

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, October 21, 2008

6:00 PM

Oakland City Hall, 3rd Floor

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 6:12 PM.

2 Roll Call / ORA & Council

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

3 Open Forum / Citizens Comments

(Time Available: 15 minutes)

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The following individual(s) spoke under Open Forum:

- Gene Hazzard
- Scott Candell
- Bakari Olatunji
- Wendy Snyder
- Jerome Pierce
- Willow Liroff
- Susan Montauk
- Cheryl Dunaway
- Shirnell Smith
- Simuel Ramey
- Mubarak Ahmad
- Isaac Simons

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.

Councilmember Nadel requested to speak on Item 10.15 CC

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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)

No Action Taken

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

No Action Taken

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

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

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

8. PRESENTATION OF CEREMONIAL MATTERS

- 8.1 Subject: Dimensions Dance Theater Day
From: Councilmember Nancy Nadel
Recommendation: Adopt A Resolution In Celebration Of Dimensions Dance Theater's 35 Years Of Arts And Entertainment Innovation, Their Artistic Accomplishments, And Their Continued Commitment As Cultural Ambassadors In The City Of Oakland, And Declaring November 15, 2008 As "Dimensions Dance Theater Day" In The City Of Oakland
[07-1690](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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- 8.2 Subject: National Childhood Lead Poisoning Prevention Week
 From: Councilmember Henry Chang
 Recommendation: Adopt A Resolution Proclaiming The Week Of October 19-25, 2008 As
 "National Childhood Lead Poisoning Prevention Week"
 [07-1707](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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- 8.3 Subject: Donation To The Republic Of El Salvador
 From: Public Works Agency
 Recommendation: Adopt A Resolution Supporting The City's Donation Of Three Overaged Surplus Aerial Ladder Trucks And One Overaged Surplus Fire Hose Wagon, With An Estimated Cumulative Value Of One Thousand Two Hundred Dollars (\$1,200), To The Create A Smile Cross Cultural Exchange Foundation To Be Distributed To The Republic Of El Salvador
 [07-1732](#)
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A motion was made by Member Chang, seconded by President of the Council De La Fuente, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8.4 Subject: Community Policing Advisory Board Recognition
 From: Vice Mayor Larry Reid
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Honoring David Flack For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737](#)

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

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

- Sanjiv Handa

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2) A Resolution Honoring Bill Ashley For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-1](#)

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

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3) A Resolution Honoring Franklin Rose For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-2](#)

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

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- 4) A Resolution Honoring Nick Vigilante For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-3](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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- 5) A Resolution Honoring Tim Little For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-4](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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- 6) A Resolution Honoring Eduardo Garcia For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-5](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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7) A Resolution Honoring Colleen Brown For Her Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-6](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8) A Resolution Honoring Don Link For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-7](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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9) A Resolution Honoring Charles Porter For His Dedication And Many Years Of Service To The Community Policing Advisory Board;
[07-1737-8](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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8.5 Subject: Dan Farrell - Recognition
 From: Vice Mayor Larry Reid & Councilmember Brooks
 Recommendation: Adopt A Honoring Fire Chief Daniel D. Farrell For 28 Years Of Dedicated
 Service To The City Of Oakland And Wishing Him Continued Success In All Of His Endeavors
 [07-1739](#)

