



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/Joint Powers Financing Authority Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

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

Tuesday, March 18, 2008

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

A meeting of the Joint Powers Financing Authority, The Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:06 PM.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- Marcus Jones
- Sequonite Buggs
- Brad Walters
- Meui Chin Saelee
- Amgel Saelee
- Donnell Satterfield
- Myra Abdulali
- Mustaffa Abudulai
- Chris Saed
- Chris Middleion
- Deloris Allen
- Sanjiv Handa
- Dwight McElroy

- 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.

A motion was made by Councilmember Brooks, seconded by Vice Mayor Reid to pull item 10.12 CC and scheduled to the April 1, 2008 City Council Agenda as a Non-Consent item.

Councilmember Kernighan requested to withdraw 10.5 CC

Councilmember Quan requested to speak on items 10.12 CC, 10.13 CC, 10.16 CC and 10.17 CC

Vice Mayor Reid requested to speak on item 10.9 CC

Councilmember Nadel requested to withdraw item 10.3 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)

No Action Taken

- 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.

No Action Taken

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on March 4, 2008

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

Authority

8.1 Subject: Bay Area Blues Society - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing The Bay Area Blues Society's West Coast Blues Hall Of Fame And Awards Show, And Their Efforts To Honor And Pay Homage To West Coast And Oakland Blues Legends
[07-1086](#)

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

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

- Carl Lewis

- John Hughes

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8.2 Subject: Donahue Gallagher Woods, LLP - Recognition
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Recognizing The 90th Anniversary Of Donahue Gallagher Woods, LLP, Their Pro Bono Accomplishments, And Their Continued Commitment To Serving The City Of Oakland, And Proclaiming March 19, 2008 As "Donahue Gallagher Woods Day" In The City Of Oakland
[07-1087](#)

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

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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Anthony Newsome, Ernest Johnson, Freddy Taylor and Henry Taylor

Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of Christy Gough

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Gloria Keith Dugan, Edwin L. Wilson, Geraldine Mae Haggerty and Minette Burns

Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Leo Zager

10. CONSENT CALENDAR (CC) ITEMS:

10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
 From: Office Of The City Attorney
 Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
 Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
 With Regard To The AIDS Epidemic
 [07-1110](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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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
 [07-1111](#)

This Matter was Adopted on the Consent Agenda.

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

10.3-CC Subject: Travel Authorization For Councilmember Nadel
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution Authorizing Councilmember Nancy Nadel To Attend The
"2008 Energy Matters Summit: Shifting Mindsets Towards Sustainability," In Toronto, Canada,
From March 31, 2008 To April 3, 2008
[07-1085](#)

***Withdrawn with No New Date**

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

- Sanjiv Handa

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10.4-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant From Councilmember De La
Fuente's Priority Project Funds To The Friends Of Oakland Parks & Rec In The Amount Of
\$1,166.19 To Fund The Purchase Of Martial Arts Equipment To Be Used At Oakland Recreation
Centers For Martial Arts Classes
[07-1095](#)

This Matter was Adopted on the Consent Agenda.

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

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10.5-CC Subject: Naturesweep Tow Behind Sweeper
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Authorizing Up To \$22,000 Of Councilmember Pat
Kernighan's District 2 Pay-Go Funds For the Purchase Of A Naturesweep Tow Behind Sweeper
And A Gator Cart For Use On Lake Merritt Lawns, And Plastic Fencing To Create A Pilot
Canada Geese
[07-1102](#)

***Withdrawn with No New Date**

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

- Sanjiv Handa

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Authority

10.6-CC Subject: Price - 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 Price V. City Of Oakland, Alameda County Superior Court
Case No. RG06-290882 In The Amount Of \$300,000 (OPD)
[07-1127](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
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10.7-CC Subject: Trail Signage - Joaquin Miller Park
From: Councilmember Quan
Recommendation: Adopt A Resolution Waiving City's Competitive Bid Requirements For A
Small Pay-Go Funded Purchase In The Amount Of Three Thousand And Eight Dollars
(\$3,008.00) For Reflective Decals To Improve Trail Signage Visibility At Joaquin Miller Park
[07-1108](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
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10.8-CC Subject: Charles F. Hall - 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 Charles F. Hall In The Amount Of \$9,100, As A Result
Of Property Damage And Bodily Injury Sustained In An Auto Collision Involving A City Of
Oakland Vehicle On July 3, 2007 (Public Works Agency)
[07-1109](#)

This Matter was Adopted on the Consent Agenda.

