

DRAFT



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, February 19, 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 6:36.P.M.

2 Roll Call / ORA & Council

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor 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)

The following individuals spoke during open forum:

- Joe Haraburda
- Barbara Jarvis
- Eric Kisshauer
- John Engstrom
- Ora Knowell
- Geoff Collins
- Martha Cline
- Max Allstadt
- Oscar Wright
- Sanjiv Handa

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.

***Approve as Submitted**

A motion was made by Councilmember Quan, seconded by Councilmember Nadel to pull item 10.12 CC regarding Blighted Former Homeless Encampment Improvements from the consent calendar and reschedule the item to the March 4, 2008 City Council agenda as a Non-Consent Item.

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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 5, 2008
A motion was made by Councilmember Reid, seconded by Vice Mayor Chang, to *Approve as Submitted. The motion carried by the following vote:

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

8. PRESENTATION OF CEREMONIAL MATTERS

8.1 Subject: Family Justice Center Award
From: Department of Human Services
Recommendation: To Accept And Acknowledge An Award From The Family Justice Center Honoring The City Of Oakland For It's Support and Partnership
[07-1007](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 3/4/2008**
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S-8.2 Subject: Gerris Wilkinson - Recognition
 From: Councilmember Desley Brooks
 Recommendation: Presentation Of A Proclamation Honoring Gerris Wilkinson And The Super
 Bowl XLII Champions, The New York Giants
 07-1057

Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 8.2 that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to a purely ceremonial or commendatory action.

Council heard the presentation of a Proclamation Honoring Gerris Wilkinson And The Super Bowl XLII Champions, The New York Giants
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9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS

Agency/Councilmember Brooks, De La Fuente, Nadel, and Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Herbert Guice

Agency/Councilmember Brooks, De La Fuente, and Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Clyde Spearman

Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Archie Jordan Riddick, and Bennie V. Evans

Agency/Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Michael Moses Angelo Grier, and Richard Johnson

10. CONSENT CALENDAR (CC) ITEMS:

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10.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis
With Regard To The AIDS Epidemic
[07-1011](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel,
Councilmember Quan, Councilmember Reid and President of the Council De La
Fuente
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10.2-CC Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The
City Of Oakland
[07-1012](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel,
Councilmember Quan, Councilmember Reid and President of the Council De La
Fuente
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10.3-CC Subject: Oil Spill - Local Emergency
From: Office of Emergency Services
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration
Of A Local Emergency Due To The November 7, 2007 Catastrophic Oil Spill In The San
Francisco Bay That Occurred When M/V Cosco Busan, A Container Ship, Side Swiped One Of
The Bay Bridge Western Anchorages
[07-1019](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel,
Councilmember Quan, Councilmember Reid and President of the Council De La
Fuente
The followig individual(s) spoke on this item:
- *Nathan Burris*
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10.4-CC Subject: Winter Storms - Local Emergency
From: Oakland Fire Department
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Severe Impacts And Calamities Caused By The Series Of Winter Storms That Commenced On Or About January 3, 2008
[07-1014](#)

This Matter was Adopted on the Consent Agenda.

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

The followig individual(s) spoke on this item:

- *Sanjiv Handa*

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10.5-CC Subject: Ban Of Trucks On Interstate 580
From: Councilmember Larry Reid
Recommendation: Adopt A Resolution Reaffirming Resolution No. 74985 C.M.S., Passed May 11, 1999, Which Declared The City Council's Commitment To Oppose Lifting The State Ban That Prohibits Motor Vehicles Exceeding 9,000 Pounds Gross Weight From Using The Interstate Route 580 Freeway In Oakland And Opposing Any Rescission Of The Prohibition
[07-0956](#)

This Matter was Adopted on the Consent Agenda.

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

The followig individual(s) spoke on this item:

- *Nathan Burris*

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10.6-CC Subject: Final Map Tract 7781 - 828, 832, And 834 59th Street
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Conditionally Approving A Final Map For Tract 7781 To
Convert Rental Housing Units At 828, 832, And 834 59th Street To Six Residential
Condominiums
[07-0936](#)

This Matter was Adopted on the Consent Agenda.

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

The followig individual(s) spoke on this item:

- Francis McIlvera

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10.7-CC Subject: Fiscal Year 2006-2007 Audit Reports
From: Finance and Management Agency
Recommendation: Receive An Informational Report Presenting The Fiscal Year 2006/2007
Comprehensive Annual Financial Report (CAFR), The Single Audit Report, The Oakland
Redevelopment Agency (ORA) Audit Report, And The Management Letter
[07-0958](#)

This Matter was Adopted on the Consent Agenda.

