



# 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, September 16, 2008

6:00 PM

Oakland City Hall, 3rd Floor

---

1 Pledge of Allegiance

*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:06 P.M.*

2 Roll Call / ORA & Council

[Play Video](#)

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

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

[Play Video](#)

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

- Simuel Ramey
- John Nelson
- Geffrey Pete
- Clyde Sotomey
- Gene Hazzard
- Shirnell Smith
- Andre Spearman
- Ronald Muhammad
- Juniuos Williams
- Roberto Costa
- Darnal Levingston
- David Ward
- Nancy Parlette
- Wilson Riles
- Rev. Eddie L. Owens
- Mike Bacon

- 4 Modifications to the Consent Calendar, and requests from Councilmember(s) to pull an item from the Consent Calendar, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this item.*

- 5 Motion for 'Members' Requests for Reconsideration' of an Action taken at the preceding Council Meeting, shall be scheduled for the next-succeeding City Council meeting as a non-consent item. (Motion Maker must have voted on prevailing side)

*There was no action necessary for this item.*

- 6 Requests from Councilmember(s) to schedule an Action Item considered by Committee but not forwarded to Council, shall be scheduled for the next-succeeding City Council meeting as a non-consent item.

*There was no action necessary for this item.*

*Councilmember Quan was noted absent at 6:35 pm.*

- 7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on July 15, 2008

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

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Quan  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Reid and President of the Council De La Fuente  
*Councilmember Quan was noted present at 6:37 pm.*

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

*There were no presentations for this meeting.*

---

**9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

[Play Video](#)

*Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Nancy Backstrom*

*Agency/Councilmember Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Charlotte Lottie Rose*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Alan Hahn*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Kenna Wilson*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Luis Hernandez*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Deidria Etheridge*

**10. CONSENT CALENDAR (CC) ITEMS:**

[Play Video](#)

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  
[07-1614](#)

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

**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(s) spoke under this item:*

- Vivek Bhatia
- Darnell Levingston

[View Report.pdf](#)  
[81526 CMS.pdf](#)

---

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  
[07-1615](#)

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

**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  
[View Report.pdf](#)  
[81527 CMS.pdf](#)

10.3-CC Subject: Whistleblower Protection  
From: Council President De La Fuente And City Auditor Ruby  
Recommendation: Adopt An Ordinance Prohibiting Retaliation Against Employees Who Act As  
Whistleblowers  
[07-1021](#)

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

**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(s) spoke under this item:*

- Gary Sirbu
  - Ralph Kanz
  - Sanjiv Handa
- [View Report.pdf](#)  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[12890 CMS.pdf](#)

---

10.4-CC Subject: Jack London District Interim Mixed-Use Parking Program Amendments  
From: Councilmember Nancy Nadel  
Recommendation: Adopt An Ordinance Amending Ordinance No. 12864 C.M.S., To Modify The Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program Area, In Order To Include All Of The Merchants, Businesses, Employees, And Residents Along The Waterfront And At 401 Broadway Street, As Follows: (A) Extend The Southern Boundary Of The Permit Parking Area South Approximately Two Blocks From Embarcadero West, To The Edge Of The Estuary, Between Oak Street And Washington Street Only, Extending The Eastern Boundary In A Straight Line Down Oak Street To The Water; And (B) Extend The Northern Boundary Of The Permit Parking Area North One Block From Fourth Street, Between Washington Street And Broadway Only, To Include The Southern Side Of Fifth Street Only (TITLE CHANGE)  
[07-1440](#)

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

**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(s) spoke under this item:*

- Sanjiv Handa

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

10.5-CC Subject: Encroachment Permit - 1199 Pine Street  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting PCL Associates LLC A Revocable And Conditional Permit To Allow Portions Of Residential Units In A New Building At 1199 Pine Street To Encroach Over The Public Sidewalk  
[07-1503](#)

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

**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

[View Report.pdf](#)

[81528 CMS.pdf](#)

