In An 11,960 Square Foot Parcel Of Land, Located On Butters Drive Between Robinson And Brunell Drives, For Open Space From The Butters Land Trust For The Amount Of One Hundred Eighty-Five Thousand Dollars (\$185,000) Plus Closing Costs Not To Exceed Five Thousand Dollars (\$5,000) For The Measure DD Watershed Acquisition Project
[07-0407](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.9-CC Subject: Purchase Of 5818 International Boulevard
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Authorizing The Purchase Of Real Property At 5818 International Boulevard (Apn 038-3234-012-03 And 038-3234-013-01) From A. Essabhoy, Trustee Of The Essabhoy Trust, For \$790,000, Plus Customary Real Estate Closing Costs, For Redevelopment As A Teen Youth Center, And Accepting And Appropriating A Contribution Of \$790,000, Plus Customary Real Estate Closing Costs, From The Redevelopment Agency Under The Cooperation Agreement For The Purchase Of The Property; And
[07-0408](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.10-CC Subject: Ralph And Joan Smith - 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 Ralph Smith And Joan Smith In The Amount Of Sixty Thousand Dollars And No Cents (\$60,000.00), As A Result Of Property Damage Sustained Due To Repeated Sewer Flooding Caused By A Failed City Sewer Main On December 18, 22 And 31, 2005, February 27, 2006, March 1, 2006 And April 12-13, 2006 (Public Works Agency)
[07-0558](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.11-CC Subject: Sydney Vax - 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 Grunsky, Ebey, Farrar & Howell Subrogee For CSAA Sydney Vax, In The Amount Of \$41,679.79, As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Broken And Clogged City Sewer Main (PWA)
[07-0559](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.12-CC Subject: Mirosław Laszuk - 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 Mirosław Adam Laszuk In The Amount Of Seven Thousand Fifty Two Dollars And 26 Cents (\$7,052.26), As A Result Of Property Damage Sustained In An Automobile Collision With A City Vehicle On April 23, 2007. (Public Works Agency)
[07-0560](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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10.13-CC Subject: Project Priority Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000 From Councilmember De La Fuente's Priority Project Funds To The Friends Of Oakland Parks & Rec For The Purpose Of Funding Memorial Plaque Replacements In The Firestorm Memorial Garden
[07-0574](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke under this item:

- Sanjiv Handa

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10.14-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,000 From Councilmember De La Fuente's Priority Project Funds To The Oakland East Bay Symphony Music In Schools Fund-A-Need
[07-0575](#)

This Matter was Adopted on the Consent Agenda.

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

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10.15-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant Of \$500 From Councilmember De La Fuente's Priority Project Funds to The Crucible's Fund-A-Need Scholarship
[07-0576](#)

This Matter was Adopted on the Consent Agenda.

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

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~~10.16-CC~~ -Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: ~~Adopt A Resolution Authorizing A Grant Of \$2,000 From Council Member De La Fuente's Priority Project Funds To The Friends Of Peralta Hacienda Historical Park For The Purpose Of Funding Family Fun Days At Peralta Hacienda Historical Park~~
[07-0577](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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~~10.17-CC~~ -Subject: High Speed Rail Alignment
From: Council President De La Fuente & Mayor Ronald Dellums
Recommendation: ~~Adopt A Resolution Urging The Metropolitan Transportation Commission, The California High Speed Rail Authority, The State Legislature And The Governor Of California To Implement And Fund The Regional Rail Plan In Accordance With Regional Measure 2 With A High Speed Rail Alignment Through The East Bay And Oakland With A Direct Link To The Transbay Terminal~~
[07-0578](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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10.18-CC Subject: Priority Project Funds - District Seven
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Authorizing An Immediate Allocation Of \$7,143.75 Of Councilmember Larry E. Reid's Priority Project Funds To The Oakland Police Department To Fund Travel Expenses For Staff Attendance At Two Training Conferences
[07-0557](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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10.19-CC Subject: Tract 7763 Final Map - 5920 San Pablo
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving A Subdivision Improvement Agreement With KG Partners LP For The Final Map For Tract 7763 For Construction Of Public Infrastructure Improvements For A Subdivision At 5920 San Pablo Avenue

[07-0567](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Conditionally Approving The Final Map For Tract 7763 For A Subdivision At 5920 San Pablo Avenue And Conditionally Accepting Irrevocable Offers of Dedication For On-Site Public Access And Public Utility Easements

[07-0567-1](#)

This Matter was Adopted on the Consent Agenda.