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

S-10.9-CC Subject: Renaming A Portion Of Rusdale Street To Dr. Herbert Guice Street
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Renaming Rudsdale Street Between 69th Avenue And
73rd Avenue As Herbert Guice Way
[07-0823](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Ernestine Nettles

- Frank Darby

- Martha Brown

- Clifford Gilmore

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S-10.10-C Subject: Renaming A Portion Of Coliseum Way To Joe Morgan Way
C From: Councilmembers Larry Reid And Ignacio De La Fuente
Recommendation: Adopt A Resolution Renaming South Coliseum Way Between 66th Avenue
And Hegenberger Road As Joe Morgan Way
[07-0856](#)

This Matter was Adopted on the Consent Agenda.

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

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Authority

S-10.11-C Subject: Pedestrian Safety Improvements Grant
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And Appropriate Up To Eight Hundred Three Thousand Seven Hundred Thirty-Seven Dollars (\$803,737.00) In State Cycle 7 Safe Routes To School Grant Funds For Pedestrian Safety Improvements Near Oakland Technical High School And The Castlemont Community Of Schools
[07-1045](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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S-10.12-C Subject: Equal Access Ordinance Implementation
C 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 Brooks, seconded by Councilmember Reid, that this matter be Deferred to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on April 1, 2008 as a Non-Consent item. The motion carried by the following vote:

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

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

- Sanjiv Handa

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Authority

S-10.13-C Subject: Second Quarter Revenue and Expenditure Report
C From: Budget Office
Recommendation: Receive A Report On Fiscal Year 2007-2008 Second Quarter Revenue And Expenditure Results And Year-End Projections For Four Selected Funds - General Purpose Fund (1010), Telecommunications Reserve Fund (1760), Equipment Fund (4100), City Facilities Fund (4400)
[07-0797](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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S-10.14-C Subject: AST Corporation Contract
C From: The Budget Office
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Services Agreement With AST Corporation To Provide Consulting Services For The Implementation Of The Oracle Public Sector Budgeting Computerized System In An Amount Not-To-Exceed \$525,000.00, And Appropriating Five Hundred Twenty Five Thousand Dollars (\$525,000.00) From The Telecommunications Land Fund (1770), Balance To The Telecommunications Land Use Fund (1770), Capital Improvement Project - Information Technology (94461), Miscellaneous Contract Services (54919), Oracle Public Sector Budgeting (C336510), And Application Development And Administration (IP69)
[07-1066](#)

This Matter was Adopted on the Consent Agenda.

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

S-10.15-C Subject: Self-Insurance General Liability Fund Allocations
C From: Finance And Management Agency
Recommendation: Action On A Report And Recommendation Regarding The Allocation Of Monies From The Self-Insurance General Liability Fund (Fund 1100) To Departments For Fiscal Year 2008-2009 Mid-Cycle Budget Adjustment Of General Liability Costs Based On Implementation Of The "Phoenix Model" Of Risk Management Cost Allocation, Reflecting A Projected Ultimate Loss Increase From \$4.04 Per \$100 Payroll In Fiscal Year 2007-2008 To \$4.12 Per \$100 Payroll In Fiscal Year 2008-2009 (TITLE CHANGE)
[07-1068](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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S-10.16-C Subject: Joint Powers Authority Revenue Bonds 2005 Series
C From: Finance and Management Agency
Recommendation: Adopt A The Following Pieces Of Legislation:
1) A Resolution Of The Oakland Joint Powers Financing Authority Approving The Issuance And Sale Of Refunding Revenue Bonds Of An Aggregate Amount Not To Exceed \$137,000,000 In One Or More Series To Refund The Authority's Outstanding Refunding Revenue Bonds, 2005 Series A-1 (Auction Rate Securities) (Tax-Exempt Bonds), 2005 Series A-2 (Auction Rate Securities) (Tax-Exempt Bonds) And 2005 Series B (Auction Rate Securities) (Taxable Bonds); Approving The Forms Of And Authorizing Execution And Delivery Of An Amended And Restated Lease, An Amended And Restated Sublease, An Indenture And A Bond Purchase Contract And Related Agreements; [Authorizing The Procurement Of Bond Insurance;] And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Issuance Of The Bonds; And
[07-1112](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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[2008-0001 JPFA.pdf](#)