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

The followig individual(s) spoke on this item:

- Sanjiv Handa

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10.8-CC Subject: 485 West MacArthur Boulevard - Revocable And Conditional Permit
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Mac Homes LLC A Revocable And Conditional Permit To Allow A Vault And Electrical Transformer For A New Building At 485 West MacArthur Boulevard To Encroach Under The Public Sidewalk
[07-0895](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.9-CC Subject: Biggs Cardosa Associates - Agreement
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into A Professional Services Agreement With Biggs Cardosa Associates, Inc. To Provide Professional Engineering Services For The Adeline Street Bridge Repair (Project No. C319710) For An Amount Not To Exceed Two-Hundred Fifteen Thousand Dollars (\$215,000.00)
[07-0952](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.10-CC Subject: Lake Chabot Golf Course Golf Cart Barn Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Bay Construction Company For The Lake Chabot Golf Course Electric Golf Cart Barn Project In The Amount Of One Million Seventy Four Thousand Seven Hundred Twenty Nine Dollars (\$1,074,729.00)
[07-0953](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.11-CC Subject: Safe Routes To School Grant
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And Appropriate Seven Hundred Thousand Four Hundred Twenty-Five Dollars (\$700,425.00) In Federal Cycle 1 Safe Routes To School Grant Funds For Pedestrian Safety Improvements At Various Schools Citywide
[07-0954](#)

This Matter was Adopted on the Consent Agenda.

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

The following individual(s) spoke on this item:

- Sanjiv Handa
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10.12 Subject: Blighted Former Homeless Encampment Improvements
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$75,000 To Abate Blight At Illegal Encampment And Dumping Sites In Redevelopment Project Areas And To Fund Work By The Public Works Agency To Make Improvements To Deter Illegal Uses Of The Sites (TITLE CHANGE)

[07-0773](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 3/4/2008**

as a non consent item.

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2) An Agency Resolution Authorizing The Redevelopment Agency To Contribute Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$75,000 To Abate Blight At Illegal Encampment And Dumping Sites In Redevelopment Project Areas And To Fund Work By The Public Works Agency To Make Improvements To Deter Illegal Uses Of The Sites (TITLE CHANGE)

[07-0773-1](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
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as a non consent item.

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3) A Resolution (1) Authorizing An Agreement With Goodwill Industries For The Homeless Employment Program In The Amount Of \$50,000 And Waiving The Requirement For A Competitive Selection Process, (2) Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$25,000 To Partially Fund The Contract With Goodwill Industries To Employ Homeless Individuals To Assist With Blight Abatement At Illegal Encampment And Dumping Sites In Redevelopment Project Areas, And (3) Allocating A \$25,000 Match From The Department Of Human Services For The Contract

[07-0773-2](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 3/4/2008**

as a non consent item.

4) An Agency Resolution Authorizing The Redevelopment Agency To Contribute Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In An Amount Not To Exceed \$25,000 To Partially Fund A Contract With Goodwill Industries To Employ Homeless Individuals To Assist With Blight Abatement At Illegal Encampment Sites In Redevelopment Project Areas

[07-0773-3](#)

**Withdrawn and Rescheduled to Concurrent Meeting of the Oakland
Redevelopment Agency / City Council on 3/4/2008**

as a non consent item.

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10.13-CC Subject: Central District Basement Backfill Program
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution: (1) Adopting The Central District Basement Backfill Program, (2) Allocating \$1,000,000 For The Program From Fiscal Year 2007-2008 Central District Funds, (3) Authorizing The Agency Administrator To Make Grants And Loans Under The Program Without Returning To The Agency, (4) Authorizing A Contribution Of \$100,000 From Central District Funds To The City Of Oakland Under The Cooperation Agreement To Fund Staff Costs For The Program, And (5) Amending Resolution No. 2007-0053 To Reduce The Contribution Of Agency Funds To The Broadway Phase II And III Sidewalk Improvement Project In An Amount To Be Negotiated By The City Administrator Under The City's Contract With Sposeto Engineering, Inc., For The Project; And
[07-0939](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) A City Resolution (1) Amending Resolution No. 80660 C.M.S. Authorizing The City Administrator To Negotiate An Amendment To The Construction Contract With Sposeto Engineering, Inc. And Reducing The Contribution Of Agency Funds For The Broadway Phase II And III Sidewalk Improvement Project, And (2) Accepting And Appropriating A Contribution Of \$100,000 From The Redevelopment Agency Under The Cooperation Agreement To Fund Staff Costs For The Central District Basement Backfill Program
[07-0939-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.14-CC Subject: Central City East - Funding Allocation
From: Community And Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Contributing \$25,000 From Central City East Redevelopment Funds To The City Of Oakland Under The Cooperation Agreement For The San Antonio Hills Historic Properties And Educational Program; And
[07-0940](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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2) A City Resolution Accepting And Appropriating \$25,000 Contribution From The Redevelopment Agency Under The Cooperation Agreement For The San Antonio Hills Historic Properties And Educational Program
[07-0940-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.15-CC Subject: Bulletproof Vest Partnership Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grand Funds In Amount Not To Exceed Twenty Thousand Eighty-Six (\$20,086) From The U.S. Department Of Justice, Bureau Of Justice Assistance, Bulletproof Vest Partnership Grant Program, And Appropriate Said Funds To The Police Department
[07-0904](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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10.16-CC Subject: Anti-Gang Initiative Program Grant
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grand Funds In An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000) From The State Of California, Governor's Office Of Emergency Services, Anti-Gang Initiative Program, And Appropriate Said Funds To The Police Department
[07-0905](#)