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 Ayes: 8 - Councilmember Brooks, Councilmember Brunner, Member 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 Brunner took a point of personal privilege and requested that the meeting be adjourned in memory of Shirley Yoman 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
 [07-1720](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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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
[07-1721](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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10.3-CC Subject: Barry And Sasaki Junko Feigelman - 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 As Subrogee Of Barry And Sasaki
Junko Feigelman In The Amount Of Thirty Nine Thousand Six Hundred Seventy Six Dollars
And 42 Cents (\$39,676.42), As A Result Of Property Damage Sustained Due To A Sewer Flood
Caused By A Failed City Sewer Main On March 1, 2008. (Public Works Agency)
[07-1742](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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10.4-CC Subject: Jennie And Huy Dao - 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 Jennie And Huy Dao In The Amount Of \$7,466.74 As A
Result Of Damage Caused To Their Vehicle Due To A Defective Manhole Cover (Public Works
Agency)
[07-1743](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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10.5-CC Subject: Jimmy Lowe - 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 Jimmy Lowe V. City Of Oakland, Et Al. And Related
Cross-Actions, Alameda County Superior Court No. RG05210158, Our File No. 24132, In The
Amount Of \$60,000.00 (Public Works Agency - Personal Injury)
[07-1744](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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10.6-CC Subject: Tykia Conway And Takia Seymore - 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 Tykia Conway; Takia Seymore V. City Of Oakland,
Alameda County Superior Court Case No. RG06273695, In The Amount Of \$50,000.00 As A
Result Of An Auto Accident At The Intersection Of Hegenberger Road And Hamilton Street.
(Public Works Agency)
[07-1746](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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- 10.7-CC Subject: Taxicab Ordinance - Amendment
From: Office of the City Administrator
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.64 To:
A) Require Companies To Provide To Drivers Receipts For Fees Paid To The Company
By The Drivers
B) Require Companies To Provide Drivers With Documentation On Insurance Claims
For Accidents Involving A Driver
C) Require Cameras In Taxicabs That Do Not Have Safety Shields And Prohibit Re-
Tread Tires
D) Require In-Cab Signage Providing Driver Name, Listing Fares, And Informing
Passengers Of Their Rights And The Procedure For Filing Complaints
E) Require Gps Systems In Taxicabs
F) Establish Additional Driver Training Requirements
G) Issue Permits On The Basis Of Service Proposals, Instead Of By Lottery
H) Establish Who Pays The Fees Incurred Through The Use Of Credit Cards For
Payment Of A Taxi Fare
I) Place A Temporary Freeze On The Taxicab Lease Rates Charged By Taxi Companies
To Drivers
J) Authorize Administrative Citations For Violations Of The Chapter And Authorize
Imputation Of Driver And Vehicle Violations To The Fleet Management Permittee
K) Establish A Process And A Fee For The Establishment And Maintenance Of Taxi
Stands
L) Allow Revocation Of Vehicle Permit If Vehicle Not Used More Than 10 (Ten) Days In Any
30 (Thirty) Day Period
M) Provide Prompt Hearings On Suspended Permits
N) Require Companies Of 10 Or More Vehicles To Submit Plan For 24/7 Coverage Of City
O) Allow Transfer Of Vehicle Permits Only With Sale Of Company, With No
Consideration For The Permit
P) Establish A Requirement To Treat Passengers And Regulatory Personnel Courteously
Q) Include Violations Of Pertinent Federal, State, And Local Laws As Grounds For Permit
Revocation Or Suspension
R) Extend To Relatives Of The Tertiary Degree The Prohibition On Issuance Of More
Than 30 Percent Of Total Vehicle Permits (TITLE CHANGE)

07-0710

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

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

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2) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Establish An Inspection Fee For Taxicab Inspections Required In Excess Of Two Inspections Included In The Initial Permitting And Annual Permit Renewal Processes (TITLE CHANGE)

[07-0710-2](#)

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

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

10.8-CC Subject: Sell Of Real Property - 566 98th Avenue
From: Community and Economic Development Agency
Recommendation: Adopt An Ordinance Authorizing The City Administrator To Negotiate And Execute A Purchase And Sale Agreement To Sell Approximately 1,757 Square Feet Of City-Owned Surplus Real Property Located At 566 98th Avenue To Jose J. Alvizo, The Adjoining Property Owner, For The Fair Market Value Of Eight Thousand Seven Hundred And Eighty Five Dollars (\$8,785.00)

[07-1571](#)

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

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

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S-10.9-CC Subject: Men Of Valor Academy - Grant
From: Councilmembers Henry Chang & Jean Quan
Recommendation: Adopt A Resolution Authorizing A Grant of \$10,000 From Councilmember Henry Chang's At-Large Pay-Go Funds And A Grant Of \$20,000 From Councilmember Jean Quan's District 4 Pay-Go Funds To Men Of Valor Academy For Operating Expenses For The Educational Enhancement And Job Readiness Training Program
[07-1761](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
- Douglas Butler
[81609 CMS.pdf](#)

S-10.10-C Subject: Energy Saving Agreement - Five City Swimming Pools
C From: Public Works Agency
Recommendation: Adopt A Resolution (1) Waiving Any Further Competitive Process And Authorizing The City Administrator Or Designee To Negotiate And Award A Professional And Construction Services Agreement In An Amount Not To Exceed Two Hundred Fifty-Six Thousand Dollars (\$256,000) To Implement Energy Savings Measures At The City's Five Swimming Pools, Without Returning To City Council And (2) Accepting And Appropriating Energy-Related Rebates For Project No. C256516
[07-1632](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-10.11-C Subject: Public Sanitary Sewer Easement - Drury Road
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Summarily Vacating An Existing Sanitary Sewer Easement To David W. Naylor To Facilitate Construction Of A New Dwelling At 1189 Drury Road; And
[07-1654](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Summarily Vacating An Existing Sanitary Sewer Easement To David W. Naylor To Facilitate Construction Of A New Dwelling At 1195 Drury Road
[07-1654-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
[81612 CMS.pdf](#)

