



# 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 1 Frank H. Ogawa Plaza, Council Chambers, 3rd Floor

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

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Tuesday, December 04, 2007

6:00 PM

Oakland City Hall, 3rd Floor

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1 Pledge of Allegiance

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*A meeting of the Joint Oakland Redevelopment Agency and City Council was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:26 PM.*

2 Roll Call / ORA & Council

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ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Present: 7 - Councilmember Brooks, 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)

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*The following individuals spoke under Open Forum:*

- Geraldine Jackson
- Bill Chorneau
- Shirley Burnell
- Timothy Griffith
- Rnee Dyer
- Vien Truong

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)

*A motion was made by Councilmember Reid, seconded by Council President De La Fuente to reconsider A Resolution Conditionally Accepting Irrevocable Dedications Of Public Right-Of-Way From Pulte Home Corporation And Mother Fish LLC For A New Public Street In The Arcadia Park Subdivision To Connect With 92nd Avenue, heard during the November 6, 2007 City Council meeting and hearing no objections the motion passed with the following vote: 7 Ayes, 1 - Excused Brunner*

Subject: Arcadia Park Subdivision - New Public Street

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Conditionally Accepting Irrevocable Dedications Of Public Right-Of-Way From Pulte Home Corporation And Mother Fish LLC For A New Public Street In The Arcadia Park Subdivision To Connect With 92nd Avenue

[07-0610](#)

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be \*Rescheduled to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, to be heard at the December 18, 2007 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*As A Non-Consent Item*

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- 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 November 6, 2007

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Shanna O'Hare - Recognition  
From: Councilmember Larry Reid And Vice Mayor Henry Chang  
Recommendation: Adopt A Resolution Honoring Shanna O'Hare On Her Retirement After 17 Years Of Dedicated Service To The City Of Oakland

[07-0783](#)

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

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

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- 8.2 Subject: Eddie Abrams - Recognition  
From: Council Member Larry Reid and Desley Brooks  
Recommendation: Adopt A Resolution Honoring And Recognizing Eddie Abrams For His Years Of Dedication And Commitment To The Residents Of Oakland

[07-0804](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:*

- David Clover

- James Moore

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- 8.3 Subject: Joyce Lockett - Recognition  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Honoring Joyce Lockett On Her Retirement For 16  
Years Of Dedicated Service To The City of Oakland  
[07-0809](#)

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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- 8.4 Subject: Shonda Scott - Recognition  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Commending Shonda Yvette Scott On Her Work As  
Chairperson Of The Alameda County Human Relations Commission From The City Of  
Oakland  
[07-0722](#)

**A motion was made by Councilmember Reid, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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## **9. COUNCIL ACKNOWLEDGEMENTS / ANNOUNCEMENTS**

*Agency/Councilmember Chang took a point of personal privilege and requested that the meeting be adjourned in memory of June Jue Fong*

*Agency/Councilmember Nadel took a point of personal privilege and requested that the meeting be adjourned in memory of James Edmond and Sally Marguerite Belle Davis*

*Agency/Councilmember Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Gaynelle Kitely, Scott Slaughter, Tony Johnson and Alganon Jackson*

