



City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Concurrent Meeting of the Oakland Redevelopment Agency/City Council

Tuesday, February 20, 2007

6:00 PM

Oakland City Hall, 3rd Floor

1 Pledge of Allegiance

A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:15 pm.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

The following individual(s) spoke under Open Forum:

- Mary Cochran
- Lynda Dann
- Oscar Wright
- Dorothy Mae Coleman
- Sanjiv Handa
- William H. Mayo

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

There was no action necessary for this item

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

There was no action necessary for this item

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

There was no action necessary for this item

7 Approval of the Draft Minutes from the Concurrent Meeting of the Oakland Redevelopment Agency/City Council held on February 6, 2007

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: Proposition 1B Transportation Infrastructure Programs
From: Public Works Agency
Recommendation: Receive A Presentation On State Infrastructure Bonds - Propositions 1B, 1C, 1D, 1E And Proposition 84 Approved By California Voters
[06-0982](#)

Council heard a presentation on State Infrastructure Bonds - Propositions 1B, 1C, 1D, 1E and Proposition 84 approved by California voters.

*The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Amin Denny

Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Gaddies, III

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
[06-1130](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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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
[06-1131](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente, Councilmember Brooks and
Councilmember Reid
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[80398 CMS.pdf](#)

10.3-CC Subject: Annabelle Joseph-Chevalier Settlement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To
Compromise And Settle The Case Of Annabelle Joseph-Chevalier v. City Of Oakland, et al., And
Related Cross-Action, Alameda County Superior Court No. RG05209387, Our File No. 23924,
In The Amount Of \$16,000.00 (Public Works Agency - Trip And Fall)
[06-1132](#)

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

Votes: ORA\Councilmember Recused: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Quan, President of the Council
De La Fuente, Councilmember Brooks and Councilmember Reid
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10.4-CC Subject: Hodari Toure - 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 Hodari Toure v. City Of Oakland, Alameda County
Superior Court Case No. RG05-21544, Our File No. 24358, In The Amount Of Fifty Thousand
Dollars And No Cents (\$50,000.00) (Police Department - Civil Rights Violation, Excess Force)
[06-1134](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente, Councilmember Brooks and
Councilmember Reid
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10.5-CC Subject: Shawn Wrigley - Settlement Agreement
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Settle The Case Of Shawn Wrigley v. City Of Oakland, et al., United States District Court Case No. C 06- 00495 MJJ, Our File No. 24998, In The Amount Of \$300,000.00. This Case Involves Use Of Excessive Force. (Oakland Police Department–Alleged Civil Rights Violation)
[06-1135](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
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10.6-CC Subject: Traffic Impact Program
From: Community and Economic Development Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending The Oakland Municipal Code Title 10, Adding Chapter 70, Establishing A Traffic Impact Program (TIP) Pursuant To California Government Code Sections 66000 Through 66025 (Mitigation Fee Act) For The Southeast Portion Of The City Of Oakland, Including Procedural Requirements For The Adoption, Imposition, And Adjustment Of Traffic Impact Fees (TIF)
[06-0807](#)

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

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

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

- Sanjiv Handa
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[View Supplemental Report.pdf](#)
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S-10.7-CC Subject: Rehabilitation of Sanitary Sewers - Project C227210
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Andes
Construction, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Telegraph
Avenue, 24th Street, Lee Street, Harrison Street And 20th Street - Part One Sub-Basin 52-05
(Project No. C227210) For The Amount Of Four Million Three Hundred Fifteen Thousand Five
Hundred Thirty-Six Dollars (\$4,315,536.00)
[06-1016](#)

This Matter was Adopted on the Consent Agenda.

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

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

- *William Mayo*

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S-10.8-CC Subject: Sanitary Relief Sewers - Project Number C80010
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing Award Of A Contract To Mocon Corporation
For The Construction Of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge
Avenue, Brookdale Avenue, Maple Avenue And MacArthur Boulevard (Project No. C80010)
For The Amount Of Two Million Three Hundred Fifty-Two Thousand Seven Hundred
Forty-Five Dollars (\$2,352,745.00)
[06-1017](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.9-CC Subject: Removal Of Residential Permit Parking
From: Public Works Agency
Recommendation: Adopt A Resolution Approving The Removal Of Residential Permit Parking
(RPP) On Hudson Street, Both Sides, From Boyd Avenue To Lawton Avenue In RPP Area "C"
[06-1056](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.10-C Subject: St. Francis Electric - Agreement
C From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To St. Francis Electric For The Oak Center Historical Marker Project (No. P260210) In The Amount Of Four Hundred Fifty Three Thousand Three Hundred Twenty Five Dollars (\$453,325.00)
[06-0821](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[80405 CMS.pdf](#)