S-10.12-C Subject: Conditional And Revocable Permit - 1633 Harrison Street
C From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting The Oakland Housing Authority A Revocable And Conditional Permit To Allow Enclosed Living Space For Apartments In A New Building At 1633 Harrison Street To Encroach Over The Public Right-Of-Way Along 17th Street And Harrison Street
[07-1655](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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S-10.13-C Subject: Revocable And Conditional Permits - 601 12th Street
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Granting Oakland T12 LLC A Revocable And Conditional Permit To Allow A Shoring System For A Basement Excavation To Encroach Beneath The Public Right-Of-Way Along 11th Street, 12th Street, Jefferson Street, And Martin Luther King Jr Way For A New Building At 601 12th Street; And
[07-1656](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Granting Oakland T12 LLC A Revocable And Conditional Permit To Allow A Concrete Vault And Electrical Transformers For A New Building At 601 12th Street To Encroach Under The Public Sidewalk Along 11th Street
[07-1656-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
[81615 CMS.pdf](#)

S-10.14-C Subject: Insanitary Sewers
C From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2402 - 98th Avenue; And
[07-1572](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 728 Apgar Street; And
[07-1572-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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3) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 1768 Auseon Avenue; And
[07-1572-2](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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4) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 552 - 30th Street; And
[07-1572-3](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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5) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 9619 B Street; And
[07-1572-4](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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6) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2534 Frances Street
[07-1572-5](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
[81621 CMS.pdf](#)

S-10.15-C Subject: Green Building Requirements
C From: Council President De La Fuente
Recommendation: Action On A Report and Recommendations On A Work Plan To Develop A
Green Building Ordinance And Other Requirements For Private Development Projects
[07-1570](#)

This Matter was Approved on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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S-10.16-C Subject: Commercial Tenant Improvement Grants - Various Locations
C From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing Commercial Tenant Improvement
And Facade Improvement Matching Grants To Dobake Bakery In An Additional Amount Not To
Exceed \$45,000, For A Total Grant Amount Not To Exceed \$90,000 (Coliseum Redevelopment
Project Area); And PS Print In An Amount Not To Exceed \$75,000 (West Oakland
Redevelopment Project Area) (TITLE CHANGE)
[07-1660](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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Concurrent Meeting of the Oakland Redevelopment Agency / City Council

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S-10.17-C Subject: Broadway/MacArthur/San Pablo Project Area - Public Improvements
C From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation

1) A Resolution Accepting And Appropriating Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$97,500 For City Public Improvements Within The Broadway/MacArthur/San Pablo Redevelopment Project Area Under The Neighborhood Project Initiative Program And Authorizing The City Administrator To Enter Into Agreements And Make Necessary Expenditures To Implement Projects Funded Under The Program Without Returning To The City Council

[07-1661](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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[81622 CMS.pdf](#)

2) An Agency Resolution Authorizing Funding In An Amount Not To Exceed \$200,000 Under The Broadway/MacArthur/San Pablo Neighborhood Project Initiative Program For 1) A Tot Lot In Mosswood Park, 2) A Water Fountain At The Mosswood Dog Run, 3) A Traffic Circle At 38th Street And Webster Or Ruby Streets, 4) Security Cameras At 60th Street And San Pablo Avenue, 5) Koreatown Identification Banners, And 6) Pedestrian Level And Street Lighting On Telegraph Avenue Between 40th And 42nd Streets, Authorizing A Contribution Of Agency Funds To The City Under The Cooperation Agreement In An Amount Not To Exceed \$97,500 For City Public Improvements Under The Program, And Authorizing The Agency Administrator To Enter Into Agreements With Project Sponsors And Make Necessary Expenditures To Implement Projects Under The Program Without Returning To The Agency

[07-1661-1](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
[2008-0089 CMS.pdf](#)

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Concurrent Meeting of the Oakland Redevelopment Agency / City Council