## **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  
[07-0833](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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  
[07-0834](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Smoking Ordinance  
From: Office of the City Administrator  
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 8.30, "Smoking" To (1) Prohibit Smoking At Bus Stops And Other Areas Where The Public Waits For Service, (2) At Outdoor Dining Areas, (3) Public Trails And Parks, (4) Family Childcare Centers, (5) Common Outdoor Areas In Multi-Unit Housing; (6) Establish Policy For Smoking Outside Bars; (7) Require New Rental And Sale Agreements For Multi-Unit Housing To Disclose Nonsmoking Prohibitions  
[07-0237-2](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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  
- Bryan Thompson  
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10.4-CC Subject: Southern Pacific Company - Revoking Permission  
From: Council President Ignacio De La Fuente  
Recommendation: Adopt A Resolution Rescinding Resolution No. 23515 C.M.S. Approved August 30, 1949, Which Granted A Revocable Permit To Southern Pacific Company To Maintain And Operate An Existing Spur Track Upon And Across 23rd Avenue, 29th Avenue, Derby Street, Lancaster Street And Ford Street And Upon And Along Glascock Street Between 29th Avenue And Lancaster Street In The City Of Oakland ("Fruitvale Track") And Directing The City Administrator To File An Action For "Adverse Abandonment" Of The Fruitvale Track With The Department Of Transportation Surface Transportation Board  
[07-0730](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:*  
- John Wilson  
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10.5-CC Subject: Conflict Of Interest Waiver  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing Waiver Of Any Potential Conflict Of Interest That The Law Firm Of Hanson, Bridgett, Marcus, Vlahos, Rudy LLP May Have As A Result Of The Firm's Representation Of Yellow Cab In Its Appeal Of The City's Decision Revoking Taxi Medallions, To Allow The Firm To Provide Specialized Legal Assistance To The City Of Oakland Regarding Union Pacific Railroad's Interest In Using A Rail Spur Track In Oakland's Fruitvale District  
[07-0766](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.6-CC Subject: City Attorney Annual Report  
From: Office of the City Attorney  
Recommendation: Receive The Office Of The City Attorney Annual Report, Fiscal Year 2006-2007  
[07-0699](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.7-CC Subject: Priority Project Funds - District Two  
From: Councilmember Patricia Kernighan  
Recommendation: Adopt A Resolution Authorizing A Grant Of \$500 From Councilmember Kernighan's Priority Project Funds For The Programs And Operation Of The Vietnamese-American Community Center Of The East Bay  
[07-0771](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.8-CC Subject: Priority Project Funds - District Seven  
From: Councilmember Larry Reid  
Recommendation: Adopt A Resolution Authorizing An Immediate Grant Of \$10,000.00 From Councilmember Larry E. Reid's Priority Project Funds For Operating Expenses To Cypress Mandela Training Center, Inc. For The Pre-Apprenticeship Program That Teaches Skills In The Construction Trades, Basic Computer Skills, Construction Math And Life Skills  
[07-0810](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Youth Ventures Joint Powers Authority - Appointment  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Appointing Councilmember Jane Brunner, Councilmember Jean Quan, Wayne Tucker, Andrea Youngdahl, And Cheryl A. P. Thompson, To The Board Of Trustees Of The Youth Ventures Joint Powers Authority For Four Year Terms Beginning July 1, 2007 And Ending June 30, 2011  
[07-0811](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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10.10-CC Subject: Sue Rosanne Taylor - 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 Sue Rosanne Taylor V. City of Oakland, Et Al., United States District Court No. C 06-05169 WHA, Our File No. X02912 In The Amount Of \$40,000.00 (Oakland Police Department - Civil Rights)  
[07-0830](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Jack Zolowicz - 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 Jack Zolowicz; Et Al. V. City Of Oakland; Et Al., United States District Court Case No. C06-05915 MJJ, In The Amount Of \$350,000.00. (Police Department - Civil Rights Violation, Excess Force)  
[07-0822](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.12-CC Subject: Bryan Keith Thomas - Settlement Agreement  
From: Office of the City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Claim Of CSAA Insurance A/S/O Bryan Keith Thomas In The Amount Of Twenty Thousand Four Hundred Eighty Two Dollars And 65 Cents (\$20,482.65), As A Result Of Property Damage Sustained in An Automobile Collision With A City Vehicle On April 26, 2007. (Oakland Police Department)  
[07-0832](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.13-CC Subject: Gallagher And Burk - Street Resurfacing And Slurry Sealing  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To Gallagher And Burk, Inc. For Fiscal Year 2006-2007 Citywide Street Resurfacing And Slurry Sealing Project (C234910) For The Amount Of Four Million Three Hundred Sixty-Six Thousand Four Hundred Seventy Dollars (\$4,366,470.00)  
[07-0703](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Revocable And Conditional Permit - 2719 Foothill Boulevard  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Granting 2719 Foothill LP A Revocable And  
Conditional Permit To Allow A Vault And An Electrical Transformer For A New Building At  
2719 Foothill Boulevard To Encroach Under The Public Sidewalk  
[07-0751](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Municipal Code Amendment - Utility Users Tax  
From: Office of the City Attorney  
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending  
Chapter 4.28 Of The Oakland Municipal Code, Entitled Utility Users Tax, To Clarify The  
Provisions Of The Telephone Utility Users Tax And Remove Obsolete Provisions  
[07-0755](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Fleet Utilization Report  
From: Public Works Agency  
Recommendation: Action On A Report On Fleet Usage, City CarShare Pilot Program,  
Commute Options, Vehicle Locators Using Global Satellite Technology, And Fleet  
Replacement Needs  
[07-0296](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Coliseum Commercial Façade Program  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Allocating An Additional \$100,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$225,000 For Fiscal Year 2007-2008 To The Coliseum Commercial Façade Program; And  
[07-0681](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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2) An Agency Resolution Allocating An Additional \$100,000 From Coliseum Redevelopment Funds For A Total Allocation Of \$350,000 For Fiscal Year 2007-2008 To The Coliseum Commercial Tenant Improvement Program  
[07-0681-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
[2007-0080 CMS.pdf](#)