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

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10.20-CC Subject: Tract 7821 Final Map - 508 105th Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract 7821 And Accepting A Dedication Of A Public Utility Easement For A Residential Subdivision At 508 105th Avenue

[07-0568](#)

This Matter was Adopted on the Consent Agenda.

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

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10.21-CC Subject: Tract 7611 Final Map - 1158 14th Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Final Map For Tract 7611 For A Residential
Subdivision At 1158 14th Street
[07-0569](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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10.22-CC Subject: Tract 7787 Final Map - 1200 Ariane Court
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Conditionally Approving A Subdivision Improvement Agreement With CCCI
Properties For The Final Map For Tract 7787 For The Chateau Montclair Subdivision For
Construction Of Public Infrastructure Improvements At 1200 Ariane Court
[07-0570](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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2) A Resolution Conditionally Approving The Final Map For Tract 7787 For The Chateau
Montclair Subdivision At 1200 Ariane Court And Conditionally Accepting Irrevocable Offers Of
Dedication For On-Site Public Access And Public Utility Easements
[07-0570-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
[80816 CMS.pdf](#)

10.23-CC Subject: Councilmember Desley Brooks - Travel Authorization
From: Councilmember Brooks
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend
The Congressional Black Caucus Legislative Conference September 26-29, 2007
[07-0579](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke under this item:

- *Sanjiv Handa*

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10.24-CC Subject: Lau And Liu Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Lau And Liu V. City Of Oakland, Et Al., Superior Court,
County Of Alameda, Case No. RG06289218, In The Amount Of \$16,000.00, As A Result Of A
Vehicular Accident At Fourteenth And Clay Street, On February 19, 2006 (Oakland Police
Department)
[07-0580](#)

This Matter was Adopted on the Consent Agenda.

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

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10.25-CC Subject: Councilmember Brunner - Travel Authorization
From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Authorizing Councilmember Jane Brunner To Travel To
New York, New York For The Purpose Of Visiting The New York World Trade Center In
September, 2007
[07-0581](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke under this item:

- *Sanjiv Handa*

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S-10.26-C Subject: Class II Bicycle Lanes On West Street
C From: Councilmember Jane Brunner
Recommendation: Adopt A Resolution Authorizing Installation Of Class II Bicycle Lanes On West Street By Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes And Adding A Continuous Center-Turn Lane In Conjunction With A Resurfacing Project Between 52nd Street And West Macarthur Boulevard
[07-0195](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.27-C Subject: Trail Development Grants
C From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Apply For Accept And Appropriate Grant Funds From The San Francisco Bay Trail Regional Development Program, From Proposition 84, For Up To Six Hundred Thousand Dollars (\$600,000.00) Of Which Three Hundred Thousand Dollars (\$300,000.00) Is For The Derby Avenue To Lancaster Street Gap Closure And Three Hundred Thousand Dollars (\$300,000.00) Is For The Cryer Site (Dennison Street To Union Point Park) Gap Closure Segments Of The Oakland Waterfront Bay Trail
[07-0517](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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2) A Resolution Of The Oakland City Council Authorizing The City Administrator, Or Her Designee, To Apply For, Accept And Appropriate Grant Funds From The California Department Of Parks And Recreation Recreational Trails Program For The Cryer Site Gap Closure Segment Of The Oakland Waterfront Trail Up To The Amount Of Six Hundred Thousand Dollars (\$600,000.00)
[07-0517-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.28-C Subject: Revocable And Conditional Permit - 3701 Broadway
C From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting Kaiser Foundation Hospitals A Revocable And Conditional Permit For A New Building At 3701 Broadway To Allow Vaults With Telecommunication Equipment And Electrical Transformers To Encroach Under The Public Sidewalk Along Broadway And 38th Street
[07-0548-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.29-C Subject: Revocable And Conditional Permit - 3665 West Street
C From: Community And Economic Development
Recommendation: Adopt A Resolution Granting Phan Lan A Revocable And Conditional Permit To Allow An Existing Building At 3665 West Street To Encroach Into The Public Right-Of-Way Along West Street And 37th Street
[07-0549](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.30-C Subject: 4850 Clarewood Drive - Storm Drainage Easement
C From: Community and Economic Development
Recommendation: Adopt A Resolution Vacating Public Service Easement At 4850 Clarewood
Drive To The Roman Catholic Welfare Corporation Of Oakland For Saint Theresa Parochial
School
[07-0550](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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S-10.31-C Subject: 73rd Avenue And Garfield Avenue Traffic Signal Project
C From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And
Appropriate A Grant In The Amount Of Two Hundred Seventy-Five Thousand Dollars
(\$275,000.00) From The Alameda County Congestion Management Agency Transportation
Improvement Program (ACCMA TIP) For The 73rd Avenue And Garfield Avenue Traffic Signal
Project and Waiving the 1.5% Public Art Fee
[07-0551](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La
Fuente, Councilmember Brooks and Councilmember Reid
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S-10.32-C Subject: AJW Construction Contract
C From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Contract To The Lowest Bidder, AJW Construction, For The Construction Of The Citywide Traffic Island And Bulb-Out In Accordance With Specifications For Project No. C159720, Fiscal Year 2005 - 2007, At The Santa Clara Avenue At Lakepark Avenue, Vernon Street At Lee Street, Joaquin Miller Road At Robinson Drive, Pierson Street Between Macarthur Boulevard And Redding Street, Park Boulevard At El Centro Avenue, And Three Or More Other Pending Locations In The Amount Of Five Hundred Three Thousand One Hundred Eighty-Five Dollars (\$503,185.00)
[07-0552](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.33-C Subject: Sale Of Real Property - 4201 Foothill Boulevard
C From: Community and Economic Development Agency
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement To Sell Approximately 8,704 Square Feet Of City-Owned Surplus Real Property Located At 4201 Foothill Boulevard To Singa Development LLC, A California Limited Liability Company, The Adjoining Property Owner, For The Fair Market Value Of Three Hundred Twenty-One Thousand Nine Hundred Sixty-One Dollars (\$321,961)
[07-0540](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.34-C Subject: Friendly Transportation Company - Land Agreements
C From: Community and Economic Development Agency
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Authorizing The City Administrator To Negotiate And Execute 1) An Agreement To Acquire An Easement On A Portion Of A Parcel Of Land From Friendly Transportation Company To Construct A Section Of Bay Trail Along The Oakland Tidal Canal At Alameda Avenue For \$30,000 Plus Customary Closing Costs To Be Funded From Measure DD, And 2) A Right Of First Refusal For Friendly Transportation Company To Purchase Future Surplus City Land, If Any, Remaining From The Proposed 42nd Ave. And High Street Widening Project, Extending From 8th Street To Howard Street, At Fair Market Value, Subject To Applicable State And City Statutes
[07-0541](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[12828 CMS.pdf](#)

S-10.35-C Subject: Mandela Foods Cooperative Grant
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing A \$200,000 Tenant Improvement Grant To The Mandela Foods Cooperative To Rehabilitate Its Grocery Store At 1420-1430 7th Street, And Allocating West Oakland Redevelopment Funds For The Grant
[07-0493](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel,
Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[2007-0073 CMS.pdf](#)

S-10.36-C Subject: The Neighborhood Project Initiative Program
C From: Community & Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authoring Funding For Various Improvement Projects In An Amount Not To Exceed \$200,000 Under The Broadway/Macarthur/San Pablo Neighborhood Project Initiative Program, Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$185,000 For City Public Improvements Under The Program, And Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The Agency

[07-0455](#)

This Matter was Adopted on the Consent Agenda.

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

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[2007-0069 CMS.pdf](#)

2) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In Amount Not To Exceed \$185,000 For City Public Improvements Within The Broadway/Macarthur/San Pablo Redevelopment Project Area Under The Neighborhood Project Initiative Program

[07-0455-1](#)

This Matter was Adopted on the Consent Agenda.