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S-10.18-C Subject: Oakland Army Base Temporary Winter Shelter
C From: Department of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To (1) Waive The Competitive Process And Enter Into An Agreement For The Period Of October 15, 2008 Through May 15, 2009 In An Amount Not To Exceed \$281,000 With Anka Behavioral Health, Inc. To Open And Operate The Oakland Army Base Temporary Winter Shelter (OABTWS); And (2) Enter Into A Six Month Lease For \$1.00 A Year With The Oakland Redevelopment Agency For Use Of Building 821 At The Army Base From November 1, 2008 Through April 30, 2009; And (3) Allocate \$125,000 From Alameda County, And \$56,000 From The City Of Berkeley To Establish And Operate The Temporary Winter Shelter At The Oakland Army Base; And (4) Allocate \$50,000 In Community Development Block Grant (CDBG) Funds For A Citywide Case Management Program; And (5) Waive The Competitive Process And Enter Into An Agreement With Lifelong Medical, Inc. For The Period Of September 1, 2008 Through August 30, 2009 In The Amount Of \$50,000 For The Citywide Case Management Program
[07-1674](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks

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

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

- Sanjiv Handa

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[81623 CMS.pdf](#)

S-10.19-C Subject: DNA Backlog Reduction Grant Program
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Two Hundred Twenty Thousand Eight Hundred Eighty- Four Dollars (\$220,884) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ), To The Oakland Police Department For The 2008 Forensic Casework DNA Backlog Reduction Grant Program In The Police Department For The Period Of October 1, 2008 Through March 31, 2010
[07-1555](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks

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

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S-10.20-C Subject: National Insurance Crime Bureau Agreement
C From: Oakland Police Department
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement With The National Insurance Crime Bureau For The Purpose Of Leasing 2004 Motor Vehicle, At A Price Of One Dollar (\$1.00) For A Three-Year Term For Use By The Oakland Police Department
[07-1665](#)

This Matter was Adopted on the Consent Agenda.

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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[81625 CMS.pdf](#)

S-10.21-C Subject: 2008 Legislative Agenda Report
C From: City Council
Recommendation: Receive An Informational Report On The City Of Oakland's 2008 State Legislative Agenda
[07-1718](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
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Passed The Consent Agenda

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

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

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- 11 An oral report from the Agency Counsel / City Attorney of final decisions made during Closed Session
- A motion was made by Member Chang, seconded by Councilmember Brunner, to *Approve as Submitted the report from the Office of the City Attorney of two final decisions made during Closed Session. Please refer to Attachment A for the details of the two final decisions. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Absent: 3 - Councilmember Brooks, Councilmember Nadel and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Quan and President of the Council De La Fuente
The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
- 12 A disclosure of non-confidential Closed Session Discussion pursuant to Section 2.20.130 of the Sunshine Ordinance
- A motion was made by Councilmember Quan, seconded by Councilmember Kernighan, to *Approve as Submitted. The motion carried by the following vote:**
- Votes:** ORA\Councilmember Absent: 3 - Councilmember Brooks, Councilmember Nadel and Councilmember Reid
ORA\Councilmember Ayes: 5 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Quan and President of the Council De La Fuente

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

- 13 Reconsideration of Ordinances pursuant to Charter Section 216
- No Action Taken**

14. Consideration of items with statutory Public Hearing Requirements:

DRAFT

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14.1 Subject: Aaron Metals Scrap Metal Recycling Facility - Public Hearing
From: Community And Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying The Appeals And Sustaining The Decision Of The City Planning Commission In Approving The Application For A Major Conditional Use Permit To Legalize The Previously Unpermitted Expansion Of The Aaron Metals Scrap Metal Recycling Facility Located At 750 105th Avenue, Oakland, With Revised Conditions Of Approval

[07-1300](#)

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

Votes: ORA\Councilmember Noes: 1 - Councilmember Nadel
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, 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 11:21 p.m.

The following individuals spoke on this item:

- Rose Black
- Hans Bergmann
- George Neau
- Ron Lysne
- Robert Black
- Elin Christopherson
- Paul Forkash
- Bennett Christopherson
- Eugenio Garcia
- Andre Carpioux
- Aaron Forkash
- Jessica Furkash
- Fred Hughes
- Abwer Walton
- Victoria Skirpa
- Shana Lazerou
- Anna Lee
- David Preiss

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

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Council amended Conditional of Approval Number 22(b) to read: b. A Litter control plan that ensures that the premises of the property, and in a two block radius... Staff was also directed to include in the one year compliance review all of the latest regional agency reports for the various toxic substances contained.

