



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 Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

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

Tuesday, April 15, 2008

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

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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 6:10 PM.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individuals spoke under Open Forum:

- Simuel Ramey
- Dorothy Morehead-Coleman
- Olis Simmons
- Kentrell Killens
- Ptishni Murillo
- Wendy Snyder
- Ginny Vida
- Peg Baldwin
- Scott Fulmer-Gardner
- Hadiye Rafi
- William Mayo
- Max Allstadt
- Ramiro Bravo
- Sanjiv Handa
- Deloris Allen

- 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.
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Councilmember Brunner requested to speak on items 10.21-CC, 10.22-CC and 10.24-CC.

A motion was made by Councilmember Brooks, seconded by Councilmember Nadel to pull item 10.13-CC from the Consent Calendar and place on the May 6, 2008 City Council agenda as a Non-Consent item.

Council President De La Fuente withdrew item 10.27-CC.
- 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)
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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 April 1, 2008
A motion was made by Councilmember Reid, seconded by Member Chang, to *Approve the Minutes. The motion carried by the following vote:
Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: McClymonds High School Basketball Team - Recognition
From: Councilmembers Nancy Nadel, Jean Quan, And Larry Reid
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Recognizing The Outstanding Accomplishments Of The McClymonds High School Boys Basketball Team, The Warriors, For Their Undefeated (32-0) Season, Winning The Division I California Interscholastic Federation (CIF) State Championship, Being Honored By Cal-Hi Sports As California's Team Of The Year, And Being Ranked Number Two In The Nation By MaxPreps, America's Source For High School Sports

[07-1169](#)

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

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2) A Resolution Congratulating Ashytin Lowe For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And

[07-1169-1](#)

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

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3) A Resolution Congratulating Solomon Wiseman For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-2](#)

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

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4) A Resolution Congratulating Darrell Oliver For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-3](#)

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

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5) A Resolution Congratulating Quincy Hill For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-4](#)

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

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6) A Resolution Congratulating William Cherry For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-5](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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7) A Resolution Congratulating Allen Carroll For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-6](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8) A Resolution Congratulating Aaron Jones For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-7](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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9) A Resolution Congratulating Emmanuel Johnson For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-8](#)

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

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10) A Resolution Congratulating Damario Sims For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-9](#)

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

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11) A Resolution Congratulating Damon Powell For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;

And

[07-1169-10](#)

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

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12) A Resolution Congratulating Barry Bell For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-11](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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13) A Resolution Congratulating Frank Otis, III, For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-12](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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14) A Resolution Congratulating Christopher Jackson For His Outstanding Teamwork On The McClymonds High School Boys Basketball Team, The Warriors, And The Team's Undefeated (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship;
And
[07-1169-13](#)

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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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15) A Resolution Honoring Coach Dwight Nathaniel For His Outstanding Leadership Of The McClymonds High School Boys Basketball Team, The Warriors, In Their Undeclared (32-0) Season And Division I California Interscholastic Federation (CIF) State Championship, Congratulating Coach Nathaniel On Being Named The 2008 State Coach Of The Year By CalHiSports, And Congratulating Him On His Retirement After 13 Years As A Coach/Educator

[07-1169-14](#)

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

The following individual spoke on this item:

- Sanjiv Handa

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8.2

Subject: Eldridge Persons - Recognition

From: Vice Mayor Larry Reid

Recommendation: Adopt A Resolution Honoring Mr. Eldridge M. Persons For Thirty-Six (36) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement

[07-1192](#)

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

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8.3 Subject: Timothy Harrison - Recognition
From: Vice Mayor Larry Reid
Recommendation: Adopt A Resolution Honoring Mr. Timothy L. Harrison For Thirty-Six (36) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
[07-1193](#)

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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8.4 Subject: Louis Pegross, Sr. - Recognition
From: Public Works Agency
Recommendation: Adopt A Resolution Honoring Mr. Louis Pegross, Sr. For Thirty-Seven (37) Years Of Dedicated And Distinguished Service To The City Of Oakland And Congratulating Him On His Retirement
[07-1166](#)