2) An Agency Resolution Authorizing The Contribution And Allocation Of Additional Oak Center Funds To The City Of Oakland Under The Cooperation Agreement In The Amount Of \$163,325 For The Oak Center Historic Marker Project, For A Total Agency Contribution Of \$613,325
[06-0821-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
[2007-0007 CMS.pdf](#)

3) A Resolution Authorizing The City To Accept And Appropriate An Additional Contribution Of Redevelopment Agency Oak Center Funds Under The Cooperation Agreement In An Amount Not To Exceed \$163,325 For The Construction Of The Oak Center Historic Marker Project For A Total Agency Contribution Of \$613,325

[06-0821-2](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.11-C Subject: 81st Avenue Community Library Project
C From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate A Grant In The Amount Of One Hundred Thousand Dollars (\$100,000) From The Thomas J. Long Foundation To Fund A Portion Of The Project Costs Of The 81st Avenue Community Library

[06-1062](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.12-C Subject: Macias, Gini, & O'Connell, LLP Contract Extension
C From: Finance and Management Agency

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City Administrator To Enact A One-Year Extension Contract With Macias, Gini & O'Connell, LLP To Provide Audit Services For Fiscal Year End June 30, 2007 In The Amount Not To Exceed \$659,161; And

[06-1117](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa

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2) An Agency Resolution Authorizing The Agency Administrator To Enact A One-Year Extension Contract With Macias, Gini & O'Connell, LLP To Provide Audit Services For Fiscal Year End June 30, 2007 In The Amount Not To Exceed \$89,159

[06-1117-1](#)

This Matter was Adopted on the Consent Agenda.

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

[2007-0008 CMS.pdf](#)

S-10.13-C Subject: Transitional Housing Facilities Rehabilitation

C From: Department of Human Services

Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Funding In An Amount Up To \$1,000,000 From The State Of California 2006-2007 Emergency Housing And Assistance Program (EHAP) For The Rehabilitation Of The Henry Robinson Multi-Service Center, A City Owned Transitional Housing Facility

[06-1061](#)

This Matter was Adopted on the Consent Agenda.

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

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S-10.14-C Subject: Summer Reading Program

C From: Oakland Public Library

Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept, And Appropriate A Grant In The Amount Of Fifty Nine Thousand Seven Hundred Dollars (\$59,700) From The Stocker Foundation For The Library's Summer Reading Program

[06-1063](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa

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S-10.15-C Subject: Emergency Shelter Grant And Emergency Housing Program
C From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To Extend The Performance Period Of Existing Grant Agreements Under The Fiscal Year 2005-2006 Emergency Shelter Grant And Emergency Housing Program From The January 31, 2007 End Date To June 30, 2007 And To Extend The Performance Period Of Existing Agreements Under The Fiscal Year 2005-2006 Winter Relief Program From The January 31, 2007 End Date To May 15, 2007 To Support Said Programs With Available Program Balances From The Fiscal Year 2006-2007 Emergency Shelter Grant, Emergency Housing And Winter Relief Program Years
[06-1064](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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[80411 CMS.pdf](#)

S-10.16-C Subject: East Bay Community Recovery Project - Agreement
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing A Professional Services Agreement In An Amount Not To Exceed Twenty-One Thousand Dollars (\$21,000) With The East Bay Community Recovery Project - 14th Street Medical Clinic, For Medication Assisted Therapy And Counseling Services For Opiate Addiction On Behalf Of The West Oakland Weed And Seed Initiative
[06-1065](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
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S-10.17-C Subject: Oakland Youth Court - Title V Grant
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The State Of California, Corrections Standards Authority, Title V Community Prevention Grants Program, And Authorizing A Funding Agreement In An Amount Not To Exceed One Hundred Eighty Thousand Dollars (\$180,000) With The Donald P. McCullum Youth Court For Third Year Program Implementation Of The Interface Project, And Appropriate Said Funds To The Police Department
[06-1067](#)

This Matter was Adopted on the Consent Agenda.