10.18-CC Subject: Formation Procedures - Central City East Project Area Committee  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Amending The Formation Procedures For The Project Area Committee ("PAC") For The Central City East Redevelopment Project Area To Authorize City Council Members From Districts 2, 4, 5, 6, And 7 To Change The Community Organizations From Their Respective Districts On The PAC That Have Missed More Than Four Meetings In A Twelve Month Period, Without Returning To The City Council  
[07-0702](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Grant Agreement Vietnamese American Community Center  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A  
Two-Year Grant Agreement With The Vietnamese American Community Center Of The East  
Bay, Inc. To Fund Their Programs And Operations For Fiscal Years 2007-2008 And 2008-2009  
In A Total Amount Not To Exceed \$60,000  
[07-0721](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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: Grant Agreement Vietnamese Community Development, Inc.  
From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A  
Two-Year Grant Agreement With Vietnamese Community Development, Inc. To Fund Their  
Programs And Operations For Fiscal Years 2007-2008 And 2008-2009 In A Total Amount Not  
To Exceed \$60,000  
[07-0723](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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10.21-CC Subject: Family Request - Tomas Melero Smith  
From: Councilmember Larry Reid  
Recommendation: Action On A Request From The Family Of Tomas Melero Smith, Who Was  
Fatally Shot On September 1, 2007, For A Response By The City Council On The Petition  
Sent On September 10th On Behalf Of The Family  
[07-0666](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:*

- Rosa Vargas
  - Jorge Abrego
  - Joel Garcia
  - Rose Arviso
  - Noel Gallo
  - Alfredo Melero
  - Alicia Melero
  - Alejandra Perez
  - Marcelina Sanchez
  - Ygnacio Becerra
  - Ruben Gonzalez
  - Christina Ramurgz
  - Crystal Salas-Patten
  - Louisa Larkin
  - Tulio Serrano
  - Esperanza Michel
  - Rosario Baeza
  - Natalie Sarellano
  - Maria Ramos
  - Jorianna Vizcarra
  - Ranulfo Alvatrez
  - Albert Lozano
  - Kimberly Rojas
  - Danny Wan
  - Jquhal Jackson
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10.22-CC Subject: Tobacco Control Enforcement Project  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Funds In An Amount Of One Hundred Thousand Dollars (\$100,000.00) From The Alameda County Public Health Department, Tobacco Control Program, For Implementation Of The 2007-2011 Tobacco Control Enforcement Grant Project In The Police Department, And Authorizing The City Administrator To Enter Into A Grant Contract With The Alameda County Public Health Department Under Which The City Will Provide The Services Necessary To Implement This Initiative In An Amount Of One Hundred Thousand Dollars (\$100,000.00)  
[07-0678](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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10.23-CC Subject: USDEA Greater East Bay Area Task Force  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, On Behalf Of The City Of Oakland To Accept And Appropriate Reimbursement Funds In An Amount Not To Exceed Fifteen Thousand Eight Hundred Fifty Four Dollars And Twenty-Five Cents (\$15,854.25) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For One Police Officer For The Period Of October 1, 2007 Through September 30, 2008, And Thirteen Thousand Dollars (\$13,000) In Rental Car Reimbursement Costs For The Period Of October 1, 2007 Through September 30, 2008, And One Thousand Two Hundred Dollars (\$1,200) In Cellular Phone Reimbursement For The Period Of September 30, 2007 Through September 30, 2008, For Work Associated With The USDEA Greater East Bay Area Task Force (DEA Task Force)  
[07-0706](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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10.24-CC Subject: Access To Reproductive Health Care Facilities  
From: Councilmembers Nancy Nadel, Jane Brunner and Jean Quan  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Final Passage (Second Reading) Of An Ordinance Amending Title 8 Of The City Of Oakland Municipal Code By Adding A New Chapter, 8.50, Entitled "Access To Reproductive Health Care Facilities," And New Sections 8.50.010 Through \_\_\_\_\_, To Protect Access To Reproductive Health Care Facilities And Creating A Private Right Of Action For Violations Of This Chapter; And

[07-0638](#)

**This Matter was Approved as Amended on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on December 18, 2007 with changes to the ordinance as follows: 1) in the third "Whereas" replacing "treatment" with "services"; 2) adding after the fifth (5) "Whereas" language to read " Whereas, the facilities with the fewest resources for providing adequate security and safety to individuals seeking access to reproductive health services are those not affiliated with hospitals; and" 3) adding this language to the seventh "Whereas", "and in particular, is not intended to preclude any lawful picketing, leafleting, and/or free speech", 4) adding to Section 1, paragraph 2 to read "constitutionally protected reproductive" and after "health" replacing "care" with "services"; 5) adding the following language to the end of Section 2 (a) "but not if provided at a clinic or other facility owned and/or operated by a licensed hospital" 6) adding language to allow the last of Section 2(b) to read as follows"...provides primarily reproductive health services that is not licensed as a hospital, and is not owned, and/or operated by a licensed hospital."7) after section 2 (b) language that reads: " 'Primarily' means 51% or more of the services provided", 8) revising Section 2(e) to read as follows:..."from a reproductive health care facility"; and 9) striking the following sentence from paragraph 2 of Section 5: "This ordinance does not prohibit conduct by a party to a labor dispute in furtherance of labor or management objectives in that dispute." as approved on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:*