---

10.6-CC Subject: Lake Merritt And 12th Street Separation Structure Funding  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate \$15,110,000.00 Of Highway Bridge Program (HBP) Funding Including Up To \$13,376,883.00 In Federal Highway Administration (FHWA) Funds And Up To \$1,733,177.00 In State Proposition 1B Local Match Funds To Replace The 12th Street Eastern And Western Grade Separation Structures At Lake Merritt  
[07-1504](#)

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

**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

[View Report.pdf](#)

[81529 CMS.pdf](#)

10.7-CC Subject: As-Needed Environmental Services Contracts  
From: Public Works Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Enter Into An Agreement With Geomatrix In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011

[07-1550](#)

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

[View Report.pdf](#)

[81530 CMS.pdf](#)

2) A Resolution Authorizing The City Administrator To Enter Into An Agreement With LFR In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011;

[07-1550-1](#)

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

[81531 CMS.pdf](#)

---

3) A Resolution Authorizing The City Administrator To Enter Into An Agreement With Ninyo & Moore In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011

[07-1550-2](#)

**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 Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[81532 CMS.pdf](#)

4) A Resolution Authorizing The City Administrator To Enter Into An Agreement With URS In An Amount Up To Seven Hundred Fifty Thousand Dollars (\$750,000.00) For As-Needed General Environmental Consulting Services For A Two-Year, Eight-Month Period From November 1, 2008 Through June 30, 2011

[07-1550-3](#)

**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 Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[81533 CMS.pdf](#)

5) An Agency Resolution Authorizing The Agency Administrator To Expend Agency Funds Up To Three Million Dollars Under The Cooperation Agreement For As-Needed General Environmental Consulting Services For Redevelopment Projects Under The City Of Oakland Environmental Services Contracts In Effect From November 1, 2008 Through June 30, 2011

[07-1550-4](#)

**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 Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[2008-0083 CMS.pdf](#)

---

10.8-CC Subject: Purchase Of Real Property - 5859 Foothill Boulevard  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of Real Property At  
5859 Foothill Boulevard, From Community Fund LLC For \$480,000 Less The Cost Of  
Environmental Site Remediation And Authorizing Up To \$50,000 For Costs For Demolition And  
Real Estate Closing  
[07-1422](#)

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

**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  
[View Report.pdf](#)  
[2008-0084 CMS.pdf](#)

10.9-CC Subject: Mass Care Shelter Sites - OUSD Agreement  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Acting City  
Administrator Or His Or Her Designee To Enter Into An Agreement With The Oakland Unified  
School District Regarding The Use Of Oakland Unified School District School Sites During  
Emergencies For Temporary Mass Care Shelter Sites  
[07-1511](#)

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

**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(s) spoke under this item:*  
- Sanjiv Handa  
[View Report.pdf](#)  
[81534 CMS.pdf](#)



---

10.10-CC Subject: Metropolitan Medical Response System  
From: Oakland Fire Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept A Two Hundred Fifty Eight Thousand One Hundred Forty Five Dollar (\$258,145.00) Metropolitan Medical Response System (MMRS) Grant From The Governors Office Of Homeland Security To Fund The MMRS Program, Planning And Equipment For Oakland Fire Department  
[07-1298](#)

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

**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

[View Report.pdf](#)

[81535 CMS.pdf](#)

10.11-CC Subject: POST Certified Emergency Vehicle Training  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Execute An Agreement With The California Commission On Peace Officer Standards And Training (POST) For The Period Of July 1, 2008 Through June 30, 2009 For The Purpose Of Permitting The Police Department To Present The POST Certified Emergency Vehicle Operations Course (EVOC) To One Hundred Fifty (150) Police Officer Trainees, And To Receive Up To Sixty-Six Thousand Seven Hundred Fifty Dollars (\$66,750) In Reimbursement Funds  
[07-1500](#)

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

**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

[View Report.pdf](#)

[81536 CMS.pdf](#)