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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8.5 Subject: Earth Month 2008
From: Public Works Agency
Recommendation: Adopt A Resolution Proclaiming Earth Month 2008 In The City Of Oakland To Be Celebrated At The Oakland Earth Expo April 16, Earth Day Community Cleaning And Greening April 19, Arbor Day April 25, And Concluding With Bike To Work Day May 15
[07-1187](#)

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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-8.6 Subject: Pastors David And Marilyn Kiteley - Recognition
From: Council President De La Fuente
Recommendation: Adopt A Ceremonial Resolution Honoring And Congratulating Retiring
Shiloh Senior Pastors David And Marilyn Kiteley On Twenty-Two Years Of Service
07-1234

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
Agency/Councilmember Reid made a motion seconded by Agency/Councilmember De La Fuente to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-8.6 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.

The following individuals spoke on this item:

- Candy Walters
- Brenda Griffin
- Treva Reid

9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Shaneice Davis and Jewell Thrower.

Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Patrick Daughton.

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

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
[07-1212](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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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
[07-1213](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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10.3-CC Subject: Tobacco Oriented Activities - Municipal Code Amendment
From: Councilmember Larry Reid
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To: (1) Amend
Chapter 17.09 "Definitions" To Define Tobacco Oriented Activities As Those That Sell Any
Amount Of Tobacco Or Tobacco Related Products With The Exception Of Stores Over 10,000
Square Feet Or Those Associated With a Gasoline Service Station; And (2) Amend Chapter
17.134 "Conditional Use Permit Procedures" To Require A Major Conditional Use Permit For
Establishing A New Tobacco Oriented Activity
[07-1028](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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10.4-CC Subject: Maria A. Rocca - 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 Maria A. Rocca In The Amount Of Forty Thousand Dollars And No Cents (\$40,000.00), As A Result Of Property Damage Sustained Due To A Sewer Flood Caused By A Failed City Sewer Main On December 07, 2007. (Public Works Agency)
[07-1232](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.5-CC Subject: Babe Ruth League Grant
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1500.00 From Councilmember Desley Brooks' Priority Project Funds To The Oakland, California, Babe Ruth League For Expenses Associated With Two Members Of The All Star Team Participating In The 2008 College Tour
[07-1214](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.6-CC Subject: Priority Project Funds - District Six
From: Councilmember Desley Brooks
Recommendation: Adopt A Resolution Authorizing A Grant Of \$65,000.00 From Councilmember Desley Brooks' Priority Project Funds To OCCUR: Oakland Citizen's Committee For Urban Renewal For Co-Sponsorship Of The Annual Concert At Arroyo Park Series, Sponsorship Of A 3 On 3 Basketball Tournament, District 6 Mainstreet Activities, And Co-Sponsorship Of A Black College Tour For Youth Sponsored In Collaboration With First African Methodist Episcopal ("A.M.E.") Church Oakland
[07-1215](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.7-CC Subject: Police Security Services - Black Cowboy Parade
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing \$1,672.65 From Councilmember Nancy J. Nadel's Pay-Go Funds To Reimburse The Oakland Department For Police Security Services For The 33rd Annual Black Cowboy Parade, And Authorizing The City Administrator To Transfer Said Funds To The Police Fiscal Services Division
[07-1226](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The followinig individual spoke on this item:
- Sanjiv Handa
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10.8-CC Subject: State Legislative Proposals And Agenda
From: City Council
Recommendation: Action On The City Council's State Legislative Proposals And Agenda
[07-0948](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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Subject: Support Of Assembly Bill 2001
From: Office of the City Auditor
Recommendation: Adopt A Resolution In Support Of Assembly Bill No. 2001 (Swanson), A Proposal To Amend The Government Code For The Purpose Of Authorizing City And County Auditors And City And County Controllers To Hold In Confidence The Identities Of Individuals Who Provide Information That Result In Investigative Audits
[07-1157](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.9-CC Subject: Used Motor Oil And Used Motor Oil Filter Recycling Grant
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications And To Act As Lead Jurisdiction For Other Alameda County Jurisdictions, To The California Integrated Waste Management Board And Appropriation Of Those Grant Funds For Used Motor Oil And Used Oil Filter Recycling For Five Years Beginning With Fiscal Year 2008-2009 And Ending With Fiscal Year 2012-2013, And Authorizing Expenditure Of Used Oil Block Grant Funds On Used Motor Oil and Oil Filter Collection And Public Education Activities Provided Advertising, Bidding And Other Applicable City Contract Policies Are Followed, Without Return To Council
[07-1124](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.10-C Subject: Bottle And Can Recycling Grant
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Submittal Of Grant Applications To The California Department Of Conservation, And Appropriation Of Those Grant Funds For Bottle And Can Recycling For Five Years Beginning With Fiscal Year 2008/2009 Through Fiscal Year 2012/2013
[07-1125](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.11-C Subject: Energy Action Plan
C From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Forty Thousand Dollars (\$40,000.00) Of Grant Funds From The Bay Area Air Quality Management District To Develop An Energy Action Plan For Consideration By The City Council
[07-1126](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.12-C Subject: Wildfire Prevention Assessment - 2008-2009 Annual Report
C From: Budget Office
Recommendation: Adopt A Resolution Initiating The Fiscal Year 2008-2009 Assessment Process For The City Of Oakland Wildfire Prevention Assessment District And Authorizing The City Administrator To Order A Preliminary Annual Report Pursuant To The Oakland Municipal Code
[07-1170](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The followinig individual spoke on this item:
- Sanjiv Handa
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S-10.13-C Subject: Piedmont Pines Undergrounding
C From: Public Works Agency
Recommendation: Adopt A The Following Pieces Of Legislation:

1) A Resolution Of Intention To 1) Order Improvements And To Form The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; 2) Accepting And Determining That Petitions Have Been Signed By Owners Owning Land Constituting More Than One-Half Of The Area Of All Assessable Lands Within The Proposed Assessment District; 3) Finding That The Improvements Are Of More Than Local Or Ordinary Public Benefit, And The Cost And Expenses, Including Incurred City Cost Of District Creation Thereof, Are Made Chargeable Upon The Assessment District; 4) Providing That The Council Intends To Levy A Special Assessment Upon The Land Within The Assessment District; 5) Providing That Bonds Shall Be Issued To Finance A Portion Of The Costs Of Improvements; 6) Appointing Harris & Associates As The Engineer Of Work For The Assessment District; And 7) Directing The Engineer Of Work To Make And File The Engineer's Report With The City Clerk; And

[07-1177](#)

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2) A Resolution To 1) Preliminarily Accepting And Approving The Engineer's Report; 2) Calling For A Public Hearing On The Proposed Assessment District To Be Held By The Council On Tuesday, July 15, 2008 At 7:00 P.M. And An Election For The City Of Oakland Utility Underground Assessment District No. 2007-232, Piedmont Pines Phase 1; And 3) Designating The Engineer Of Work To Assist The City Clerk In Connection With The Mailing And Tabulation Of The Ballots, And To Answer Inquiries Regarding The Protest Proceedings Applicable To The Assessment District

[07-1177-1](#)

Councilmember Brooks made a motion seconded by Councilmember Nadel to pull this item from the Consent Calendar and re-schedule it to the May 6, 2008 City Council Agenda as a Non-Consent item.