2) A Resolution Of The City Council Of The City Of Oakland Approving The Issuance By The Oakland Joint Powers Financing Authority Of Not To Exceed \$137,000,000 Aggregate Principle Amount Of Refunding Revenue Bonds In One Or More Series To Refund The Authority's Outstanding Refunding Revenue Bonds, 2005 Series A-1 (Auction Rate Securities) (Tax-Exempt Bonds), 2005 Series A-2 (Auction Rate Securities) (Tax-Exempt Bonds) And 2005 Series B (Auction Rate Securities) (Taxable Bonds); Authorizing Execution And Delivery Of An Amended And Restated Lease; An Amended And Restated Sublease, And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Refunding Financing With The Oakland Joint Powers Financing Authority

[07-1112-1](#)

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

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

Agency/Councilmember Quan made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 10.16 CC 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 s required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

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Authority

S-10.17-C Subject: Joint Powers Authority Revenue Bonds 2004 Series
C From: Finance and Management Agency

Recommendation: Adopt A The Following Pieces Of Legislation:

1) A Resolution Of The City Council Approving The Issuance By The Oakland Joint Powers Financing Authority Of Lease Revenue Bonds, In One Or More Series, Of Not To Exceed One Hundred Twenty Five Million Dollars (\$125,000,000) Aggregate Principal Amount; Approving The Form Of And Authorizing The Execution And Delivery Of Lease, Sublease And Bond Purchase Agreement; Authorizing Variable Rate Bonds, Purchase Of Letters Of Credit And Execution Of Reimbursement Agreements; Authorizing The City Administrator To Terminate One Or More Interest Rate Swap Agreements; And Authorizing Execution Of Documents And The Taking Of All Necessary Actions Relating To The Bonds And Authorizing Necessary Actions Relating To The Lease Financing With The Oakland Joint Powers Financing Authority; And
[07-1113](#)

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

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2) A Resolution Of The Oakland Joint Powers Financing Authority Authorizing The Issuance And Sale Of Lease Revenue Bonds (Oakland Administration Buildings) In An Aggregate Principal Amount Not To Exceed One Hundred Twenty Five Million Dollars (\$125,000,000); Authorizing The Execution And Delivery Of A Trust Agreement, Lease, Sublease, Escrow Agreement, Bond Purchase Agreement, Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement And Authorizing Execution And Delivery Of An Official Statement; Approving The Retention Of Bond Counsel, Financial Advisor And Underwriters; And Authorizing Payment Of Cost Issuance

[07-1113-1](#)

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

Agency/Councilmember Quan made a motion seconded by Agency/Councilmember Nadel to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 10.16 CC 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 s required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting

[2008-0002 JPFA.pdf](#)

S-10.18-C Subject: Oakland Business Development Corporation - Agreement
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Increase The Funding For Oakland Business Development Corporation In An Amount Not To Exceed \$285,800 Of Economic Development Initiative Funds ("EDI") For Fiscal Year 2007-2008, For A Total Contract Amount Not To Exceed \$558,550; And In An Amount Not To Exceed \$95,800 Of EDI Funds For Fiscal Year 2008-2009, For A Total Contract Amount Not To Exceed \$468,550, For Commercial Loan Underwriting And Servicing