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

[80829 CMS.pdf](#)

S-10.37-C Subject: East Bay Regional Park District - Real Property Exchange Agreement
C From: Community and Economic Development Agency
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Authorizing The City Administrator To (1) Negotiate And Execute A Real Property Exchange Agreement With The East Bay Regional Park District ("EBRPD") For The Exchange Of City Of Oakland Owned Lands Located Near Roberts Regional Recreation Area, Redwood Regional Park, Temescal Regional Area, And The Claremont Canyon Regional Preserve, For EBRPD Owned Lands Located In Shepard Canyon, And (2) Grant A West Ridge Trail Easement And A Redwood Bowl Parking Lot Easement To EBRPD In Consideration Of Its Payment Of The City's Share (\$15,000) Of The Cost To Prepare The Legal Descriptions Of The Properties To Be Exchange
[07-0542](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.38-C Subject: Youth Early Diversion Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To 1) Waive The Competitive Request For Proposals Process, And 2) Negotiate, And Enter Into A Contract With East Bay Community Foundation To Implement A Youth Early Diversion Program And To Conduct A Police Training Collaborative In An Amount Not-To-Exceed Ninety-Four Thousand Five Hundred Eight-Eighty Dollars (\$94,588) For A Period Not-To-Exceed One Year From The Date Of Passage Of This Resolution
[07-0449](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[80830 CMS.pdf](#)

S-10.39-C Subject: Training Equipment For The Oakland Fire Department
C From: Oakland Fire Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Solicit, Apply For, Accept And Appropriate Grants And Donations Of Cash, Services, Equipment, Supplies And Training From, But Not Limited To, State And Federal Agencies, Local Businesses, Corporations, Utility Companies, And Other Sources In Aggregate Amounts That Will Not Collectively Exceed Three Million Dollars Over A Two Year Period Beginning October 1, 2007 And Ending September 30, 2009 To Be Used For The Enhancement And Upgrade Of The Oakland Fire Department Training Division
[07-0516](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[80831 CMS.pdf](#)

S-10.40-C Subject: Elmhurst Weed and Seed Initiative
C From: Office Of The City Administrator
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The U.S. Department Of Justice, Office Of Justice Programs, Community Capacity Building Office, In Support Of Second Year Program Operations Associated With The Elmhurst Weed And Seed Initiative In The Office Of The City Administrator
[07-0522](#)

This Matter was Adopted on the Consent Agenda.

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

A motion was made by Councilmember Brunner, 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 Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
COUNCILMEMBER KERNIGHAN WAS NOTED PRESENT AT 7:28PM

COUNCILMEMBER REID WAS NOTED ABSENT AT 7:30PM

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

A motion was made by Councilmember Brunner, seconded by Councilmember Chang, to *Approve as Submitted from the Office of the City Attorney a report of 1 final decision made during Closed Session. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente and Councilmember Brooks
The following individual spoke under this item:
- *Sanjiv Handa*

Please refer to Attachment A.

[CLOSED SESS. 9-18-07](#)

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

A motion was made by Councilmember Brooks, seconded by Councilmember Chang, to *Approve as Submitted the motion confirming that there were no discussions pursuant to Section 15 of the Sunshine Ordinance

COUNCILMEMBER REID WAS NOTED PRESENT AT 7:40PM The motion carried by the following vote:

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

**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: 2006-2007 CAPER
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Receive A Report
Regarding The Consolidated Annual Performance And Evaluation Report (CAPER) For
Community Development Block Grant (CDBG) HOME, Housing Opportunities For People With
AIDS (HOPWA) And Emergency Shelter Grant (ESG) Programs Performance For The Year
2006-2007
[07-0372](#)
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**A motion was made by Councilmember Quan that this matter be
*Received and Filed. The motion carried by the following vote:**

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Noes: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Quan, President of the Council
De La Fuente and Councilmember Reid

*Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was
opened at 7:30*

The following individual spoke under this item:

- Sanjiv Handa

*Agency/Councilmember Quan 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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14.2 Subject: Purchase Of Real Property - 1718 50th Avenue
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 Authorizing The Purchase Of
Real Property At 1718 50th Avenue, Oakland (APN 035-2386-019)) From Dierdre Veals, For
\$309,000, Plus Customary Real Estate Closing Costs, For Redevelopment As Fire Station 18
And Accepting A Contribution Of \$309,000, Plus Customary Real Estate Closing Costs, From
The Redevelopment Agency Under The Cooperation Agreement For The Purchase Of The
Property; And
[07-0539](#)

**A motion was made by Councilmember Kernighan, seconded by
Councilmember Brunner, that this matter be Approved as Amended on
Introduction for Final Passage to the Concurrent Meeting of the Oakland
Redevelopment Agency / City Council, due back on October 2, 2007. The
motion carried by the following vote:**

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

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was
opened at 7.42pm*

The following individual spoke under 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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2) An Agency Resolution Authorizing The Contribution Of \$309,000 Plus Customary Real Estate Closing Costs To The City Under The Cooperation Agreement For The Acquisition Of 1718 50th Avenue For Its Redevelopment As A Fire Station

[07-0539-1](#)

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 Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
[2007-0070 CMS.pdf](#)

14.3

Subject: Wood Street Development District Formation

From: Budget Office

Recommendation: Conduct A Public Hearing On Formation Of Community Facilities District No. 2007-1 (Wood Street Development District), Authorizing The Levy Of A Special Tax Therein And Submitting The Levy Of The Special Tax To The Qualified Electors Of The Community Facilities District And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Of Formation Of Community Facilities District No. 2007-1 And Authorizing The Levy Of A Special Tax Therein; And

[07-0500](#)

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

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

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:43pm

The following individual spoke under this item:

- *Sanjiv Handa*

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

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[80833 CMS.pdf](#)

2) A Resolution Calling Special Mail Ballot Election For Qualified Electors Of Community Facilities District No. 2007-1; And
[07-0500-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
[80834 CMS.pdf](#)

3) A Resolution Determining The Result Of The Special Mail Ballot Election Held In Community Facilities District No. 2007-1 (Wood Street Development District), On June 19, 2007; And
[07-0500-2](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
[80835 CMS.pdf](#)

4) Approve The Introduction (First Reading) Of An Ordinance Levying Special Taxes Within The Community Facilities District No. 2007-1 (Wood Street Development District)
[07-0500-3](#)

A motion was made by Councilmember Nadel, seconded by Councilmember Reid, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 2, 2007. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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- 14.4 Subject: Appeal For 1727 East 24th Street
 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 For Construction Of A
 Four (4) Unit Condominium In The R-50 Zone With A Two (2) Foot Height Variance Located
 At 1727 E 24th Street (Case File Number(s) A07-103; CMDV05-507; & TPM8859
 [07-0208](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 10/2/2007**

The following individual spoke under this item:

- *Dave Miller*

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[80874 CMS.pdf](#)

14.5 Subject: Delinquent Business Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On 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
[07-0562](#)

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

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

Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 7:50 pm

The following individual spoke under this item:

- *Sanjiv Handa*

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Chang, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -8

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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
[07-0562-1](#)

Not Adopted

3) A Resolution Continuing Hearing On Reports Of The City Administrator On The Delinquent Business Taxes And The 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
[07-0562-2](#)

Not Adopted

14.6

Subject: Delinquent Mandatory Garbage Fees

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/February/March 2007, Monthly Accounts And April/May/June 2007, Quarterly Accounts 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 Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-0563](#)

Upon the reading of Item 14.6 by the City Clerk, the Public Hearing was opened at 7:57pm

The following individual spoke under this item:

- Sanjiv Handa

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Chang, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -8

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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 With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-0563-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Garbage Service Fees And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant Chapter 8.28 Of The Oakland Municipal Code
[07-0563-2](#)

Not Adopted

14.7

Subject: Delinquent Real Property Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer 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 Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-0564](#)

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

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

Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was opened at 8:00

The following individual spoke under this item:

- *Sanjiv Handa*

Agency/Councilmember Chang 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) 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 Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or