- *Destiny Lopez*
- *Terry Sandoval*
- *Barbara Hoke*
- *Meredith Brown*
- *Linci Corny*
- *Rena Rickles*

- Mary Dunn  
- Greg Gollnick  
- Terry Thompson  
- Dee Thompson  
- Lilian Jiminez  
- Molly Gollnick  
- Cyrus Johnson  
- Nora Dougherty  
- Fay Wong  
- Edward Cooper  
- Walter Hoyer  
- Patricia Javitsky  
- Sharon Cornu  
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10.25-CC Subject: Residential Permit Parking Program - Jack London Square  
From: Councilmember Nancy Nadel  
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Of The City Of Oakland Adding Chapter 10.45 Of The Oakland Municipal Code Entitled "Interim Mixed Use Parking Permit Program For The Jack London District" For A Period Not To Exceed Three Years From The Date Of Adoption  
[07-0640](#)

**This Matter was Approved as Amended on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on December 18, 2007 with the following changes to the ordinance: 1) implement a temporary, three (3) year preferential parking permit program, 2) adding, "and the Council finds that the Interim Mixed Use Parking Permit Program for the Jack London District will not adversely affect parking conditions for residents and merchants in the area; and now therefor", 3) setting the effective date of the ordinance to be 120 days after adoption as adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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10.26-CC Subject: Business Tax Ordinance Amendment  
From: Finance and Management Agency  
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Amending Chapter 5.04 Of The Oakland Municipal Code In Order To Correct And Clarify Various Provisions Of The Business Tax Ordinance, To Establish A Late Filing Fee, To Remove Provisions From The Business Tax Ordinance That Are Obsolete Or Repealed By Operation Of Law Or Court Action, To Exempt Owners Of Low Income Housing Tax-Credit Financed Affordable Housing Developments From The Business Tax, To Grant The Director Of Finance Exclusive Discretionary Authority To Waive Penalties, And To Codify Certain Previously Adopted Business Tax Regulations And Policies Relating To Business Reporting And Other Business Tax Procedural Matters  
[07-0664](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.27-CC Subject: Interim Land Use Controls  
From: Council President Ignacio De La Fuente  
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Extending The Interim Controls For The Implementation Of The Oakland General Plan (Oakland Planning Code Chapter 17.01 And The General Plan Conformity Guidelines) To January 1, 2010  
[07-0713](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.28-CC Subject: Chapter 1.20 Administrative Appeals - Amendment  
From: Finance and Management Agency  
Recommendation: Approve The Final Passage(Second Reading) Of An Ordinance Amending Chapter 1.20 Of The Oakland Municipal Code To Establish And Codify Requirements For Claims For Money Or Damages Against The City Of Oakland That Are Not Otherwise Governed By The Claims Presentation Provisions Of The Government Claims Act, California Government Code Sections 900 Et Seq., Or Other State Law  
[07-0665](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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10.29-CC Subject: Emergency Management - Municipal Code Addition  
From: Oakland Fire Department  
Recommendation: Approve The Final Passage (Second Reading) Of An Ordinance Adding Title 8, Chapter 8.50 To The Oakland Municipal Code To Establish The Emergency Management And Disaster Preparedness Council, Establish A Misdemeanor Penalty For Interference With Emergency Operations And Other Violations Of This Ordinance And Repeal Ordinances No. 11467 C.M.S. And No. 11865 C.M.S., Which Established The Original Emergency Management Board  
[07-0687](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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10.30-CC Subject: Children's Fairyland Disclosure Category  
From: Office Of The City Attorney  
Recommendation: Approve The Introduction (First Reading) Of An Ordinance Amending The City Of Oakland's Conflict Of Interest Code (Ordinance Number 11562 C.M.S. Adopted March 23, 1993, As Amended, Oakland Municipal Code Chapter 3.16) To Create A New Disclosure Category For The Children's Fairyland, Inc., Board Of Trustees  
[07-0767-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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S-10.31-C Subject: California Model Housing Code Amendment  
C From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Made And Supporting Local Amendments To The 2007 Edition Of The California Housing Law, California Code Of Regulations (CCR), Title 25, Division 1, Chapter 1, Subchapter 1, Section 32  
[07-0273](#)

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

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

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2) Approve The Introduction (First Reading) Of An Ordinance Adopting Local Amendments To The California Housing Law, California Code Of Regulations (CCR), Title 25, Division 1, Chapter 1, Subchapter 1, Division 32, And Amending The Oakland Municipal Code Chapter 15.08

[07-0273-1](#)