This Matter was Adopted on the Consent Agenda.

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

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10.17-CC Subject: United States U Visa Program
From: Office of the City Attorney
Recommendation: Adopt A Resolution Declaring Support For (1) The United States U Visa Program, Which Is A Temporary Visa That Authorizes Non-United States Citizen Crime Victims Who Assist Law Enforcement Agencies With Crime Investigations To Remain In This Country Up To Four Years, And (2) Supporting The Federal Policy That Authorizes The U Visa For Applicants Who Have Contributed To The Public Safety Of This City
[07-0827](#)

This Matter was Adopted on the Consent Agenda.

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

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10.18-CC Subject: Priority Project Funds - District Five
From: Council President De La Fuente
Recommendation: Adopt A Resolution Authorizing A Grant Of \$1,000 From Council Member De La Fuente's Priority Project Funds To The Oakland African American Chamber Of Commerce To Fund The Support Of Small, Local And Minority-Owned Businesses
[07-0999](#)

This Matter was Adopted as Amended to correct the typos in the resolution regarding the grant amount of \$1,000. on the Consent Agenda.

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

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10.19-CC Subject: Cable Franchise Renewal
From: Information Technology Department
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending Ordinance No. 10399 C.M.S. To Extend For Ten Years The Cable Franchise Held By Comcast Of California/Colorado, LLC To Construct And Operate A Cable System To Provide Cable Service Within The City Of Oakland; Amending The Terms And Conditions Of The Franchise; And Establishing Certain Remedies For The Violation Of The Franchise
[07-0923](#)

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

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

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10.20-CC Subject: Municipal Nominating Election
From: Office of the City Clerk
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Conforming The City Of Oakland's Tuesday, June 3, 2008 Municipal Nominating Election With The Statewide Direct Primary Election
[07-0985-1](#)

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

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

The following individual(s) spoke on this item:

- Sanjiv Handa

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10.21-CC Subject: League Of California Cities - Amicus Brief
From: Office of the City Attorney
Recommendation: Adopt A Resolution Authorizing The City Of Oakland To File An Amicus
(Friend Of The Court) Brief On Behalf Of The League Of California Cities Regarding
Importance Of Laws Prohibiting Class Actions To Seek Refunds Of Certain Taxes And Fees
[07-1016](#)

This Matter was Adopted on the Consent Agenda.

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

The followig individual(s) spoke on this item:

- David Mix

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10.22-CC Subject: Travel Authorization - Councilmember Quan
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution Authorizing Councilmember Jean Quan To Travel To
Washington D.C. To Attend The National League Of Cities Congressional City Conference,
March 8-12, 2008
[07-1020](#)

**This Matter was Adopted as Amended to include Councilmember Larry
Reid. on the Consent Agenda.**

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

The followig individual(s) spoke on this item:

- David Mix

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10.23-CC Subject: Oakland Park Rangers' Association - Agreements
From: Finance and Management Agency
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (The Salary Ordinance) To Increase The Salaries Of Employees In Representation Unit R01 By 4% For Fiscal Year 2006-2007 And 2007-2008, Pursuant To The Recently Approved Two (2) Year Extension Of The Memorandum Of Understanding For The Oakland Park Rangers' Association
[07-0937-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.24-C Subject: Oakland Crime Stopper Fund - Grant
C From: City Council
Recommendation: Adopt A Resolution Authorizing A Grant Of \$10,000.00 Each From Councilmembers Desley Brooks, Larry Reid, Ignacio De La Fuente, Nancy Nadel, And Patricia Kernighan's Priority Project Funds To The Oakland Crime Stopper Fund
[07-1056](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor 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 Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item S-10.24cc 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
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DRAFT

Passed The Consent Agenda

A motion was made by Councilmember Reid, 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 Brooks, Councilmember Brunner, Vice Mayor 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

A motion was made by Councilmember Quan, seconded by Councilmember Reid, to *Approve as Submitted the report from the Office of the City Attorney of four final decisions made during Closed Session.