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

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

- William Mayo

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S-10.18-C Subject: Project First
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Two Hundred Thousand Dollars (\$200,000) From The State Of California, Corrections Standards Authority, Title V Community Prevention Grants Program, And Authorize A Funding Agreement In An Amount Not To Exceed One Hundred Sixty Thousand Dollars (\$160,000) With The East Bay Community Foundation (Safe Passages) For Third Year Program Implementation Of Project First, And Appropriate Said Funds To The Police Department
[06-1068](#)

This Matter was Adopted on the Consent Agenda.

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

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

- William Mayo

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S-10.19-C Subject: The Paragon Project
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) From The State Of California, Corrections Standards Authority, Title II Formula Grants Program, For The Three-Year Program Term Of April 1, 2007 To March 30, 2010, And Authorizing A Funding Agreement In An Amount Not To Exceed One Million Two Hundred Thousand Dollars (\$1,200,000) With The Donald P. McCullum Youth Court For Implementation Of The Paragon Project, And Appropriate Said Funds To The Police Department
[06-1069](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
The following individual(s) spoke and did not indicate a position on this item:
- William Mayo
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[80415 CMS.pdf](#)

S-10.20-C Subject: Oakland Youth Court - JAB Grant
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In An Amount Not To Exceed Twenty-Two Thousand And Three Hundred And Fifty-Eight Dollars (\$22,358) From The State Of California, Corrections Standards Authority, Juvenile Accountability Block Grant (JABG) Program, And Authorizing A Funding Agreement In An Amount Not To Exceed Fifteen Thousand Dollars (\$15,000) With The Donald P. McCullum Youth Court For Continued Program Implementation Of The Oakland Youth Court, Interface Project, And Appropriate Said Funds To The Police Department
[06-1070](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Kernighan, Councilmember Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan, President of the Council De La Fuente, Councilmember Brooks and Councilmember Reid
The following individual(s) spoke and did not indicate a position on this item:
- William Mayo
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S-10.21-C Subject: Bulletproof Vest Partnership
C From: Oakland Police Department
Recommendation: Adopt A Resolution Amending Resolution No. 80028 C.M.S. Authorizing The Acceptance And Appropriation Of Grant Funds In An Amount Not To Exceed Six Thousand Seven Hundred And Eighty-Nine Dollars (\$6,789) From The U.S. Department Of Justice, Bureau Of Justice Assistance, Bulletproof Vest Partnership Grant Program, And Authorizing The Acceptance And Appropriation Of Grant Funds In An Amount Not To Exceed Fifty-Seven Thousand One Hundred And Fifty Dollars (\$57,150) From The Bulletproof Vest Partnership Grant Program, And Appropriate Said Funds To The Police Department
[06-1071](#)

This Matter was Adopted on the Consent Agenda.

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

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

- Sanjiv Handa
 - William Mayo
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Passed The Consent Agenda

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

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

There were no final decisions made during closed session. There was no action necessary for this item.

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

- Sanjiv Handa

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

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

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

Agency/Councilmember Reid made a motion seconded by Agency/Councilmember Chang confirming that there were no discussions pursuant to Section 15 of the Sunshine Ordinance, and hearing no objections, the motion passed by Ayes: Agency/Councilmember: Brooks, Brunner, Chang, Nadel, Reid, Quan, Kernighan and President of the Council De La Fuente -8

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216
There was no action necessary for this item.

14. Consideration of items with statutory Public Hearing Requirements:

- 14.1 Subject: Revocation of Ten Taxi Cab Medallions
From: Office Of The City Administrator
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeal Filed By Mr. And Mrs. Baljit Singh On Behalf Of Yellow Cab And Denying The Appeal Filed By Enayat Aminy On Behalf Of East Bay Driver Association Against The Administrative Hearing Officer's Decision To Revoke Ten Taxi Medallions Issued To Yellow Cab Company
[06-1038](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 3/6/2007**

The following individual(s) spoke on this item:

- Sanjiv Handa
- Alex Berline
- Chuck Mack
- Caren Sencer
- Chris Nwadigu
- Mohammed Anwar
- Robert William Aiello
- Tom Hillgrove

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*ITEM 19 RELATED TO THE OAKLAND ICE CENTER CONTRACT WAS
TAKEN OUT OF ORDER IN ADVANCE OF ITEM 14.2*