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

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

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S-10.32-C Subject: California Model Building Code Amendment  
C From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of Findings Made And Supporting Local Amendments To The 2007 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Part 2 (Building), 3 (Electrical), 4 (Mechanical), And 5 (Plumbing)  
[07-0274](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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2) Approve The Introduction (First Reading) Of An Ordinance Adopting Local Amendments To The 2007 Editions Of The California Model Building Codes, California Code Of Regulations (CCR), Title 24, Part 2 (Buildings), 3 (Electrical), 4 (Mechanical), And 5 (Plumbing), And Amending Oakland Municipal Code Chapter 15.04 To Establish The 2007 Oakland Building Construction Code  
[07-0274-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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[12843 CMS.pdf](#)

S-10.33-C Subject: Community Development Block Grant Reprogramming  
C From: Department of Human Services  
Recommendation: Adopt A Resolution Authorizing The Allocation Of Community Development Block Grant (CDBG) Funds In The Amount Of \$25,000 From Reprogrammed Funds And Authorizing The City Administrator To Enter Into A Grant Agreement With The Elmhurst Food Pantry In The Amount Of \$25,000 For Operating Expenses For The Period From December 1, 2007 Through June 30, 2008  
[07-0757](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
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[80956 CMS.pdf](#)

S-10.34-C Subject: 2007 Sobriety Checkpoint Program  
C From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Accept And Appropriate Grant Funds In The Amount Of Fifty-Four Thousand Six Hundred Ninety-Seven Dollars And Ninety-Two Cents (\$54,697.92) From The Regents Of The University Of California, Berkeley, School Of Public Health, Traffic Safety Center, Serving As The Fiscal Agent For The State Of California, Office Of Traffic Safety, For Costs And Expenses Of The 2007 Sobriety Checkpoint Program To Be Conducted By The Police Department Throughout The Term October 1, 2007 Through September 30, 2008  
[07-0736](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[80957 CMS.pdf](#)

S-10.35-C Subject: Vehicle Seizure - Public Nuisance Ordinance Amendment  
C From: Oakland Police Department  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Repealing Ordinances No. 11987, 12015, 12093, and 12684 C.M.S. Which Declared Vehicles Used To Solicit An Act Of Prostitution, For Pandering, For Pimping, Or To Illegally Acquire A Controlled Substance To Be Public Nuisances And Authorizing The Seizure And Forfeiture Of Said Vehicles; And  
[07-0782](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Instruct The City's Legislative Lobbyist To Support Passage Of California Assembly Bill No. 1724 (Jones), Which Seeks To Change State Law To Authorize Local Governments To Enact And Enforce Ordinances To Forfeit Nuisance Vehicles Used In Illegal Purchase Of A Controlled Substance, Pimping, Pandering, Or Solicitation Of Prostitution  
[07-0782-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
[80958 CMS.pdf](#)

**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 Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 Reid, seconded by Vice Mayor Chang, to \*Approve as Submitted the report from the Office of the City Attorney of the 1 final decision made during Closed Session. PLEASE REFER TO ATTACHMENT "A" FOR THE CLOSED SESSION REPORT OUT FORM. The motion carried by the following vote:**

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

- 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 Vice Mayor Chang, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
*The motion that there was no non-confidential Closed Session Discussion during Closed Session.*

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

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

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

14.1 Subject: Bicycle Master Plan  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution Certifying The Environmental Impact Report And  
Adopting The Comprehensive Revision To The Bicycle Master Plan As Part Of The Land Use  
And Transportation Element Of The City's General Plan

[07-0612](#)

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**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 Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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. 1 by the City Clerk, the Public Hearing was opened at 9:31p.m.*

*The following individuals spoke on this item:*

- Midori Tabata
- Grey Kolevzon
- Jeanette L. Weisman
- Sanjiv Handa
- Robert Raburn
- Ron Bishop
- Kim W. Pratt
- Jennifer Jackson

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

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14.2      Subject:      Implementation And Redevelopment Plans - Various Projects  
From:          Community and Economic Development Agency  
Recommendation: Action On The Mid-Term Review Of The Five Year Implementation Plans  
And Redevelopment Plans For The Acorn, Broadway/MacArthur/San Pablo, Central District,  
Coliseum, Oak Center, Oakland Army Base And Stanford/Adeline Redevelopment Projects  
[07-0663](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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 9:57p.m.*

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

*Agency/Councilmember Reid 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,  
Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La  
Fuente -7, Excused: Brunner*

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14.3 Subject: Public Facilities And Parks - Various Redevelopment Project Areas  
From: Community and Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing A Contribution Of Redevelopment Agency Funds To The City Of Oakland Under The Cooperation Agreement In an Amount Not To Exceed \$5,064,910 For Certain Public Facility And Parks Projects In The Central District, Coliseum, Central City East, And West Oakland Redevelopment Project Areas; And