The following individuals spoke on this item:

- Robert Leitao

- Bill Young

- Alfred Moore

- Jay Ward

- Dick Spees

S-10.14-C Subject: Central City East Commercial Safety Program
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Creating The Central City East Commercial Security Pilot Program And The Coliseum Commercial Security Pilot Program, And Authorizing The Allocation And Appropriation For Fiscal Year 2008-2009 Of \$100,000 From Oak Knoll Tax Increment Funds And \$35,000 From Neighborhood Commercial Revitalization Service Delivery System Funds For The Central City East Program And \$75,000 From Coliseum Redevelopment Tax Increment Funds For The Coliseum Program
[07-1036](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[2008-0034 CMS.pdf](#)

S-10.15-C Subject: Consortium Of Community Agencies Grant
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Two-Year Grant To A Maximum Of \$100,000 Per Year (\$200,000 Total) To A Consortium Of Community Agencies With Centro Legal De La Raza As The Prime Grantee To Counsel And Represent Low Income Participants In Oakland Rent Adjustment Program Hearings And Appeals To The Rent Board, With An Option By The City To Extend The Grant An Additional Three Years, One Year At A Time, To A Maximum Of \$100,000 For Each Year Of Extension
[07-1096](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
[View Report.pdf](#)
[81218 CMS.pdf](#)

S-10.16-C Subject: Oakland Merchant Leadership Forum - Agreement Amendment
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Amending Resolution No. 80750 C.M.S. To Authorize
An Amendment To A Professional Services Agreement With The Oakland Merchant
Leadership Forum (OMLF) For Merchant Organizing And Commercial District Support
Services To Increase The Contract Amount By \$40,000 For Fiscal Year 2007-2008 For A Total
Contract Amount Not To Exceed \$112,500
[07-1097](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- *Sanjiv Handa*
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[81219 CMS.pdf](#)

S-10.17-C Subject: Gang Resistance Education And Training Grant
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee,
On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount
Not To Exceed Forty-Thousand Seven Hundred Seventy Dollars (\$40,770) From The U.S.
Department Of Justice, Office Of Justice Programs, For The 2008/2009 Implementation Of The
Gang Resistance Education And Training (GREAT) Grant Program In The Oakland Unified
School District And Appropriate Said Funds To The Police Department
[07-1002](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- *Sanjiv Handa*
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[81220 CMS.pdf](#)

S-10.18-C Subject: 2007-2008 Bicycle And Car Seat Traffic Safety Program
C From: Oakland Police Department
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 Twenty-One Thousand One Hundred Forty-Seven Dollars (\$221,147) From The State Of California, Office Of Traffic Safety, For The Fiscal Year 2009 Implementation Of The Vehicle Occupancy Protection And Bicycle Traffic Safety Program, And Authorizing A Waiver Of The Competitive Request For Proposal/Qualification Process And Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Enter Into Professional Service Agreements With The Oakland Police Activities League In An Amount Not To Exceed Twenty Thousand Dollars (\$20,000), And With The Community Health Academy In An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000), And With The East Bay Community Recovery Project In An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000) For Services Associated With The Initiative, And Appropriate Said Funds To The Police Department
[07-1069](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The followinig individual spoke on this item:
- Sanjiv Handa
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[81221 CMS.pdf](#)

S-10.19-C Subject: 2008 Solving Cold Cases With DNA Grant Program
C From: Oakland Police Department
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 Four Hundred Fifty-Four Thousand Nine Hundred And Sixty-Five Dollars (\$454,965) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2008 Solving Cold Cases With DNA Grant Program In The Police Department And Approving The Hiring Of One Full-Time Eighteen-Month Limited Duration Professional Staff Position For The Research, Planning, And Crime Analysis Division
[07-1070](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The followinig individual spoke on this item:
- Sanjiv Handa
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[81222 CMS.pdf](#)

S-10.20-C Subject: 2008-2009 Selective Traffic Enforcement Program
C From: Oakland Police Department
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 Ninety-Eight Thousand Seventy Dollars (\$298,070) From The State Of California, Office Of Traffic Safety, For Fiscal Year 2009 Implementation Of The Selective Traffic Enforcement Program In The Police Department
[07-1071](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- *Sanjiv Handa*