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[81626 CMS.pdf](#)

14.2

~~Subject: Insanitary Sewers~~

~~From: Community and Economic Development Agency~~

~~Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:-~~

~~1) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2402—98th Avenue; And
[07-1572](#)~~

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[81616 CMS.pdf](#)

~~2) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 728 Apgar Street; And
[07-1572-1](#)~~

[81617 CMS.pdf](#)

~~3) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 1768 Auseon Avenue; And
[07-1572-2](#)~~

[81618 CMS.pdf](#)

~~4) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 552—30th Street; And
[07-1572-3](#)~~

[81619 CMS.pdf](#)

~~5) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 9619 B Street; And
[07-1572-4](#)~~

[81620 CMS.pdf](#)

~~6) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2534 Frances Street
[07-1572-5](#)~~

This item was passed on the Consent Calendar as item S-10.14-CC

[81621 CMS.pdf](#)

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14.3 Subject: East Oakland Sports Complex Development
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces
Of Legislation:

1) An Agency Resolution Contributing Coliseum Redevelopment Funds In The Amount Of
\$2,000,000 To The City Of Oakland Under The Cooperation Agreement For The Construction
And Development Of The East Oakland Sports Complex At 9175 Edes Avenue; And
[07-1573](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,
Councilmember Quan, Councilmember Reid and President of the Council De La
Fuente
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[2008-0090 CMS.pdf](#)

2) A City Resolution Accepting And Appropriating Coliseum Redevelopment Funds In The
Amount Of \$2,000,000 Under The Cooperation Agreement For The Construction Of The East
Oakland Sports Complex At 9175 Edes Avenue
[07-1573-1](#)

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

Votes: ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember
Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel,
Councilmember Quan, Councilmember Reid and President of the Council De La
Fuente
*Upon the reading of Item 14.3 by the City Clerk, the Public Hearing was
opened at 12:41 AM.*

*Agency/Councilmember Reid made a motion, seconded by
Agency/Councilmember Brunner to close the Public Hearing, and hearing no
objections, the motion passed by Ayes: Agency/Councilmember: Brooks,
Brunner, Chang, Kernighan, Nadel, Reid, Quan, and President of the Council
De La Fuente -8
[81627 CMS.pdf](#)*

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14.4 Subject: Planning Code Amendments
From: Community and Economic Development Agency
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Ordinance Adopting Various Planning Code Text Amendments, Including: A) Adding Extensive Impact Civic Activities As A Conditionally Permitted Activity To The C-45 And C-55 Zones; B) Adding Animal Care Commercial Activities As A Conditionally Permitted Activity To The C-36 Zone; C) Reducing The Time That An Automotive Servicing, Or A Repair And Cleaning Activity, May Be Discontinued Before It Loses Its Legal, Non-Conforming Status In The S-5 Broadway Retail Frontage Zone; D) Making Permanent An Emergency Ordinance That Creates Special Variance Findings And Expedited Appeal Procedures For Signs; E) Clarifying That Uniformly Applied Development Standards/Standard Conditions Of Approval Are Automatically Imposed On All Applications, Including Those "Deemed Approved" Under The State Permit Streamlining Act; And F) Various Amendments Which Codify Administrative Practice, Update References, Clarify Language, And Other Changes

[07-1658](#)

A motion was made by Member Chang, seconded by Councilmember Brunner, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on November 3, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 1 - Councilmember Reid
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan and President of the Council De La Fuente
Upon the reading of Item 14.2 by the City Clerk, the Public Hearing was opened at 12:42 AM.

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

*Council approved staff recommendations to delete proposed Section 17.130.080
Minor land use permits considered concurrently with Major permits*

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ACTION ON NON-CONSENT ITEMS:

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- 15 Subject: Business Services Contract
From: Community and Economic Development Agency
Recommendation: Adopt An Agency Resolution Authorizing The Agency Administrator To Circulate A Request For Proposals, Select A Contractor, And Negotiate And Execute A Professional Services Contract For Business Retention, Expansion And Support Services For Fiscal Year 2008-2010 Without Returning To The Agency In An Amount Not To Exceed \$600,000; And Authorizing An Amount Not To Exceed \$18,000 (3%) For Contract Compliance
[07-1237](#)

A motion was made that this matter be Approved. The motion carried by the following vote:

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

There was no legislation affiliated with this item, it was strictly a request for direction to staff regarding the RFP for the Professional Services Contract. Staff was directed to discuss at length the details of what the \$300,000 would buy before sending out the RFP and to bring forward a Rules Request to schedule a discussion of the "service gap" before December 2008