[07-0683](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was opened at 10:09 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, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Brunner*

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[2007-0081 CMS.pdf](#)

2) A Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds To The City Under The Cooperation Agreement In an Amount Not To Exceed \$5,064,910 For Certain Public Facility And Parks Projects In The Central District, Coliseum, Central City East, And West Oakland Redevelopment Project Areas For Fiscal Year 2007-2009  
[07-0683-1](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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14.4 Subject: Delinquent Transient Occupancy Taxes  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent  
Transient Occupancy Taxes And Upon Conclusion Adopt One Of The Following Pieces Of  
Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs  
Incurred By The City Of Oakland For Delinquent Transient Occupancy Taxes And Confirming  
The Recordation Of Liens With Administrative And Assessment Charges As Necessary -  
Pursuant To Chapter 4.24 Of The Oakland Municipal Code, And Directing The Notice Of Lien  
And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-0836](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
*Upon the reading of Item 14.4 by the City Clerk, the Public Hearing was  
opened at 10:14 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,  
Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La  
Fuente -7, Excused: Brunner*

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports  
Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent  
Transient Occupancy Taxes And Authorizing The Recordation Of Liens With Administrative  
And Assessment Charges As Necessary - Pursuant To Chapter 4.24 Of The Oakland Municipal  
Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over to The  
County Tax Collector For Collection; Or  
[07-0836-1](#)

**Not Adopted**

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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  
[07-0836-2](#)

**Not Adopted**

14.5

Subject: Delinquent Real Property Taxes  
From: Finance and Management Agency  
Recommendation: Conduct A Public Hearing On Assessment Of Liens For Delinquent Real Property Transfer Taxes And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-0837](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Upon the reading of Item 14.5 by the City Clerk, the Public Hearing was opened at 10:17 p.m.*

*The following individuals spoke on this item:*

*- Jeff Rosenbloom  
- Sanjiv Handa*

*Agency/Councilmember Nadel 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, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Brunner*

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Real Property Transfer Taxes And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-0837-1](#)

**Not Adopted**

3) A Resolution Continuing Hearing Of The Reports Of The City Administrator On Delinquent Real Property Transfer Taxes And The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 4.20 Of The Oakland Municipal Code  
[07-0837-2](#)

**Not Adopted**

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14.6 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  
[07-0838](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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. 6 by the City Clerk, the Public Hearing was opened at 10:29 p.m.*

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

*Agency/Councilmember Kernighan 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, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Brunner  
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2) A Resolution Overruling Protests And Accepting And Confirming Reports Of The City Administrator On The Delinquent Business Taxes And Confirming The Recordation Of Liens, Administrative Charges And Assessment Charges As Necessary - Pursuant To Title 5, Chapter 5.04 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges To Be Turned Over To The County Tax Collector For Collection; Or  
[07-0838-1](#)

**Not Adopted**

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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  
[07-0838-2](#)

**Not Adopted**

14.7

Subject: Delinquent Mandatory Garbage Fees

From: Finance and Management Agency

Recommendation: Conduct A Public Hearing On Delinquent Mandatory Garbage Fees For April/May/June 2007, Monthly Accounts And July/August/September 2007, Quarterly Accounts And Upon Conclusion Adopt One Of The Following Pieces Of Legislation:

1) A Resolution Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Confirming The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-0839](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Upon the reading of Item 14.7 by the City Clerk, the Public Hearing was opened at 10:26 p.m.*

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

*Agency/Councilmember Kernighan 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, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council De La Fuente -7, Excused: Brunner*

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2) A Resolution Overruling Protests And Objections And Accepting And Confirming Reports Of The City Administrator On The Costs Incurred By The City Of Oakland For Delinquent Garbage Service Fees And Authorizing The Recordation Of Liens With Administrative And Assessment Charges As Necessary - Pursuant To Chapter 8.28 Of The Oakland Municipal Code, And Directing The Notice Of Lien And Assessment Charges Be Turned Over To The County Tax Collector For Collection; Or  
[07-0839-1](#)

**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  
[07-0839-2](#)

**Not Adopted**

**ACTION ON NON-CONSENT ITEMS:**

15      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  
[07-0835](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
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[80965 CMS.pdf](#)



16           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 Busvan, A Container Ship, Side  
              Swiped One Of The Bay Bridge Western Anchorages  
              [07-0842](#)  
              [Play Video](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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[80966 CMS.pdf](#)

17           Subject:    Industrial Land Use Policy  
              From:       Community and Economic Development Agency  
              Recommendation: Action On A Report And Recommendations On The City's Industrial Land  
              Use Policy  
              [07-0613](#)