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[81223 CMS.pdf](#)

S-10.21-C Subject: Police Recruitment
C From: Councilmember Brooks and Councilmember Kernighan
Recommendation: Receive An Informational Report From The Chief Of Police Updating The Status Of Investigators Assigned To The Criminal Investigation Division, Outlining The Department's Plan To Fully Staff Each Patrol Beat Throughout The City, Publish A Weekly Report Of Patrol Staffing Levels On The City's Website, And Disseminate Said Information To The Council Offices And PSA Yahoo Groups
[07-1080](#)

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

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

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S-10.22-C Subject: 30 Day Crime And Arrest Statistics
C From: Councilmember Reid
Recommendation: Receive A Monthly Informational Report From The Chief Of Police On Part
I Crimes Which Includes Robberies, Burglaries, And Homicides, Committed In The City
Within The Last 30 Days, Specific Issues In Each Area (I,II,III,) And How The Issues Are
Being Addressed
[07-1080-5](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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S-10.23-C Subject: Reentry Employment Agreement
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
Agreements Between The City Of Oakland And Goodwill Industries Of The Greater East Bay
To Provide Reentry Employment In Coordination With Project Choice For A Total Amount
Not To Exceed \$210,000 For The Period Of April 1, 2008 To June 30, 2009
[07-1122](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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[81224 CMS.pdf](#)

S-10.24-C Subject: Measure Y Gang Prevention And Intervention Agreements
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend Agreements With Project Re-Connect And Oakland Unified School District Office Of Alternative Education For Five Months, And With Catholic Charities Of The East Bay, Alameda County Health Care Services Agency, And Youth Alive! For Fifteen Months For Measure Y Gang Prevention And Intervention And Violent Incident Response Services Offered Through June 30, 2009, For A Total Amount Not To Exceed \$668,000
[07-1123](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual spoke on this item:

- Sanjiv Handa
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[81225 CMS.pdf](#)

S-10.25-C Subject: Support Of Assembly Bill 2513
C From: City Council
Recommendation: Adopt A Resolution To Support Assembly Bill 2513 (Caballero) Giving Funding Priority To Housing And Housing-Related Infrastructure Projects Located In Jurisdictions With Increased Shares Of Regional Housing Need
[07-1205](#)

This Matter was Adopted on the Consent Agenda.

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

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[81226 CMS.pdf](#)

S-10.26-C Subject: Support Of Assembly Bills 2566 And 2696
C From: City Council
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution In Support Of Assembly Bill 2566 (Hancock) - "Firearms: Prohibitions" Which Makes Changes To Existing Law, Permitting Cities, Counties And City And Counties To Regulate The Possession Of Handguns Without Preemption By State Law (TITLE CHANGE);
And
[07-1206](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81227 CMS.pdf](#)

2) A Resolution In Support Of Assembly Bill 2696 (Krekorian) - "Firearms: Requiring The California Department Of Justice (DOJ) To Enter Into A Memorandum Of Understanding With The Federal Bureau Of Investigation (FBI) To Provide Information To, And Participate In, The National Instant Criminal Background Check System (NICBCS)"
[07-1206-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81228 CMS.pdf](#)

S-10.27-C Subject: Priority Project Funds - District Five
C From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Council President De La Fuente's Priority Project Funds To Cover Food And Entertainment Costs For Earth Day At Cesar Chavez Park In The Amount Of \$500.00; On The April 15, 2008 City Council Agenda
[07-1247](#)

***Withdrawn with No New Date**

The followinig individual spoke on this item:
- Sanjiv Handa
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Passed The Consent Agenda

A motion was made by Councilmember Reid, seconded by Member 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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

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

A motion was made by Member Chang, seconded by Councilmember Brunner, to *Approve as Submitted the report from the Office of the City Attorney of three final decisions made during Closed Session. Please refer to Attachment "A" for the details of the three final decisions. The motion carried by the following vote:

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

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

A motion was made by Member Chang, seconded by Councilmember Brunner, to *Approve as Submitted. The motion carried by the following vote:

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

**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: Habitat For Humanity Edes "B" Residential Project
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following
Pieces Of Legislation:

1) A City Resolution Affirming And Sustaining The Planning Commission Decision To Approve The Development Permits (Planned Unit Development Permit, Vesting Tentative Tract Map, Design Review, Conditional Use Permit, And Variances) For The Habitat For Humanity Edes "B" Residential Project Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue; And

[07-1149](#)

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

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

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[81229 CMS.pdf](#)

2) A City Resolution Amending The General Plan Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From Business Mix To Mixed Housing Type Residential; And

[07-1149-1](#)

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

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

[81230 CMS.pdf](#)

3) An Agency Resolution Approving And Recommending Adoption Of The Sixth Amendment To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From Business Mix To Mixed Housing Type Residential; And
[07-1149-2](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
[2008-0035 CMS.pdf](#)

4) A City Ordinance Rezoning The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From The M-20 Light Industrial Zone And S-4 Design Review Combining Zone To The R-40 Garden Apartment Residential Zone; And
[07-1149-3](#)

A motion was made by Councilmember Reid, 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 May 6, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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5) A City Ordinance Adopting The Sixth Amendment To The Coliseum Area Redevelopment Plan Amending The Land Use Designation For The Habitat For Humanity Edes "B" Residential Project Site, Located At 10800 Edes Avenue Near The Intersection Of Edes Avenue And 105th Avenue, From Business Mix To Mixed Housing Type Residential
[07-1149-4](#)

A motion was made by Councilmember Reid, 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 May 6, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
Upon the reading of Item 14.1 by the City Clerk, the Public Hearing was opened at 8:25 p.m.

The following individuals spoke on this item:
- Hitesh Jadau

Agency/Councilmember Reid made a motion, seconded by Agency/Councilmember Nadel, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Agency/Councilmember Kernighan - 1

14.2 ~~-Subject: Zoning Regulations Amendment
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To Update References, Improve Consistency Among Chapters, Clarify Language, And Make Other Minor Planning Code Revisions (Including Updating Development Standards In the HBX Zone, Permitted Uses In The S 8 Zoning Designations; Revising Conditional Use Permit Criteria For Dwelling Units With Five Or More Bedrooms; And Increasing The Threshold Before Certain Projects Require A Major Conditional Use Permit In the R-36 And R-40 Zones)~~
[07-0979](#)

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- 14.3 Subject: Planning Code Amendments
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Amending The Oakland Planning Code To:
(1) Add Chapter 17.73 "CIX-1, CIX-2, IG And IO Industrial Zones", Which Will Create The Following Four New Zones: Commercial Industrial Mix-1, Commercial Industrial Mix-2, General Industrial And Industrial Office;
(2) Amend The City's Zoning Maps To Map These Proposed Zones In Areas In The City That Currently Have The General Plan Land Use Designations Of Business Mix And General Industrial/Transportation;
(3) Amend Chapter 17.10 "Use Classifications";
(4) Add Chapter 17.100 "S-19 Health And Safety Protection Overlay Zone"; And Amend Zoning Map To Add Overlay;
(5) Amend Chapter 17.120 "Performance Standards"; And
(6) Amend The "Guidelines For Determining Project Conformity With The General Plan And Zoning Regulations" To Reflect The New Zones

[07-0978](#)

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A motion was made by Councilmember Brunner, 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 May 6, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
Upon the reading of Item 14. by the City Clerk, the Public Hearing was opened at 8:2 p.m.