14.2 Subject: Citizen's Options For Public Safety Grant
From: Oakland Police Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution
Implementing California Government Code Sections 30061-30065 And Appropriating Eight
Hundred And One Thousand Four Hundred And Twenty-Seven Dollars (\$801,427) In Eleventh
Year Funding For The State Of California, "Citizen's Options For Public Safety" (State COPS)
Grant To The Police Department, And Approving The Fiscal Year 2006-2008 Spending Plan
[06-1066](#)

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

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

*Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was
opened at 10:01pm*

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

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

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14.3 Subject: Limitations On Residential Eminent Domain Authority
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Adopting The First Amendment
To The Broadway/MacArthur/ San Pablo Redevelopment Plan To Limit The Redevelopment
Agency's Eminent Domain Authority Over Residential Property; And
[06-1023](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente and Councilmember Brooks
*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was
opened at 10.07 pm*

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

*- Sanjiv Handa
- Christopher Waters
- Michael Floyd*

*Agency/Councilmember Brunner 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, Quan, and President of the Council De La
Fuente -7, Absent - Reid -1*

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2) An Agency Resolution Approving And Recommending Adoption Of The First Amendment To
The Broadway/MacArthur/San Pablo Redevelopment Plan To Limit The Redevelopment
Agency's Eminent Domain Authority Over Residential Property
[06-1023-1](#)

[2007-0009 CMS.pdf](#)

ACTION ON NON-CONSENT ITEMS:

15 Subject: Priority Project Funds - District 7
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Authorizing Immediate Allocation Of \$10,000 From
Councilmember Larry E. Reid's Priority Project Funds To East Oakland Senior Citizens, Inc.
[06-1089](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente and Councilmember Brooks
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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16 Subject: Oakland Police Officers' Association Appeal
From: Finance and Management Agency
Recommendation: Adopt A Resolution Denying The Appeal Filed By The Oakland Police
Officers' Association ("OPOA") And Upholding The City Administrator's Decision To Place The
Deputy Chiefs Of Police And Captains Of Police In A Sworn Management Employee Bargaining
Unit In Accordance With Employer-Employee Relations Resolution No. 80211 C.M.S.
[06-1118](#)

**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 Absent: 1 - Councilmember Reid
ORA\Councilmember Noes: 1 - President of the Council De La Fuente
ORA\Councilmember Ayes: 6 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan
and Councilmember Brooks
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
- William Mayo
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~~17~~ ~~Subject: Oakland Garden Hotel, LLC—Agreement
From: Community and Economic Development Agency
Recommendation: Adopt the Following Pieces Of Legislation:~~

~~1) An Agency Resolution Pursuant To Section 4.9.2 And 11.2 Of The Disposition And
Development Agreement Between The Oakland Redevelopment Agency And Oakland Garden
Hotel LLC, Authorizing The Agency Administrator To Approve The Transfer Of Ownership Of
The Oakland Garden Hotel To The CIM Group; And~~

~~06-0961~~

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[2007-0013 CMS.pdf](#)

~~2) A Resolution Pursuant To Section 10. Of The Hyatt Regency Oakland Hotel Ground Lease
Between The City Of Oakland And Oakland Renaissance Associates Authorizing The City
Administrator To Approve The Assignment Of The Ground Lease And The Sale Of The Marriott
Hotel To The CIM Group, And To Accept All Payments Due The City~~

~~06-0961-1~~

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

18 Subject: 2007-2009 CALReUSE Brownfields Loan Program
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Appropriating And Authorizing The Agency
Administrator To Expend Up To \$150,000 From Oakland Redevelopment Agency Coliseum
Redevelopment Project Area Funds For the Required Local 15% Match Based On The
Allocation Of \$1,000,000 In Loan Funds, For The City Of Oakland 2007-2009 CALReUSE
Brownfields Loan Program
[06-1120](#)

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

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

- William H. Mayo

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[2007-0010 CMS.pdf](#)

*ITEM 19 RELATED TO THE OAKLAND ICE CENTER CONTRACT WAS
TAKEN OUT OF ORDER IN ADVANCE OF ITEM 14.2*

19 Subject: Oakland Ice Center Contract
From: Community And Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Negotiate And Execute A Three-Year Agreement With Rink Management Services Corporation For Management And Operation Of The Oakland Ice Center For A Base Monthly Fee Not To Exceed \$4,900, Plus An Annual Incentive Fee Not To Exceed 20 Percent Of Net Revenue Adjusted For Any Deferred Expenses That May Be Earned During The Previous Year In Excess Of \$7,603, Pursuant To Specific Criteria
[06-0753](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/6/2007**