Please refer to Attachment "A" for the details for the four final decisions. The motion carried by the following vote:

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

The following individual(s) spoke on this item:
- Sanjiv Handa

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

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

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

the motion that there were no non-confidential closed session discussions during Closed Slession pursuant to Section 15 of the Sunshine Ordinance.

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:

DRAFT

14.1 Subject: Citizen's Options For Public Safety Funding
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing (1)The Acceptance And Appropriation Of A State Of California "Citizen's Options For Public Safety" (State COPS) Grant In The Amount Of Seven Hundred Ninety-Eight Thousand Nine Hundred And Fifty-Three Dollars (\$798,953) (2) Implementing California Government Code Sections 30061-30065, And (3) Approving The Oakland Police Department's Fiscal Years 2007-2009 State Cops Grant Spending Plan, Which Includes The Hiring Of Three Full-Time, One Year Limited Duration Professional Staff Positions For The Research, Planning, And Crime Analysis Division And The Property And Evidence Unit
[07-0903](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Kernighan
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Vice Mayor Chang, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
Upon the reading of Item 14. 1 by the City Clerk, the Public Hearing was opened at 7:29 p.m.

The following individuals spoke on this item:
- Sanjiv Handa

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

14.2 Subject: Cabaret Appeal - 1731 San Pablo Avenue
From: Office of the City Administrator
Recommendation: Continue The Public Hearing On The Appeal Of The Administrative Hearing Officer's Decision To Deny The Application Of Oakland Partners Group LLC For A Permit To Operate A Cabaret Under The Name Club O (Application Submitted To Operate A Cabaret Under The Name Tycoons) And Upon Conclusion Adopt A Resolution Directing The City Administrator, Or Her Designee, To Re-Evaluate The Permit Application Of Oakland Partners Group LLC To Operate A Cabaret Under The Name 'Club O' (Application Submitted To Operate A Cabaret Under The Name 'Tycoons'), Located At 1731 San Pablo Avenue, In Light Of The Negotiated Conditions Of Operation And The Recent Revisions To Ordinance No. 12855 C.M.S., Which Granted Authority To The City Administration For Discretion In Permitting Cabarets (TITLE CHANGE)
[07-0099](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Vice Mayor 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 7:40 p.m.

The following individual(s) spoke on this item:

- Zack Wasserman
- Sanjiv Handa

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

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ACTION ON NON-CONSENT ITEMS:

DRAFT

15 Subject: Industrial Land Use Policy
From: Community and Economic Development Agency
Recommendation: Action On A Report And Recommendations Adopting A Motion Establishing
A City-Wide Industrial Land Use Policy
[07-0613](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment
Agency/City Council on 3/4/2008**

The following individual(s) spoke on this item:

- *Rusty Snow*
- *Margaret Parlow*
- *Norman Hooks*
- *Glenn Matsuhara*
- *Sharon Cornu*
- *Max Allstadt*
- *Andy Nelson*
- *Kate O'hara*
- *Nehanda Imaura*
- *Marcus Johnson*
- *Kim Diamond*
- *Nicholas Jellins*
- *Scott Peterson*
- *Amie Fishman*
- *Bob Tuck*
- *Steve Lowe*
- *George Burt*
- *Sanjiv Handa*
- *Carroll Moore*

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DRAFT

16 Subject: Jack London District - Three Year Parking Permit Program
From: Councilmember Nancy Nadel
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal Code 10.45 Establishing Boundaries Of The Jack London District Interim Mixed-Use Permit Parking Program Through The Location Of Parking Limitation Signs And The Inclusion Of A Map With Boundaries OF the Program; And
[07-0982](#)

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

Votes: ORA\Councilmember Absent: 3 - Councilmember Brunner, Councilmember Kernighan and Councilmember Quan
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Vice Mayor Chang, Councilmember Nadel, Councilmember Reid and President of the Council De La Fuente
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2) Approve The Introduction (First Reading) Of An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish Permit Fees Assessed By The Parking Division For The "Interim Mixed-Use Parking Permit Program For The Jack London District," At The Amount Of \$150 For The First Year Of The Temporary Three-Year Program
[07-0982-1](#)