**\*Rescheduled to Concurrent Meeting of the Oakland Redevelopment Agency/City Council on 1/15/2008**

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

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

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18      Subject:    New Public Street - Uptown Oakland Project  
From:        Councilmember Nancy Nadel  
Recommendation: Adopt A Resolution Designating A New Public Street As Rashida  
Muhammad Street That Will Connect 19th Street, William Street, And Thomas L. Berkley Way  
In The Uptown Oakland Project Area  
[07-0646](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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:*

- Keith L. Xcarlisle
- Marcus Garland Gary
- Christina K. Gude
- Sandra V. Sanders-West
- Rashida Shahida Mustafa II
- Grace Newfeld
- Debra A. Pullen
- Miyako Dennis
- Walter B. Hoye
- Bahati Jackson
- Shafari Jackson
- Smarif A. Mustafa
- Hynie Vinnetta Bradley
- Ron Zappala
- Fadil A.M. Al-Bakari
- Karriem A. Muhammad
- Shomari Mustafa Muhammad

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19 Subject: Measure B-ACTIA Fund - Restore Tunnel Road Washout  
From: Community and Economic Development Agency  
Recommendation: Adopt A Resolution 1) Appropriating \$650,000.00 From Measure B-ACTIA Fund (2211) Fund Balance 2) Reallocating \$300,000.00 Already Budgeted Within The Measure B-ACTIA Fund (2211) And 3) Waiving Advertising And Authorizing The City Administrator To Award A Construction Contract Through A Modified Competitive Bid Process For The Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road (Project No. C99581) In A Not-To-Exceed Amount Of \$700,000.00 Without Return To Council

[07-0748](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Staff was further directed to bring the results of the modified bid process back to a future council meeting.*

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[80968 CMS.pdf](#)

20

Subject: City Stables Facility Improvements

From: Office of Parks and Recreation

Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Authorize An Improvement Project At City Stables Located At 13560 Skyline Boulevard, Oakland At An Estimated Cost Of \$515,000 To Clear The Existing Paddock Area, Install New Paddock Structures, Construct A New Pre-Fabricated Hay Storage Shed, And Provide Minor Landscaping And Other Necessary Improvements Consistent With The City Stables Master Plan For Which There Is Available Capital Improvements Funding In Projects C213720 And G230120; And 2) Authorize The Office Of Parks And Recreation To Issue A Request For Proposals To Manage And Operate An Equestrain Facility And Programs

[07-0725](#)

[Play Video](#)

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

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

*The following individuals spoke on this item:*

- Oudretta Johnson
- Audie Bock
- Judi Bank
- Kathy Dunn

*Staff were directed to explore funding using other sources such as Measure Y, Oakland Fund For Children and Youth (OFCY), etc.*

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[80969 CMS.pdf](#)

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21 Subject: Municipal Code Amendment - Cabarets  
From: Office Of The City Administrator  
Recommendation: Adopt The Following Pieces Of Legislation:

1) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.12, "Cabarets" To (1) Allow Discretion In Permitting Cabarets Within 300 Feet Of Places Of Public Worship, Public Schools, And Public Libraries And 2) Require Background Checks For Cabaret Permit Applicants (TITLE CHANGE); And  
[07-0759](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Approved as Amended for Re-Introduction to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on December 18, 2007. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*Staff were directed to return in the future with an ordinance that addresses the conflict in the current restrictions on Cabaret permits specifically for the Uptown and Jack London projects.*  
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[View Supplemental Report.pdf](#)

2) Approve The Introduction (First Reading) Of An Ordinance Amending Oakland Municipal Code Chapter 5.02 To Provide More Notice To Residents Of Business Permit Applications  
[07-0759-1](#)

**A motion was made by Councilmember Nadel, seconded by Councilmember Quan, that this matter be Approved as Amended on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on December 18, 2007. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente  
*The following individuals spoke on this item:*  
- Mark Davis  
- Sanjiv Handa

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22 Subject: 2008 State Legislative Agenda  
From: Council President Ignacio De La Fuente  
Recommendation: A Report Requesting Approval Of The Proposed 2008 State Legislative  
Agenda For The City Of Oakland  
[07-0734](#)

**A motion was made by Councilmember Brooks, seconded by Councilmember Reid, that this matter be Approved as Amended to include the following priorities: 1) The clean up of the legislation associated with the establishment of State Cable Franchises for the State of California, and 2) and Proposition 84 for support to the Museum, Zoo and Chabot Science center receiving nature educational funds specifically for the non profit programs. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Vice Mayor Chang,  
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,  
Councilmember Reid and President of the Council De La Fuente  
*The following individuals spoke on this item:*  
- Steve Edrington  
- Sanjiv Handa