[07-0944](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Authorizing The Agency Administrator To Increase The Funding For Oakland Business Development Corporation In An Amount Not To Exceed \$100,000 Of Redevelopment Funds For Fiscal Year 2008-2009, For A Total Contract Amount Not To Exceed \$468,550, For Commercial Loan Underwriting And Servicing
[07-0944-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
[2008-0030 CMS.pdf](#)

S-10.19-C Subject: Replacement Housing Plan - Tassafaronga Village
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Approving A Replacement Housing Plan For The Tassafaronga Village Project
[07-0980](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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[2008-0031 CMS.pdf](#)

S-10.20-C Subject: Mercy Properties California Grant
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing A Grant Agreement With Mercy Properties California In The Amount Of \$25,000 From Community Development Block Grant (CDBG) Funds For Repairs And Upkeep Of A City-Owned Property At 1226-73rd Avenue
[07-1008](#)

This Matter was Adopted on the Consent Agenda.

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

S-10.21-C Subject: Transportation Planning Grants - 2008-2009
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Two Hundred And Forty Five Thousand Dollars (\$245,000) From The California Department Of Transportation (CALTRANS) Community-Based Transportation Planning Grant Funds For The International Boulevard Corridor Transit-Oriented Development Plan For The San Antonio, Fruitvale And Elmhurst Neighborhoods

[07-1026](#)

This Matter was Adopted on the Consent Agenda.

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

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2) A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funding Up To One Hundred Seventy Five Thousand Dollars (\$175,000) From The California Department Of Transportation (CALTRANS) Environmental Justice Transportation Planning Grant For The 81st Avenue Business And Residential Community Plan

[07-1026-1](#)

This Matter was Adopted on the Consent Agenda.

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

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3) A Resolution Authorizing The City Administor To Apply For, Accept And Appropriate Grant Funding Up To One Hundred Seventy Five Thousand Dollars (\$175,000) From The California Department Of Transportation (CALTRANS) Environmental Justice Transportation Planning Grant For The Prescott Neighborhood Peralta Street Corridor Plan In West Oakland

[07-1026-2](#)

This Matter was Adopted on the Consent Agenda.

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

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Authority

S-10.22-C Subject: Urban Forestry Management Plan
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The Application For, Acceptance And Appropriation Of \$200,000 From The State Of California Department Of Forestry And Fire Protection's Urban Forestry Management Plan Grant Program To Develop An Urban Forestry Management Plan For Oakland And \$100,000 From The State Of California Department Of Urban Forestry And Fire Protection's Urban Forestry Inventory Grant Program To Complete A Database Of Oakland's Trees
[07-1047](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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S-10.23-C Subject: Operation Dignity, Inc. - Agreement
C From: Department of Human Service
Recommendation: Adopt A Resolution Authorizing The City Administrator To Amend The Scope Of Services With Operation Dignity, Inc., To Provide Additional Homeless Outreach Services To The City Of Oakland, And To Increase The Agreement In The Amount Of Two Hundred Fifty-Six Thousand Seven Hundred Sixty-Two Dollars (\$256,762), For A Total Agreement Amount Not To Exceed Six Hundred Fifteen Thousand Three Hundred Eighty Two Dollars (\$615,382), For The Period Of July 1, 2007 Through June 30, 2009
[07-0966](#)

This Matter was Adopted on the Consent Agenda.

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

S-10.24-C Subject: Public Art Annual Plan
C From: Cultural Arts and Marketing
Recommendation: Adopt A Resolution To Adopt The 2008 Public Art Projects Plan
[07-0969](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa

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S-10.25-C Subject: Oakland Parks Coalition - Presentation
C From: Councilmember Jean Quan
Recommendation: Presentation By Oakland Parks Coalition To Present The Results Of The 2007 "Love Your Parks" Survey Of Oakland Parks
[07-1005](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Dale Hagen

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S-10.26-C Subject: Analysis Of Assembly Bill 1984
C From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1984 (Swanson) Providing Voluntary HIV/AIDS Testing For Inmates Upon Release From Prison
[07-1088](#)

This Matter was Adopted on the Consent Agenda.