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

Votes: ORA\Councilmember Absent: 3 - Councilmember Brunner, Councilmember Kernighan and Councilmember Quan
ORA\Councilmember Ayes: 5 - Councilmember Brooks, Vice Mayor Chang, Councilmember Nadel, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke on this item:
- Sanjiv Handa

DRAFT

17 Subject: 2006 Library Bond Measure - Cure and Correct Determination
From: Office of the City Attorney
Recommendation: Pursuant To Sunshine Ordinance (Oakland Municipal Code) Section
2.20.270, Determine Whether To Cure And Correct The Violation That The Public Ethics
Commission Found Regarding The Noticing Of The Library Bond Measure For The Council's
July 18, 2006 Special Meeting -

Option 6 - A Resolution Determining And Declaring That The Public Interest And Necessity
Demand Library Facility Improvement Repairs And New Library Construction To Be Financed
Through The Issuance Of General Obligation Bonds In An Amount Not To Exceed
\$148,000,000 (Resolution No. 80080 C.M.S.); And

An Ordinance Of The City Of Oakland Ordering The Submission Of A Ballot Measure To Incur
Bonded Indebtedness Not To Exceed \$148,000,000 For The Purpose Of Constructing A New
Main Library To The Qualified Voters Of The City Of Oakland At An Election To Be Held
November 7, 2006 (Ordinance No. 12763 C.M.S.)
[07-0973](#)

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

The following individual(s) spoke on this item:

- Sanjiv Handa

- David Mix

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DRAFT

18 Subject: Measure Y: Police Recruitment Program
From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing A Transfer Of Existing Appropriations Of Measure Y Funds In An Amount Not To Exceed Seven Million Seven Hundred Twenty-Two Three Hundred And Thirty Nine (\$7,722,339) To Implement The 2008 Augmented Measure Y Police Recruitment Program, Waiving Advertising And Bidding For The Purchase Of Ammunition, Firearms, Advertising Services And Travel Services, And Waiving The Requests For Proposal/Qualifications Process For The Purchase Of Recruitment Services And Other Professional Services Needed To Expedite The Hiring And Training Of Police Recruits, And Authorizing The City Administrator To Purchase: Firearms In An Estimated Amount Of One Hundred And Fifty Six Thousand (\$156,000), Advertising Services For Recruitment In An Estimated Amount Of One Million Five Hundred Thousand (\$1,500,000), Travel Services In An Estimated Amount Of One Hundred Thirty Eight Thousand Four Hundred Sixty Four Dollars (\$138,464), Recruitment Services In An Estimated Amount Of Sixty Two Thousand Three Hundred Thirteen (\$62,313), And Other Professional Services Needed To Expedite The Hiring And Training Of Police Recruits In An Estimated Amount Of Five Million Six Hundred Forty Two Thousand Five Hundred Sixty Two Dollars (\$5,642,562), Without Return To Council [07-1009](#)

***Rescheduled to *Public Safety Committee on 2/26/2008**

The following individual(s) spoke on this item:

- Jim Dexter
- Ora Knowell
- Collen Brown
- Max Allstadt
- Sean Sullivan
- Ayinde
- Charles Porter
- Nedar Bey
- Marcus Johnson
- Maya Dillard Smith
- Scott B. Peterson
- Sanjiv Handa

Agency/Councilmember Brooks made a motion seconded by Agency/Councilmember Reid to approve an urgency finding pursuant to Section 2.20.080 E(2) regarding Item 18 to schedule this matter to the February 26, 2008 Public Safety Committee and the Measure Y Oversight Committee and 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. The motion passed with the following vote: 7 Ayes, 1 No - Brunner

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Concurrent Meeting of the Oakland
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Meeting Minutes

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S-19 Subject: Support Of Assembly Bill 1634
From: Oakland Police Department
Recommendation: Adopt A Resolution Declaring The City Council's Support Of Assembly Bill 1634, Which Prohibits Any Person From Owning Any Cat Or Dog Over The Age Of Six Months That Has Not Been Spayed Or Neutered Unless That Person Possesses An Intact Permit, And Subjecting Any Violator To A Prescribed Civil Penalty
[07-0984](#)

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

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

The following individual(s) spoke on this item:

- Sanjiv Handa
- Michele Lagana
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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 at 11:40 p.m.

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February 19, 2008

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City Clerk and Clerk of the Council