---

10.12-CC Subject: Asset Forfeiture Fund  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or A Designee, To  
1) Enter Into A Memorandum Of Understanding, For The Period Of September 30, 2008  
Through October 1, 2009 And Renewable Annually, With The US Department Of Justice,  
Bureau Of Alcohol, Tobacco, Firearms And Explosives (ATF) And The Oakland Police  
Department (OPD) To Cooperate In The Operation Of A Joint Oakland Firearm And Gang Task  
Force (Task Force), And 2) Accept And Appropriate Reimbursement Funds From The US  
Department Of Justice Asset Forfeiture Fund To The Oakland Police Department For  
Investigator Overtime And Other Asset Forfeiture Fund Authorized Reimbursements In  
Accordance With The Existing Federal Sharing Agreement  
[07-1560](#)

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

**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

[View Report.pdf](#)  
[81537 CMS.pdf](#)

10.13-CC Subject: Travel Authorization For Councilmember Brooks  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Councilmember Desley Brooks To Attend  
The African American Caucus Of The League Of Cities Conference From September 21 - 23, In  
Conjunction With The Previously Authorized Congressional Black Caucus Legislation  
Conference From September 23-27, 2008  
[07-1583](#)

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

**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(s) spoke under this item:*

- Sanjiv Handa  
[View Report.pdf](#)  
[81538 CMS.pdf](#)

---

10.14-CC Subject: United States Tennis Association Northern California  
From: Vice Mayor Larry E. Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$2,202.95 Of Vice Mayor Larry E. Reid's Priority Project Funds To The United States Tennis Association Northern California For Elmhurst Youth Tennis Center Members To Attend The 87th Annual Pacific Coast Championships  
[07-1607](#)

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

**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  
[View Report.pdf](#)  
[81539 CMS.pdf](#)

10.15-CC Subject: Chinatown Chamber Of Commerce - Priority Project Funds  
From: Councilmember Pat Kernighan  
Recommendation: Adopt A Resolution Authorizing Allocation Of \$500 Of Councilmember Patricia Kernighan's Priority Project Funds To The Chinatown Chamber Of Commerce For The Community Celebration Of The Completion Of The Revive Chinatown Pedestrian Safety Improvements At Four Chinatown Intersections  
[07-1610](#)

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

**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(s) spoke under this item:*  
- Sanjiv Handa  
[View Report.pdf](#)  
[81540 CMS.pdf](#)

---

10.16-CC Subject: Priority Project Funds - District Six  
From: Councilmember Desley Brooks  
Recommendation: Adopt A Resolution Authorizing Use Of \$4591.96 From Councilmember Desley Brooks' Priority Project Funds To Pay For Custom Screen Printed T-Shirts Promoting The "So You Think You Can Hoop" Event Organized By Councilmember Desbley Brooks' Office (TITLE CHANGE)  
[07-1618](#)

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

**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  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[81541 CMS.pdf](#)

10.17-CC Subject: United States Tennis Association-Northern California  
From: Councilmember Henry Chang  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$2,000.00 From The At-Large Councilmember Henry Chang, Jr.'s Pay-Go Funds To The United States Tennis Association Northern California For Elmhurst Youth Tennis Center Members To Attend The 87th Annual Pacific Coast Championships  
[07-1619](#)

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

**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  
[View Report.pdf](#)  
[81542 CMS.pdf](#)

---

10.18-CC Subject: John And Jean Bouey - 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 John And Jean Bouey v. City Of Oakland, Alameda County Superior Court Case No. RG07307959 In The Amount Of \$7,500.00. This Action Arises From Flooding Of Plaintiffs' Property Located At 9312 Skyline Boulevard Around December 2005, Allegedly Because Of The Discharge Of Surface Water From Skyline Boulevard. The Settlement Was Approved By The City Council At Closed Session On July 15, 2008 (Public Works Agency) [07-1626](#)

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

**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  
[View Report.pdf](#)  
[81543 CMS.pdf](#)

**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 Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, 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  
[Play Video](#)