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

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Authority

S-10.27-C Subject: Analysis Of Assembly Bill 1996
C From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Support Of Assembly Bill 1996 (Swanson) Providing
Eligibility Criteria For Drug Felons To Receive Food Stamps
[07-1089](#)

This Matter was Adopted on the Consent Agenda.

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

**A motion was made by Member Chang, seconded by Councilmember Reid,
including all the preceding items marked as having been adopted on the
Consent Agenda. The motion carried by the following vote:**

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

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

There were no final decisions made in Closed Session

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

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

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

There were no non-confidential discussion during Closed Session

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

13 Reconsideration of Ordinances pursuant to Charter Section 216

No Action Taken

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 -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](#)

No Action Taken

*This item was continued by the March 11, 2008 Community and Economic
Development Committee*

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- 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](#)

No Action Taken

*This item was continued by the March 11, 2008 Community and Economic
Development Committee*

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Authority

14.3 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 Confirming 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
[07-1050](#)

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

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

Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:32 p.m.

The following individuals spoke on 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
[07-1050-1](#)

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 To Chapter 4.24 Of The Oakland Municipal Code [07-1050-2](#)

Not Adopted

14.4 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 [07-1051](#)

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

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

Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was opened at 7:35 PM.

The following individuals spoke on 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 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
[07-1051-1](#)

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
[07-1051-2](#)

Not Adopted

Authority

14.5 Subject: Delinquent Mandatory Garbage Fees
From: Finance and Management Agency
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For July/August/September 2007, Monthly Accounts And October/November/December 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
[07-1052](#)

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

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

Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 7:39 PM.

The following individuals spoke on this item:

- George Nesbitt
- Sanjiv Handa

Agency/Councilmember Chang 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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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

[07-1052-1](#)

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 To Chapter 8.28 Of The Oakland Municipal Code
[07-1052-2](#)

Not Adopted

14.6

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
[07-1053](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
Upon the reading of Item 14. 6 by the City Clerk, the Public Hearing was opened at 7:49 PM.

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

*Agency/Councilmember Quan 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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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
[07-1053-1](#)

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 To Chapter 4.20 Of The Oakland Municipal Code
[07-1053-2](#)

Not Adopted

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](#)~~

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 4/15/2008**

[80922 CMS.pdf](#)

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Authority

16 Subject: Approved License Program - Sale Of Tobacco
From: Councilmember Larry Reid
Recommendation: Adopt An Ordinance Requiring The Licensure Of Tobacco Retailers And
Codifying Said Requirements At Oakland Municipal Code Chapter 5.91 And Adopting A
Tobacco Licensing Application Fee Of \$50.00 And A Tobacco Licensing Fee Of \$1,500.00
Annually To Cover Administration, Inspection, Compliance And Similar Costs
[07-1029](#)

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 April 1, 2008. The motion carried by the following vote:

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

Council approved the introduction and amended the Ordinance to reflect that participants in the deemed approved program would not receive additional charges as part of the tobacco license program

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

- Sanjiv Handa
- Serena Chan
- Paul Cummings
- Mary Crawford

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Authority

17 Subject: Tobacco Shop Moratorium - Extension
From: Councilmember Larry Reid
Recommendation: Adopt An Urgency Ordinance, Pursuant To California Government Code Section 65858, Extending Until May 1, 2008 A Moratorium On The Establishment Of Any New Activity Or Facility Selling Tobacco Or Tobacco Related Products Or Paraphernalia
[07-1031](#)

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

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

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

- Sanjiv Handa
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18 Subject: Unity Council Contract - Mortgage Counseling
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Negotiate And Enter Into A Contract With The Unity Council In An Amount Not To Exceed \$100,000 For The Period Of April 1, 2008 To June 30, 2009, For Mortgage Delinquency And Default Resolution Counseling To Low Income Homeowners In Oakland At Risk Of Losing Their Primary Homes Due To Inability To Make Mortgage Payments
[07-1046](#)

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

Council approve recommendations and directed staff to return to the Community and Economic Development Committee with a monthly report on what actions we're taking to address the mortgage crisis.