The following individual(s) spoke on this item:

- Bill Claggett
- Scott Petersen
- John Gustafson
- Wayne Corrini
- Fred Brown
- Xavier Reed
- Carla Reed
- Zack Wasserman
- Phil Tagami
- Sanjiv Handa

Councilmember Brooks made a motion which was seconded by Councilmember Reid directing staff to negotiate and execute a three-year agreement with Rink Management Services for management and operation of the Oakland Ice Center

Councilmember Chang made a substitute motion which was seconded by Councilmember Quan to approve the Community and Economic Development Committee recommendation with the following amendments: 1) that a community advisory group be created, 2) all fee increases will be brought back to the Council, with promotional offers for Oakland residents, and 3) that one of the performance measures for the contract will be the percentage of Oakland residents that use the facility

Pursuant to City Charter Section 200, which provides that "the Mayor shall have a vote on the Council if the councilmembers are evenly divided", and Rule 29 of the Council's Rules of Procedure, Resolution No. 79006 C.M.S. the item automatically was continued to the Council's next regularly scheduled meeting solely for the purpose of allowing the Mayor to cast a vote on the substitute motion. If the substitute motion fails then Council will return to consideration of the main (original-Brooks') motion.

Rule 29 provides the following regarding the procedure: "Council and public

discussion is permitted on the item to be voted on by the Mayor; however, Council members cannot change their vote unless the item has been properly noticed for reconsideration. The Mayor must appear at the Council meeting to cast his vote."

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20 Subject: McKillop Roadway - Landslide Damage

From: Public Works Agency

Recommendation: Adopt A Resolution Renewing And Continuing The Local Emergency Due To Landslide Damage To McKillop Roadway First Proclaimed By the City Of Oakland On October 17, 2006

[06-1138](#)

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

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[80421 CMS.pdf](#)

S-21 Subject: Real Estate Donation Procedures
 From: Office of the City Administrator
 Recommendation: Adopt A Resolution Establishing Procedures For Reviewing Offers For
 Donations And Gifts Of Real Estate And For Recommending That The City Council Accept Or
 Decline Such Offers For Real Property Valued In Excess Of \$500,000 Dollars (TITLE
 CHANGE)
 [06-1073](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente and Councilmember Brooks
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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[View Supplemental Report.pdf](#)
[80422 CMS.pdf](#)

S-22 Subject: Fox Theater Renovation
 From: Community and Economic Development Agency
 Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To
 Apply For, Accept, And Appropriate Grant Funds From The California Cultural And Historical
 Endowment Program Under State Of California Proposition 40 (Clean Water, Clean Air, Safe
 Parks And Coastal Protection Act Of 2002), For The Historic Fox Theater Renovation In An
 Amount Of Up To Three Million Dollars (\$3,000,000)
 [06-1078](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Kernighan, Councilmember
Chang, Councilmember Nadel, Councilmember Brunner, Councilmember Quan,
President of the Council De La Fuente and Councilmember Brooks
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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[2007-0011 CMS.pdf](#)

S-23

Subject: City Stables Operation

From: Office of Parks and Recreation

Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Rejecting All Submitted Proposals And Closing The Request For Proposals (RFP) Process For The Concession At Oakland City Stables

[06-1113](#)

A motion was made by Councilmember Brooks, seconded by Councilmember Kernighan, that this matter be Adopted approving the staff recommendation, extend the master plan, with OPR to move forward other entities to provide services and return in 6 month with recommendations on how the bond money will be spent and with real costs to run the stable The motion carried by the following vote:

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

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2) A Resolution 1) Authorizing The Office Of Parks And Recreation To Enter Into Agreements With Equestrian Organizations To Offer Youth Equestrian Programs At City Stables For One Year To Assess The Long Term Viability Of The Programs; 2) And To Amend And Readopt The City Stables Master Plan

[06-1113-1](#)

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

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

[80424 CMS.pdf](#)

S-24 Subject: Emerging Crime Trends
 From: Oakland Police Department
 Recommendation: Receive An Informational Report From The Chief Of Police On The Current
 And Emerging Crime Trends That Affect The Quality Of Life In The City Of Oakland
 [06-0809](#)

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

ADJOURNMENT OF COUNCIL SESSION

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

There being no further business, and upon the motion duly made, the Agency/Council adjourned the meeting in memory of Amin Denny and John Gaddies, III at 12:21a.m.

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