The following individuals spoke on this item:

- Max Allstadt
- Rusty Snow
- Linda McFadden
- Sanjiv Handa
- Bob Tuck
- Scott Peterson
- George Nesbitt
- Carroll Moore
- George Burt

Agency/Councilmember Brunner made a motion, seconded by Agency/Councilmember Nadel, to close the Public Hearing, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Agency/Councilmember Kernighan - 1

A motion was made by Councilmember Brunner, seconded by Councilmember Nadel to accept the revisions on page 2 of the staff report regarding Chapter 17.73 "CIX-1, CIX-2, IG and IO Industrial Zones" , page 17 of Exhibit A and to add the following language to the end of #2 - "provided there are existing artist or artisan residents who meet the requirements of the zoning code bulletin. The motion also include adoption of the amended maps regarding residential areas as presented in the supplemental report. Staff will return with a corrected version of the ordinance and all attachments including definitions of the "work/live" "live/work" terms at Final Passage.

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ACTION ON NON-CONSENT ITEMS:

15 ~~-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~~

***Rescheduled to Concurrent Meeting of the Oakland Redevelopment
Agency / City Council on 5/6/2008**

[80922 CMS.pdf](#)

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16 Subject: Vacating Turner Court
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Summarily And Conditionally Vacating Turner Court
To Turner Estates Partners LP And Conditionally Accepting Public Service Easement
Dedications
[07-0906](#)

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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81231 CMS.pdf](#)

The Roll Call was modified to note Councilmember Brunner absent at 9:23 PM

17 Subject: Oakland Resident and Worker Preference Policy-Affordable Housing
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting An Oakland Resident And Oakland Worker Preference Policy For Affordable Housing Developments Funded Through The City's Notice Of Funding Availability Process; And
[07-0941-4](#)

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

Votes: ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 6 - Councilmember Brooks, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81232 CMS.pdf](#)

2) An Agency Resolution Adopting An Oakland Resident And Oakland Worker Preference Policy For Affordable Housing Developments Funded Through The Agency's Notice Of Funding Availability Process

[07-0941-19](#)

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

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

The following individual spoke on this item:

- Sanjiv Handa

[2008-0036 CMS.pdf](#)

The Roll Call was modified to note Councilmember Brunner present at 9:31PM

18

Subject: Teammate Audit Management - Contract

From: Office of the Auditor

Recommendation: Adopt A Resolution Waiving (1) The Competitive Bidding And (2) The Competitive RFP/RFQ Selection Requirements Of The Oakland Purchasing Ordinance And Authorizing The City Auditor To Award A Contract To Wolters Kluwer For Teammate, An Integrated Audit Management Software Program, In An Amount Not To Exceed Twenty Seven Thousand Five Hundred Dollars (\$27,500) In Software Licensing Fees And Training Costs And For One Year Of Maintenance And Upgrades, With Three Options To Renew The Maintenance And Upgrades Services Contract For Three Additional One-Year Terms At An Annual Rate Of Fifty Five Hundred (\$5,500.00), For A Total Not To Exceed Contract Amount Of Forty Five Thousand Dollars (\$45,000.00)

[07-1227](#)

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

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19 Subject: Amicus Brief In Support Of San Francisco's Petition
From: City Attorney
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Join In An Amicus Brief In Support Of San Francisco's Petition Asking The California Supreme Court To Reverse A Lower Court's Decision In Fiscal V. City And County Of San Francisco, No. S160968 That Invalidated San Francisco's Ban On The Sale, Manufacture, Distribution And Transfer Of Firearms And Ammunition
[07-1230](#)

No Action Taken

The following individual spoke on this item:

- *Sanjiv Handa*

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S-20 Subject: CIP Traffic Signal Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, Lowest Responsive, Responsible Bidder, For Traffic Signal Installations At 73rd Avenue At Garfield Avenue And International Boulevard At 7th Avenue (City Project Nos. C333010, C269510) In The Amount Of Three Hundred Forty-Six Thousand Nine Hundred Forty-Two Dollars (\$346,942.00)
[07-1042](#)