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

- Sanjiv Handa
- Sheri Powers
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[81145 CMS.pdf](#)

Authority

19 Subject: Macias, Gini & O'Connell, LLP - Professional Services Contract
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Execute A Two (2) Year Professional Service Contract Between The City Of Oakland And Macias, Gini & O'Connell, LLP To Provide Audit Services For The Fiscal Year Ending June 30, 2008 In The Amount Not To Exceed \$694,275, And Fiscal Year Ending June 30, 2009 In The Amount Not To Exceed \$728,989; And [07-1039](#)

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, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
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[81146 CMS.pdf](#)

2) An Agency Resolution Authorizing The Agency Administrator To Execute A Two (2) Year Professional Service Contract Between The Redevelopment Agency Of The City Of Oakland And Macias, Gini & O'Connell, LLP To Provide Audit Services For The Fiscal Year Ending June 30, 2008 In The Amount Not To Exceed \$89,880, And Fiscal Year Ending June 30, 2009 In The Amount Not To Exceed \$94,374
[07-1039-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Brooks, Councilmember Reid and Member Chang
[2008-0032 CMS.pdf](#)

Authority

20 Subject: Discontinue Oil Spill Emergency
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Proclaiming The End Of The Local Emergency Declared
 By Resolution No. 80932 C.M.S. Due To The November 7, 2007 Catastrophic Oil Spill In The
 San Francisco Bay
 [07-1120](#)

**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 Absent: 2 - Councilmember Quan and Councilmember
 Brooks
 ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the
 Council De La Fuente, Councilmember Brunner, Councilmember Nadel,
 Councilmember Reid and Member Chang
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21 Subject: Discontinue Winter Storms Emergency
 From: Oakland Fire Department
 Recommendation: Adopt A Resolution Proclaiming The End Of A Local Emergency In The City
 Of Oakland Due To Winter Storms That Commenced On Or About January 3, 2008 Which The
 City Administrator Declared By Proclamation On January 11, 2008, And The City Council
 Ratified On January 15, 2008 By Passing Resolution No. 81044 C.M.S.
 [07-1121](#)

**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 Absent: 2 - Councilmember Quan and Councilmember
 Brooks
 ORA\Councilmember Ayes: 6 - Councilmember Kernighan, President of the
 Council De La Fuente, Councilmember Brunner, Councilmember Nadel,
 Councilmember Reid and Member Chang
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 [81148 CMS.pdf](#)

Authority

22 Subject: Alameda County Waste Management - Settlement Agreement
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A
 Settlement Agreement With Waste Management Of Alameda County (WMAC) To Provide The
 City Eight Million Two Hundred Thirty Thousand Dollars (\$8,230,000.00) In Additional Services
 And Customer And City Reimbursements In Lieu Of Liquidated Damages And All Other Claims
 By The City, And Dismissing Related Pending Litigation Against WMAC, In Connection With
 The Recycling And Garbage Service Disruption In July 2007
 [07-1128](#)

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

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

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

- Sanjiv Handa
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23 Subject: Appointments - Commission on Aging
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Donna Griggs Murphy, Wade Sherwood, And
 Re-Appointing Annie McCoy As Members Of The Commission On Aging
 [07-1130](#)

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

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

*Council approved recommendations and amended the resolution to remove
Donna Griggs Murphy*

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Authority

24 Subject: Appointments - Library Advisory Commission
From: Office Of The Mayor
Recommendation: Adopt A Resolution Appointing Steve Tidrick, Marilyn Citron, And Billie Wooldridge As Members Of The Library Advisory Commission
[07-1131](#)

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

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

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

- Sanjiv Handa
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[81151 CMS.pdf](#)