**A motion was made by Member Chang, seconded by Councilmember Reid, 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 two final decisions. 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(s) spoke under this item:*  
*- Sanjiv Handa*

12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance

**A motion was made by Councilmember Reid, seconded by Member Chang, to \*Approve as Submitted the motion confirming that no non-confidential Closed Session discussion occurred during Closed Session. 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

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

13 Reconsideration of Ordinances pursuant to Charter Section 216

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

14.1 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  
[07-1599](#)

[Play Video](#)

**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, 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 7:04 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

*The following individuals spoke on this item:*

*Agency/Councilmember Quan 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*

[View Report.pdf](#)

[81544 CMS.pdf](#)

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  
[07-1599-1](#)

**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  
[07-1599-2](#)

**Not Adopted**

14.2

Subject: Delinquent Mandatory Garbage Fees  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For January/February/March 2008, Monthly Accounts And April/May/June 2008, 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  
[07-1600](#)

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

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 7:06 p.m.*

*The following individuals spoke on this item:*

*- Sanjiv Handa*

*The following individuals spoke on this item:*

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

[View Report.pdf](#)  
[81545 CMS.pdf](#)



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

[07-1600-1](#)

**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

[07-1600-2](#)

**Not Adopted**

14.3 Subject: Delinquent Real Property Transfer 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  
[07-1601](#)

**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

*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 7:09 p.m.*

*The following individuals spoke on this item:*

- Sanjiv Handa  
- Ora Knowel

*The following individuals spoke on this item:*

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

[View Report.pdf](#)  
[81546 CMS.pdf](#)

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  
[07-1601-1](#)

**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  
[07-1601-2](#)

**Not Adopted**

**ACTION ON NON-CONSENT ITEMS:**

15            Subject:    Property Improvements - 8603 & 8701 Hillside Street  
                 From:            Community and Economic Development Agency  
                 Recommendation: Adopt An Agency Resolution Authorizing An Owner Participation Agreement  
                 With Pineview Partners, LLC, And Lenin Anne For The Rehabilitation Of 8603 & 8701 Hillside  
                 Street In The Central City East Redevelopment Project Area, Including Agency Funding In An  
                 Amount Not To Exceed \$275,000  
[07-1451](#)

**\*Withdrawn with No New Date**

*Vice Mayor Reid requested to pull item 15*

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

From:    The Office of the City Attorney  
                 Recommendation: Receive A Supplemental Report On Agency Resolution Authorizing An  
                 Owner Participation Agreement For 8603 And 8701 Hillside Street  
[07-1451-1](#)

**\*Withdrawn with No New Date**

*Vice Mayor Reid requested to pull item 15*

[View Report.pdf](#)

16 Subject: 16th Street Train Station  
From: Community and Economic Development Agency  
Recommendation: Action On A Report On The Status Of The Rehabilitation And Reuse Of The  
Historic 16th Street Train Station In West Oakland; And Adopt The Following Pieces of  
Legislation:

1) A Resolution Approving A Non-Profit Corporation To Be Created By The Train Station  
Partnership And Build To Oversee The Rehabilitation And Reuse Of The 16th Street Train  
Station In West Oakland

[07-1506](#)

[Play Video](#)

**A motion was made by Councilmember Nadel, seconded by  
Councilmember Brunner, that this matter be Adopted as Amended to  
revise the agency to add the following language: "Further Resolved: That  
the board of the Train Statuion entity must include members with  
significant development experience;" 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

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[81547 CMS.pdf](#)

---

2) An Agency Resolution Authorizing A Predevelopment Loan With Deferred Repayment To The Train Station Entity For Rehabilitation Of The 16th Street Train Station In West Oakland In An Amount Not To Exceed \$400,000 (TITLE CHANGE)

[07-1506-1](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Brunner, that this matter be Adopted as Amended to revise the agency resolution to add the following language:**