*Agency/Councilmember Brooks made a motion, seconded by Agency/Councilmember Reid, to approve the 2008 State Priorities as amended to two additional priorities: 1) The clean up of the legislation associated with the establishment of State Cable Franchises for the State of California, 2) and Proposition 84 for support to the Museum, Zoo and Chabot Science center receiving nature educational funds specifically for the non profit programs; 3) seismic retrofitting subsidies for residential dwellings to obtain compliance with State retrofitting standards and clarifying the State regulations. and upon call of the roll, the motion passed by Ayes: Agency/Councilmember: Chang, Kernighan, Nadel, Quan - 4, Noes: Brooks, President De La Fuente - 2, Abstain: Reid - 1, Excused: Brunner - 1*

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23 Subject: Parks And Recreation Advisory Commission Appointments  
From: Office of the Mayor  
Recommendation: Adopt A Resolution Re-Appointing Brad Ricards, Jefferey Taylor And  
Osagie Enabulele As Members Of The Parks And Recreation Advisory Commission  
[07-0840](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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[80970 CMS.pdf](#)

24 Subject: Children's Fairyland Board of Trustees - Appointment  
From: The Mayor  
Recommendation: Adopt A Resolution Appointing Nashwa Emem As A Member Of The  
Children's Fairyland Board  
[07-0841](#)

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

**Votes:** ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 7 - Councilmember Brooks, 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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[80971 CMS.pdf](#)

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S-25 Subject: Wood Street Development - Affordable Housing  
From: Community And Economic Development Agency  
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing The Purchase Of A 3.12 Acre Parcel Located Between Wood Street And The Frontage Road And Between 18th Street And 20th Street From Holliday Development, Allocating Up To \$8,050,000 For Its Purchase, And Authorizing A Request For Proposals For Development Of An Affordable Housing Project On The Site;

[07-0555](#)

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

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

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[2007-0082 CMS.pdf](#)

2) An Agency Resolution Allocating Up To \$5,600,000 For 40 First-Time Homebuyer Down Payment Assistance Loans And Interest Rate Buy-Down Forgivable Loans For Purchase Of Units Within The Wood Street Development District

[07-0555-1](#)

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

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Excused: 1 - Councilmember Brunner  
ORA\Councilmember Ayes: 6 - 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:*

- Naomi Schiff

- Marcel Diallo

- Shana Simmons

- Vince Gibbs

- Rick Holliday

- Sanjiv Handa

[2007-0083 CMS.pdf](#)



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S-26      Subject:    East Bay Community Law Center - Contract  
From:        Community and Economic Development Agency  
Recommendation: Adopt A Resolution Approving A Two-Year Grant To A Maximum Of  
\$100,000 Per Year (\$200,000) To The East Bay Community Law Center To Counsel And  
Represent Low Income Participants In Oakland Rent Adjustment Program Hearings And  
Appeals To The Rent Board, With An Option To Extend The Grant An Additional Three  
Years, One Year At A Time, To A Maximum Of \$100,000 For Each Year Of Extension  
[07-0705](#)  
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**This matter was Not Adopted. The motion failed.**

**Votes:**

*The following individuals spoke on this item:*

- Yvonne M. Walters
- Billy Gene Smith
- Aumont Phipps
- John K. Wagers
- Regina Rab Garrett

*Agency/Councilmember Quan made a motion, seconded by  
Agency/Councilmember Kernighan, to adopt the resolution as amended on  
Item S-26, to extend the agreement for one year to provide staff time to issue an  
RFP upon call the roll, the motion failed by Ayes: Kernighan, Nadel, Quan - 3,  
Noes: Brooks, Chang, Reid and President De La Fuente - 4, Excused: Brunner  
- 1*

*Agency/Councilmember Chang made a substitute motion, seconded by  
Agency/Council President De La Fuente, to direct staff to prepare an expedited  
RFP with return to Council as soon as possible, and upon call of roll, the  
motion passed by Ayes: Agency/Councilmember: Brooks, Chang, Reid, De La  
Fuente - 4, Noes: Nadel, Quan - 2, Abstain: Kernighan - 1, Excused: Brunner -  
1*

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S-27      Subject:    Street Based Outreach - Grant Agreement  
From:        Office of the Mayor  
Recommendation: Adopt A Resolution Allocating \$375,000 From The Measure Y-Reserve  
Funds Project For Street Based Outreach, To Be Combined With \$200,000 From The General  
Purpose Fund, Street Outreach Project For The Issuance Of A Department Of Human Services  
Request For Proposals (RFP) For Street-Based Outreach  
[07-0711](#)  
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**A motion was made by Councilmember Quan, seconded by  
Councilmember Brooks, that this matter be Adopted. The motion carried  
by the following vote:**

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

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*There being no further business, and upon the motion duly made, the  
Agency/Council adjourned the meeting in memory of June Jue Fong, James  
Edmond, Sally Marguerite Belle Davis, Gaynelle Kitely, Scott Slaughter,  
Algernon Jackson, and Tony Johnson at 2:39 a.m.*

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*City Clerk and Clerk of the Council*