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

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 6 - Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-21 Subject: Residential Permit Parking - Addition To Existing Area "C"
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit Parking (RPP) On Clifton Street (Between Lawton Avenue And Desmond Street), Desmond Street (Between Clifton Street And Hemphill Place), Glendale Avenue (Between Desmond Street And Manila Avenue), Hemphill Place, And Manila Avenue (Between Clifton Street And Cavour Street) As An Addition To The Existing Area "C" RPP Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44 And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two And Four Hours Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44
[07-1044](#)
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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 Excused: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente

The following individual spoke on this item:

- *Sanjiv Handa*
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[81235 CMS.pdf](#)

S-22 Subject: Residential Permit Parking - Addition To Existing Area "F"
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving Implementation Of Residential Permit Parking (RPP) On 17th Street (Between Madison Street And Lakeside Drive) As An Addition To The Existing Area "F" RPP Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44 And Restricting General Street Parking Within Said Residential Permit Parking Zone To Two Hours Pursuant To California Vehicle Code § 22507 And Oakland Municipal Code Section 10.44
[07-1063](#)

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

The following individual spoke on this item:

- *Sanjiv Handa*
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[81236 CMS.pdf](#)

S-23

Report: Project 22 - Community Service For Parking Tickets

From: Councilmember Jane Brunner

Recommendation: Action On A Report And Recommendation On Establishment Of A Pilot Project 22 Or Similar Program In The City Of Oakland For One Year, Particularly As It Relates To Potential Community Payment Program(s) For Indigent Citizens Who Incur Parking Fines
[06-1018](#)

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

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

ORA\Councilmember Excused: 1 - Councilmember Kernighan

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

ORA\Councilmember Ayes: 2 - Councilmember Nadel and Councilmember Quan

There was a tie vote on this item; therefore, pursuant to Pursuant to City Charter Section 200, which provides that "the Mayor shall have a vote on the Council if the councilmembers are evenly divided", and Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. this item was continued to the Council's next regularly scheduled meeting solely for the purpose of allowing the Mayor to cast the tie breaking vote on the motion.

The following individual spoke on this item:

- Sanjiv Handa

- William Mayo

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S-24 Subject: Measure K - Kids First! Legislation Extension
From: Department of Human Services
Recommendation: Adopt A Resolution To Reauthorize And Extend An Amendment Of The Charter Of The City Of Oakland (Article XIII Section 1300 Added By: Stats. November 1996 Kids First! Oakland Children's Fund) Establishing The Kids First! Oakland Children's Fund As Approved By The Passage Of The 1996 Kids First! Voter Initiative Measure K
[07-1027](#)
[Play Video](#)

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

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

The following individuals spoke on this item:

- Steve Paul
 - Judy Glenn
 - Savannah Mitchell
 - Jermaine Ashley
 - Sanjiv Handa
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[View Supplemental Report.pdf](#)
[81237 CMS.pdf](#)

S-25 Subject: Consent To Search Report
From: Councilmembers Brooks and Kernighan
Recommendation: Action On A Report And Recommendation From The Office Of Chief Of Police On The Development Of A Consent To Search Program For The City Of Oakland, Which Is A Gun Control Strategy Used In Other Cities Across The Country To Locate Guns That May Be In Possession Of Juveniles, And May Have Been Use In The Commission Of Crimes In The City
[07-1080-4](#)

Withdrawn and Rescheduled to *Public Safety Committee on 5/27/2008
[View Report.pdf](#)

S-26 Subject: Street Outreach Agreements
From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute
Agreements Between The City Of Oakland And Various Agencies To Provide Street Outreach
In Coordination With Measure Y For A Total Amount Not To Exceed \$575,000 For The Period
Of April 1, 2008 To June 30, 2009
[07-1211](#)

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

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

The following individual spoke on this item:

- *Sanjiv Handa*
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[81238 CMS.pdf](#)

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 Shaneice Davis, Jewell
Thrower, Patrick Daughton and Ernestine Logan at 10:15 PM*

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