**"Further Resolved: That the work product funded by the loan, as well as other development rights for the project, shall be security for the loan and shall be assigned to the Agency upon a default by the developer in the performance of its loan obligations, including obligations to pursue development of the project, and be it,**

**Further Resolved: That loan funds shall be disbursed only for costs actually incurred by the developer based on invoices submitted to the Agency;"**

**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(s) spoke under this item:*

- Carol Galante
- Margaret Gordon
- Naomi Schiff
- Andre Spearman
- Karla Goodbody
- Monsa Nitoto
- Vince Gibbs
- Phu H. Tauan
- Sanjiv Handa

[2008-0085 CMS.pdf](#)

17 Subject: Ventures, LLC Loan - 1396 5th Street  
From: Community and Economic Development Agency  
Recommendation: Adopt An Agency Resolution Authorizing The Purchase Of 1396 Fifth Street (Former Red Star Yeast Factory) In West Oakland From 1396 Fifth Street LLC For A Purchase Price Not To Exceed \$2,750,000 Less Environmental Remediation Costs, Plus Closing Costs In An Amount Of \$60,000 (TITLE CHANGE)

[07-1507](#)

[Play Video](#)

**A motion was made by Councilmember Nadel, seconded by Member Chang, 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(s) spoke under this item:*

- Sanjiv Handa

- Curtis Eisenberger

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[2008-0086 CMS.pdf](#)

---

18      Subject:    Master Developer For The Former Oakland Army Base - RFP  
From:        Community and Economic Development Agency  
Recommendation: Action On A Supplemental Report On Actions And Recommendations  
Regarding The Selection Of A Master Developer For A 108-Acre Portion Of The Former  
Oakland Army Base  
[07-1359-1](#)  
[Play Video](#)

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

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

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

- Sanjiv Handa
  - Sean House
  - Brain Bevieridge
  - Ben Nichols
  - Anny Chang
  - Steve Lowe
  - David Klein
  - David Gazek
  - Merlin Edwards
  - Victoria Williams Turner
  - Ronnie M. Turner
  - Kent Lewandowski
  - Sharon Cornu
  - Ray Kidd
  - Phill Tagam
  - Margaret Gordon
  - Scott B. Peterson
  - Dr. Ulysses S. Crockett
- [View Report.pdf](#)

19 Subject: Rescinding Ordinance No. 12818 C.M.S. Plastic Bag Ban  
From: Public Works Agency  
Recommendation: Adopt An Ordinance Rescinding Ordinance No. 12818 C.M.S., Which Banned The Use Of Non-Biodegradable Plastic Carry-Out Bags At Point Of Sale By Certain Retail Establishments  
[07-1597](#)  
[Play Video](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Quan, that this matter be Approved on Introduction for Final Passage to the \*Special Concurrent Meeting of the Oakland Redevelopment Agency/City Council, due back on October 7, 2008. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Absent: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individual(s) spoke under this item:*  
- Sanjiv Handa  
[View Report.pdf](#)

20 Subject: Shepherd Canyon Park Parking Lot Project  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or His Designee To 1) Waive Advertising And Authorize Direct Solicitation Of Competitive Bids For The Shepherd Canyon Park Parking Lot Project (B246741); And 2) Award A Construction Contract To The Lowest Responsive, Responsible Bidder For The Shepherd Canyon Park Parking Lot Project (B246741) In An Amount Not-To-Exceed \$110,000.00 Without Returning To Council  
[07-1602](#)  
[Play Video](#)

**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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[View Report.pdf](#)  
[81548 CMS.pdf](#)