[07-0564-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant Chapter 4.20 Of The Oakland Municipal Code

[07-0564-2](#)

Not Adopted

14.8 Subject: Delinquent Transient Occupancy Taxes
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Transient Occupancy 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 Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or
[07-0565](#)

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

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

Upon the reading of Item 14.8 by the City Clerk, the Public Hearing was opened at 8:03 pm

The following individual spoke under this item:

- *Sanjiv Handa*

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Chang, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -8

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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 Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The County Tax Collector For Collection; Or
[07-0565-1](#)

Not Adopted

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Transient Occupancy Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant Chapter 4.24 Of The Oakland Municipal Code
[07-0565-2](#)

Not Adopted

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
[07-0535](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[80840 CMS.pdf](#)

16 Subject: Pacific Renaissance Associates - Settlement Agreement
 From: Office of the City Attorney
 Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Authorizing Settlement Of Litigation In The Matter Of The City Of Oakland Et Al., V. Pacific Renaissance Associates II, Et Al., And Related Cases, Authorizing The Negotiation And Execution Of Documents To Effectuate The Settlement, And Rescinding Resolution No. 80120 C.M.S Authorizing Previous Settlement Terms; And
[07-0547](#)

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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 Recused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente and Councilmember Reid
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2) An Agency Resolution Authorizing Settlement Of Litigation In The Matter Of The City Of Oakland Et Al., V. Pacific Renaissance Associates II, Et Al., And Related Cases, Authorizing The Negotiation And Execution Of Documents To Effectuate The Settlement, And Rescinding Resolution No. 2006-0065 C.M.S Authorizing Previous Settlement Terms
[07-0547-1](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Recused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Quan, President of the Council De La Fuente and Councilmember Reid

Item #16

The following individuals spoke under this item:

- *Benton T. Wong*
- *Sanjiv Handa*
- *Ngo Hong*
- *Francis Chang*
- *Roger Kim*
- *Natalie Bonnewit*
- *Elizabeth Johnson*
- *Helen Hutchison*
- *Lisa Forti*
- *Ami Fishman*
- *Art Hom*
- *Eric Chang*
- *Pui Man Wong*
- *Roxanne Rommell*
- *Adam Gold*
- *Myrna Melgan*
- *Alexandra Desautels*
- *Ener Chiu*
- *David Dologite*
- *Amie Fishman*
- *Andy Nelsen*
- *York May Wong*
- *Leah Hess*
- *Michael Wong*
- *Diana Wu*
- *Xiao Ling Wang*
- *Naomi Schiff*
- *Jennie Ong*
- *Barry Szeto*

- Vincent Chang
 - Loy Ng
 - Rudi Anto
 - Limin Li
 - Yu Juan Chen
 - Mei Chu Lem
 - Si Quing Liang
 - Ann Fok
 - Sugiarto Loni
- [2007-0071 CMS.pdf](#)

17

Subject: Impact Of Waste Management Lockout

From: Public Works Agency

Recommendation: Receive An Informational Report Summarizing Events And Impacts On Garbage, Yard Waste, And Recycling Service In July 2007 Due To Waste Management Of Alameda County's Lockout Of Teamsters Local 70

[07-0566](#)

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

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

The following individual spoke under this item:

- Sanjiv Handa
- [View Report.pdf](#)

18 Subject: Tobacco Shop Moratorium
From: Councilmember Larry Reid
Recommendation: Adopt An Urgency Ordinance Pursuant To California Government Code Section 65858, Extending Until March 20, 2008 A Moratorium On The Establishment Of Any New Activity Or Facility Selling Tobacco Or Tobacco Related Products Or Paraphernalia
[07-0573](#)
[Play Video](#)

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

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

The following individual spoke under this item:

- *Sanjiv Handa*
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19 Subject: Vehicle Sideshow Ordinance Repeal
From: Office of the City Attorney
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Repealing Ordinance No. 12695 C.M.S. Which Declared Vehicle Sideshows A Public Nuisance, Prohibited The Gathering Of Spectators At Such Public Nuisance Events And Provided For The Forfeiture Of Vehicles Involved In Sideshow Events
[07-0556](#)
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Approved on Introduction for Final Passage to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 10/2/2007