25 Subject: Appointments - Oakland Museum Of California Foundation Board
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming Steven J. Anderson, Brian Cherry, Ralph Clark, Quinn Delany, Virginia Further, Joseph M. Hurwich, Gerald E. Johnston, Harold P. Jones, Anita I. Martinez, John L. McDonnell Jr. And Steven M. Read As Trustees Of The Oakland Museum Of California Foundation Board
[07-1132](#)

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

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

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

- Sanjiv Handa
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[81152 CMS.pdf](#)

Authority

26 Subject: Appointment - Parks And Recreation Advisory Commission
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Benjamin Scott As A Member Of The Parks
 And Recreation Advisory Commission
 [07-1133](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
*Council approve recommendations and amended the resolution to only appoint
Benjamin Scott*
[View Report.pdf](#)
[81153 CMS.pdf](#)

27 Subject: Appointments - Cultural Affairs Commission
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Jacqueline Boggan, Joyce Gordon, Marcel
 Diallon And Lolita Ratchford As Members Of The Cultural Affairs Commission
 [07-1134](#)

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

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

- 28 Subject: Appointments - Citizen's Police Review Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Risha Jamison, Renee Harwood, And
 Matthew Hudson, As Members Of The Citizen's Police Review Board
 [07-1135](#)
- A motion was made by Member Chang, seconded by Councilmember Reid,
that this matter be Adopted as Amended. The motion carried by the
following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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- 29 Subject: Appointment - Public Ethics Commission
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Alaric Degrafinried As A Member Of The
 Public Ethics Commission
 [07-1136](#)
- A motion was made by Member Chang, seconded by Councilmember Reid,
that this matter be Adopted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
[View Report.pdf](#)
[81156 CMS.pdf](#)
- 30 Subject: Appointment - Business Tax Board Of Review
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Reappointing Chip Conradi As A Member Of The
 Business Tax Board Of Review
 [07-1137](#)
- A motion was made by Member Chang, seconded by Councilmember Reid,
that this matter be Adopted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
[View Report.pdf](#)
[81157 CMS.pdf](#)

Authority

31 Subject: Appointment - Landmarks Preservation Advisory Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Reappointing Rosemary Muller As A Member Of The
 Landmarks Preservation Advisory Board
 [07-1138](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, President of the
Council De La Fuente, Councilmember Brunner, Councilmember Quan,
Councilmember Nadel, Councilmember Brooks, Councilmember Reid and
Member Chang
[View Report.pdf](#)
[81158 CMS.pdf](#)

32 Subject: Appointment - Police And Fire Retirement Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Walter Johnson As A Member Of The Police
 And Fire Retirement Board
 [07-1139](#)

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

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

33 Subject: Appointments - Housing, Residential Rent And Relocation Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Judy Lackey, And Reappointing Rochelle
 Anguiano As Members Of The Housing, Residential Rent And Relocation Board
 [07-1140](#)

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

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

*Council approve recomendation and amended the resolution to remove the
name Rochelle Anguiano*

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

- James Vann

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[81160 CMS.pdf](#)

34 Subject: Appointment - Oakland Housing Authority Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Esther Pruviz As A Member Of The Oakland
 Housing Authority Board
 [07-1141](#)

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

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

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Authority

35 Subject: Appointment - Civil Service Board
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Dee Dee Brantley And Judith Bodehausen As
 Members Of The Civil Service Board
 [07-1142](#)

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

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

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

- Sanjiv Handa
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[81162 CMS.pdf](#)

36 Subject: Appointment - Budget Advisory Committee
 From: Office Of The Mayor
 Recommendation: Adopt A Resolution Appointing Barbara Armstrong As A Member Of The
 Budget Advisory Committee
 [07-1143](#)

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

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

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

- Sanjiv Handa
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[81163 CMS.pdf](#)

Authority

37 Subject: Appointment - Budget Advisory Committee
From: Councilmember Quan
Recommendation: Adopt A Resolution Appointing Margaret Salazar As A Member Of The
Budget Advisory Committee
[07-1144](#)