- 
- 21      Subject:    The Shepherd Canyon Park Parking Lot - Donation Agreements  
From:        Councilmember Jean Quan  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate Donations And Other Funds For Improvements To The Shepherd Canyon Park Parking Lot As Follows: A Donation Of \$30,000.00 From The Montclair Soccer Club, A Donation Of \$6,732.00 From The Friends Of Oakland Parks & Recreation, And A Donation Of \$5,000.00 From The Montclair Safety & Improvement Council  
[07-1603](#)  
[Play Video](#)
- 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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[View Report.pdf](#)  
[81549 CMS.pdf](#)
- 22      Subject:    Demolition Of Unsafe Structures For Wallace Street Properties  
From:        Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legisaltion:  
1) An Agency Resolution Contributing Central City East Redevelopment Funds In The Amount Of \$800,000.00 To The City Of Oakland Under The Cooperation Agreement, Of Which \$600,000.00 Will Be Allocated For Engineering And Slope Stabilization And \$200,000.00 Will Be Allocated For Demolition Of Unsafe Structures For Properties Located At 2621, 2631, And 2633 Wallace Street; And  
[07-1604](#)  
[Play Video](#)
- A motion was made by Councilmember Kernighan, seconded by Councilmember Quan, that this matter be Adopted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[View Report.pdf](#)  
[2008-0087 CMS.pdf](#)

---

2) A Resolution Accepting And Appropriating Central City East Redevelopment Funds In The Amount Of \$800,000.00 From The Redevelopment Agency, Authorizing Allocation Of \$600,000.00 Of Said Funds To Engineering And Slope Stabilization, And Waiving Advertising And Authorizing Direct Solicitation Of Competitive Bids For And Award Of A Construction Contract To The Lowest Responsible, Responsive Bidder For Demolition Of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street (Project No. To Be Determined) In A Not-To-Exceed Amount Of \$200,000.00 Without Return To Council

[07-1604-1](#)

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

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
[81550 CMS.pdf](#)

23

Subject: Measure M Performance Audit

From: Office of the City Auditor

Recommendation: Receive The Measure M Performance Audit: The City Used Emergency Medical Services Funds Appropriately

[07-1612](#)

[Play Video](#)

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

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

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

- *Sanjiv Handa*

[View Report.pdf](#)

24            Subject:    Measure N Performance Audit  
              From:        Office of the City Auditor  
              Recommendation: Receive The Measure N Performance Audit: The City Used Paramedic  
              Services Funds Appropriately  
              [07-1613](#)  
              [Play Video](#)

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

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

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

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

---

25      Subject:    Whistleblower Program Funding  
From:        City Auditor Ruby/Council President De La Fuente/Councilmember Kernighan  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The  
City Of Oakland, To Appropriate To The Office Of The City Auditor \$330,000 In Fiscal Year  
2008-2009 And \$330,000 In Fiscal Year 2009-2010 In General Purpose Funds For The Purpose  
Of Funding Administration Of The City Auditor's Whistleblower Program  
[07-1616](#)  
[Play Video](#)

**A motion was made by Councilmember Kernighan, seconded by President of the Council De La Fuente, that this matter be Adopted as Amended to reduce each annual appropriation to \$250,000 per year. The motion carried by the following vote:**

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

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

- Sanjiv Handa
- Judy Cox
- James Forsyth
- Emila Otero
- Valerie Winemiller
- Jose Dorado
- Carlos Plazola
- Thomas Thurston
- Molly Stoufer
- Steve Edrington
- Jay Dodson
- Sean Sullivan
- Gregory McConnell

[View Report.pdf](#)  
[81551 CMS.pdf](#)

26      Subject:    Amicus Brief - Nordyke v. King  
         From:      Office of the City Attorney  
         Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Sign Onto An  
         Amicus (Friend Of The Court) Brief In The Case Of Nordyke v. King Tasking The Court To  
         Uphold Alameda County's Ordinance Banning The Possession Of Firearms And Ammunition On  
         County Property  
         [07-1617](#)  
         [Play Video](#)

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

**Votes:** ORA\Councilmember 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(s) spoke under this item:*

- *Sanjiv Handa*  
[View Report.pdf](#)  
[81552 CMS.pdf](#)

27

Subject: Hiring Practices Audit - Funding

From: Council President De La Fuente

Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal Process For Hiring Audit Services In The Amount Of \$150,000.00 To Be Added To The Existing Agreement With Sjoberg Evashenk Consulting For A Total Contract Amount Of \$235,000.00, And Appropriating Funds In The Amount Of \$150,000.00 To The City Auditor's Budget To Pay For The Work