Votes:

The following individuals spoke under this item:

- *Sanjiv Handa*
- *Forrest Lewinger*
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[12831 CMS.pdf](#)

20 Subject: Oakland Park Ranger's Association - MOU
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Approving The Memorandum Of Understanding Between The City Of Oakland And The Oakland Park Rangers' Association, Representing Employees In Representation Unit R01, Covering The Period Of July 1, 2006 To June 30, 2008

[07-0572](#)

***Withdrawn with No New Date**

The following individual spoke under this item:

- Sanjiv Handa

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2) Approve The Introduction (First Reading) Of An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 (The Salary Ordinance) To Increase The Salaries Of Employees By 4% For Fiscal Year 2006-2007 And 2007-2008, Pursuant To The Recently Approved Memorandum Of Understanding For The Oakland Park Rangers Association

[07-0572-1](#)

***Withdrawn with No New Date**

21 Subject: Sjoberg Evashenk Consulting - Agreement
From: The City Auditor
Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For An Increase In Scope Of Services And Price To The Agreement With Sjoberg Evashenk Consulting For Audit Services
[07-0536](#)

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

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

The following individual spoke under this item:

- Sanjiv Handa

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[80842 CMS.pdf](#)

22 Subject: City Planning Commission Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Sandra E. Galvez And Carlton "Blake"
Huntsman As Members Of The City Planning Commission
[07-0543](#)

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

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

The following individuals spoke under this item:

- Sanjiv Handa
- Sharon Cornu
- Kate O'Hara

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[80843 CMS.pdf](#)

S-23 Subject: Residential Permit Parking Area - Panoramic Way
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Establishment Of A Two-Hour Parking Time Limit And Implementation Of A New Preferential Residential Permit Parking (PRPP) Area "L" On Panoramic Way From 401 Panoramic Way At The Oakland/Berkeley City Limit Southerly To 701 Panoramic Way At Dwight Way Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44
[07-0498](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan and President of the Council De La Fuente

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S-24 Subject: Contract Compliance Analysis Format
From: Contract and Purchasing
Recommendation: Action On A Report And Recommendations On The Contents Of The City's
Contract Compliance Analysis Format
[07-0502](#)

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

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

The following individual spoke under this item:

- *Sanjiv Handa*

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S-25 Subject: Madison Square Park Interim Renovation Project
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of \$150,000.00 In Agency Funds To The City Of Oakland Under The Cooperation Agreement For Construction Of The Madison Square Park Interim Renovation

[07-0553](#)

A motion was made by Councilmember Kernighan, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:

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

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[2007-0072 CMS.pdf](#)

2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In The Amount Of One Hundred Fifty Thousand (\$150,000.00) For The Madison Square Park Interim Renovation Project

[07-0553-1](#)

A motion was made by Councilmember Kernighan, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente and Councilmember Brooks
[80845 CMS.pdf](#)

3) A Resolution Awarding A Contract To Beliveau Engineering Contractors For The Construction Of The Madison Square Park Interim Renovation Project (Project No. B00630) In The Amount Of Two Hundred Twelve Thousand Dollars (\$212,000.00), Including Contingency

[07-0553-2](#)

A motion was made by Councilmember Kernighan, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente and Councilmember Brooks
[80846 CMS.pdf](#)

S-26 Subject: Equal Access Ordinance Implementation
From: Office of Personnel
Recommendation: Action On A Follow-Up Report On The Status Of The Implementation Of The
Equal Access Ordinance And Recommendations For Improving Language Access To City Of
Oakland Services
[07-0292](#)

A motion was made by Councilmember Quan, seconded by Councilmember Kernighan, that this matter be Approved to proceed with the following actions: return with direction to insert State levels for access, provide information on non english speaking citizens use versus limited speaking citizens; commence with departmental survey as required by the State annually for Oakland; monitoring of limited english speaking persons who receive services; look at verious populations that have changed; look at the implementation to make sure there are no lawsuits; and look at the 5% threshold when this item returns to committee.