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

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

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

- Sanjiv Handa

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S-38 Subject: Sidewalk Repair Report
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting A Sidewalk Repair Prioritization Policy For The City Of Oakland's
Sidewalk Repair Program

[07-1025](#)

Deferred to *Public Works Committee

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2) A Resolution Authorizing The City Administrator To Transfer \$300,000.00 Of Available
Fiscal Year 2007-2008 Sidewalk Repair Funds In Project C269160 To A Project To Be
Determined To Enforce The Repair Of Private Sidewalk Damage; And

[07-1025-1](#)

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

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

[81165 CMS.pdf](#)

3) A Resolution Authorizing Award Of A Construction Contract To AJW Construction For On-Call Citywide Sidewalk Repair Fiscal Year 2007-2008 Contract B - Council Districts 4, 5, 6, And 7 (Project C269160) In The Amount Of Eight Hundred Forty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$849,975.000)

[07-1025-2](#)

A motion was made by Councilmember Nadel, seconded by Councilmember Kernighan, 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, President of the Council De La Fuente, Councilmember Brunner, Councilmember Quan, Councilmember Nadel, Councilmember Reid and Member Chang
[81166 CMS.pdf](#)

S-39

Subject: Landscaping And Lighting Assessment District - Levy
From: Public Works Agency

Recommendation: Adopt A Resolution For The 1) Initiation Of And Intention To Levy The Landscaping And Lighting Assessment District Pursuant To Articles XIII C And D Of The California Constitution; 2) Accepting The Fiscal Year 2008-2009 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District; 3) Setting The Date For A Public Hearing; 4) Authorizing The Preparation And Mailing Of Notices And Ballots Seeking Property-Owner Approval Of A Proposed Rate Increase And Assessment Of Public Agencies; And 5) Executing A Contract With Francisco And Associates For An Amount Not To Exceed \$85,000 For Prop 218 Election Services; And 6) Authorizing The Expenditure Up To \$100,000 For Postage

[07-1030](#)

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

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

The Council approve recommendations and amended the resolution to add the following language:

The City Council has approved several performance measures to monitor the effectiveness of efforts to keep street lights functional, parks clean and operational, and trees maintained. These include:

- *Litter picked up at least weekly*
- *95% of fields and lawns mowed within 10 business days*
- *Graffiti removed within 48 hours once reported*
- *90% of waste receptacles emptied before they overflow*
- *Street light repaired within 3 to 5 business days following report to the PWA Call Center*
- *All LLAD-funded public works vehicles will be GPS enabled (Global Positioning System) within the first year of this LLAD.*

The full list of standards and performance measures will be refined within the first year of this LLAD as the City implements City Works, the on-line PWA work management system, that will provide regular monitoring reports.

Additionally staff was directed to ensure all standards are consistently represented in all areas of public information and with the new performance management system and to keep this item in committee to address the issue associated with median strips and to include a standard for median strips

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

- Sanjiv Handa

- Dale Hagen

- Susan Montauk

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[81167 CMS.pdf](#)

S-40 Subject: Oakland Commerce Corporation - Professional Services Agreement
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Professional Services Agreement For Fiscal Year 2007-2008 In An Amount Not To Exceed \$300,000 With The Oakland Commerce Corporation For Ongoing Business Retention And Expansion Services To Businesses In Oakland And Operation And Management Of The Business Alert Crime Prevention Program In The Coliseum Area; And Authorizing An Amount Not To Exceed \$9,000 (3%) For Contract Compliance
[07-0872](#)

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

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A motion was moved, seconded and carried to extend the meeting past 10:30pm

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Anthony Newsome, Ernest Johnson, Freddy Taylor, Henry Taylor, Christy Gough, Gloria Keith Dugan, Edwin L. Wilson, Geraldine Mae Haggarty, Minette Burns and Leo Zager at 10:40 p.m.

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...

City Clerk and Clerk of the Council