[07-1621](#)

[Play Video](#)

**A motion was made by Councilmember Reid, seconded by Councilmember Quan, that this matter be Adopted as Amended to expand the scope of this hiring audit to include recruitment, applications, interview, centralized and decentralized recruitments, and adherence to Civil Service Rules. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks

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

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

- Sanjiv Handa
- Chulzi Hatw
- Jay Dodson
- Carlos Plazola
- Emilia Otero
- Jose Dorado
- Thomas Thurston
- Steve Edrington
- Max Allstart

[View Report.pdf](#)

---

28 Subject: City Planning Commission Appointments  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Ada Chan And Reappointing Douglas Boxer,  
As Members Of The City Planning Commission  
[07-1493](#)  
[Play Video](#)

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

- Sanjiv Handa
- Jay Dodson
- Margaret Gordon
- Curtis Eisenberger
- Chule Haitw
- Mark Borsuk
- Michael Stewart
- Sugi Loni
- Jennie Ong

[View Report.pdf](#)  
[81554 CMS.pdf](#)

29 Subject: Children's Fairyland Board - Appointment  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Appointing Georgia Richardson As Member Of The  
Children's Fairyland Board  
[07-1622](#)

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

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

- Sanjiv Handa
- [View Report.pdf](#)  
[81555 CMS.pdf](#)

---

30           Subject:    Mayor's Designee - Police And Fire Retirement Board  
              From:       Office of the Mayor  
              Recommendation: Adopt A Resolution Approving The Mayor's Designation Of The City  
              Administrator To Serve In The Mayor's Place And Stead As A Member Of The Police And Fire  
              Retirement Board  
              [07-1623](#)

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

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

- Sanjiv Handa  
[View Report.pdf](#)  
[81556 CMS.pdf](#)

31           Subject:    Cultural Affairs Commission - Appointments  
              From:       Office of the Mayor  
              Recommendation: Adopt A Resolution Reappointing/Appointing Brian Vejby, Lori Zook, Terry  
              Hill And Matais Pouncil As Members Of The Cultural Affairs Commission  
              [07-1624](#)

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

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

- Sanjiv Handa  
[View Report.pdf](#)  
[81557 CMS.pdf](#)



---

S-32      Subject:      Tattoo Parlor Moratorium  
From:          Councilmember Desley Brooks  
Recommendation: Adopt An Interim Ordinance, Adopted As An Urgency Measure Pursuant To  
California Government Code Section 65858, Establishing A Temporary Moratorium On The  
Establishment Or Expansion Of An Activity Or Facility That Involves Tattooing, Body Piercing,  
And/Or Permanent Cosmetics To Take Effect Immediately Upon Adoption  
[07-1625](#)  
[Play Video](#)

**A motion was made by Councilmember Brooks, seconded by President of the Council De La Fuente, that this matter be Approved for Final Passage. 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

*Agency/Councilmember Brooks 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-32 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action is required to avoid a substantial adverse impact that would occur if the action were deferred to a subsequent special or regular meeting. Upon call of the roll the motion passed by Ayes 7, Abstained 1 - Brunner*

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

- Sanjiv Handa  
[View Report.pdf](#)  
[12892 CMS.pdf](#)

#### **Continuation of Open Forum**

[Play Video](#)

*The following individual spoke under the continuation of Open Forum:*

- Sanjiv Handa

#### **ADJOURNMENT OF COUNCIL SESSION**

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

[Play Video](#)

*There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Nancy Backstrom, Charlotte Lottie Rose, Alan Hahn, Kennah Wilson, Luis Hernandez, and Deidria Etheridge at 12:06 a.m.*

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TDD](#)

THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER  
THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE  
SAFETY OF THOSE ATTENDING MEETINGS.

...

---

*City Clerk and Clerk of the Council*