The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 3 - Councilmember Brunner, Councilmember Brooks and Councilmember Reid

ORA\Councilmember Ayes: 5 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

The following individuals spoke under this item:

- Gene L. Hazzard
- Githaiga Ramsey
- Sanjiv Handa

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[\(Attachment A\) Language Population Map.pdf](#)

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S-27

Subject: Vestra Resources, Inc Agreement

From: Public Works Agency

Recommendation: Adopt A Resolution Waiving Oakland's Competitive Bid Process And Authorizing A Competitive Request For Proposal Process, For The Purchase Of A Computerized System Involving Products And Services, And Authorizing The City Administrator, Or Her Designee, To Negotiate And Award An Agreement To Vestra Resources, Inc. For A Work Management System For The Public Works Agency, Including Hardware, Software And Configuration, Installation, Testing, Training, And Support Services In An Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), Including A Ten Percent Contingency

[07-0526](#)

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

The following individual spoke under this item:

- Sanjiv Handa

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[80847 CMS.pdf](#)

S-28 Subject: Inclusionary Housing Report
From: Community And Economic Development Agency
Recommendation: Receive An Informational Staff Report Of Blue Ribbon Commission
Recommendations For An Inclusionary Housing Ordinance, Condominium Conversion
Ordinance Revisions And Other Housing Policy Recommendations
[07-0554](#)

A motion was made by Councilmember Chang, seconded by Councilmember Brooks, that this matter be *Received and Filed with direction to work with the Mayor's Office to coordination when this proposal could return with the Mayor's planned activities. The motion carried by the following vote:

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

Item #S-28

The following individuals spoke under this item:

- *Janet Kobren*
- *James E. Vann*
- *Larry Hynson*
- *Helen Hutchison*
- *Greg McConnell*
- *Dave Miller*
- *Aaliya Carney*
- *Deborah Carney*
- *Sherry Eres*
- *Amie Fishman*
- *Luch Anne Kolin*
- *Amy Fitzgerald*
- *Renee Dyre*
- *Ricardo Antoni*
- *Mary Krueger*
- *Bob Fearman*
- *Bea Bernstine*
- *Richard Speiglmán*
- *Vien Truong*
- *Luan Huynn*
- *Jonathan Bair*
- *Silvia Josephine Venegas*
- *Dave Kadlecek*
- *Steven Edrington*
- *Betty Wooldridge*
- *David O'Keefe*
- *Grace Shanahan*

- *Joe O'Donoghue*
 - *Gerry Agosta*
 - *Vanessa Moses*
 - *Yvonne Smith*
 - *Shirley Burnell*
 - *Sanjiv Handa*
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S-29 Subject: Smoking Ordinance
From: Office of the City Administrator
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 8.30, "Smoking", To Prohibit Smoking At Bus Stops And Other Areas Where The Public Waits For Service, At Outdoor Dining Areas, Public Trails, Parks And Golf Courses, Family Childcare Centers, Common Areas In Multi-Unit Housing, Hotels, And Motels, And The Oakland International Airport; Restrict Smoking Outside Bars; And Prohibit Smoking In Individual Units In New Multi-Unit Residential Buildings; Require New Rental Agreements To Disclose Nonsmoking Prohibitions; Deem Unconsented Exposure To Second Hand Smoke In All Multi-Unit Housing A Nuisance And Trespass
[07-0237](#)

A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 2, 2007. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 2 - Councilmember Brooks and Councilmember Reid
ORA\Councilmember Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 5 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente

The following individuals spoke under this item:

- *Peter J. Van Kleef*
- *Robin Brooks*
- *Cindy A. Reeves*
- *Keisha Nzewi*
- *Pam Willow*
- *Janice L. Woodward*
- *John E. Ready*
- *Steven Edrington*
- *Lin Mayr*
- *Dow Patten*
- *Alma Ramos*
- *Echa Schneider*
- *Ralph Morales*
- *Silvia Josephine Venegas*
- *Sanjiv Handa*
- *Carol McGruder*
- *Jonathan Bair*
- *Reginald Bernard Hawkins*
- *Serena Chen*
- *Michael Adel*

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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 Charles J. Patterson and Tomas Merlot Smith at 1:50 a.m.

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