The following individual spoke on this item:

- George Burt

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- 16 Subject: Nepotism In City Employment
From: Council President De La Fuente
Recommendation: Adopt An Ordinance Amending Title 9 Of The City Of Oakland Municipal Code By Adding A New Chapter, 2.38, Entitled Anti-Nepotism Policy, To Prevent Nepotism In Hiring And Administration (TITLE CHANGE)
[07-1563](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency/
City Council on 11/3/2008**

The following individuals spoke on this item:

- Max Allstadt

- Judy Cox

- Jeff Levin

- Sanjiv Handa

- Gary Sirbu

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17 Subject: Opposition To Measure N
From: Councilmember Jean Quan
Recommendation: Adopt A Resolution In Opposition To Local Ballot Measure N On The
November 4, 2008 Ballot, Which Would Impose An Annual One Hundred And Twenty Dollar
(\$120.00) Parcel Tax On Oakland Property Owners To Pay Salary Increases For Oakland Public
School Teachers
[07-1733](#)
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A motion was made by Councilmember Quan, seconded by Member Chang, that this matter be Adopted. The motion carried by the following vote:

Votes: ORA\Councilmember Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
The following individual spoke on this item:
- *Betty Olson-Jones*
[View Report.pdf](#)
[81628 CMS.pdf](#)

18 Subject: U. S. Treasury Securities Investment
From: Finance and Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Of The City Council Of The City Of Oakland Approving The Investment In US
Treasury Securities For A Not-To-Exceed 60-Day Period In An Amount Not To Exceed 20% Of
The City Portfolio; And Authorizing Execution Of Documents And Taking Of All Necessary
Actions Relating To Making Such Investments; And
[07-1741](#)

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 Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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2) A Resolution Of The Redevelopment Agency Of The City Of Oakland Approving The Investment In US Treasury Securities For A Not-To-Exceed 60-Day Period In An Amount Not To Exceed 20% Of The City Portfolio; And Authorizing Execution Of Documents And Taking Of All Necessary Actions Relating To Making Such Investments

[07-1741-1](#)

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

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

The following individuals spoke on this item:

- Michale Sturtz
 - Jenny Balisle
 - Stephen Walrod
 - Elena Serrano
- [2008-0091 CMS.pdf](#)

19

Subject: City Of Oakland Budget
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Authorizing Amendments To The Biennial Budget As The Financial Plan For Conducting The Affairs Of The City Of Oakland For Fiscal Years 2007-2009 By (1) Amending The Midcycle Policy Budget (Adopted By Resolution No. 81485 C.M.S. On July 15, 2008) To Reflect Further Changes To Revenues And Expenditures In Various Funding Sources, Eliminate The Budget Deficit And Balance The Budget For Fiscal Year 2008-2009; And (2) Appropriating Certain Funds To Provide For The Expenditures Proposed By Said Budget;

[07-1747](#)

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

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

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- [Attachment B.pdf](#)
- [Attachment C.pdf](#)

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2) An Agency Resolution Amending The Mid-Cycle Policy Budget For Fiscal Year 2008-2009 Adopted Through Resolution No. 2008-0074 C.M.S. On July 15, 2008, To Reflect Further Changes To Revenues And Expenditures In Various Funding Sources;

[07-1747-1](#)

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

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

3) An Ordinance Amending Ordinance Number 12809 C.M.S. (Master Fee Schedule), As Amended, To Increase Certain Parking Fees Assessed By The Finance And Management Agency; And

[07-1747-2](#)

A motion was made by Councilmember Quan, seconded by Councilmember Brunner, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2008. The motion carried by the following vote:

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

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2) An Ordinance Amending Oakland Municipal Code Section 10.48.010 "Schedule Of Parking Fines" To Increase Parking Fines
[07-1747-3](#)

A motion was made by Councilmember Quan, seconded by Councilmember Brunner, that this matter be Approved on Introduction for Final Passage to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on October 21, 2008. The motion carried by the following vote:

Votes: ORA\Councilmember Abstained: 1 - Councilmember Brooks
ORA\Councilmember Ayes: 7 - Councilmember Brunner, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
Council adopted several changes to the Mayor's budget Attachment B). Staff was also directed to bring back items 1 - 5 and 8 from the list submitted by Councilmember Brooks as Rules Request for follow up reports (Attachment C).

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

- Patricia Hannum
- Mann Watson
- Anyka Barber
- Denise Pate
- Lori Zook
- Chris Curtis
- Laurie Polster
- Michael Fried
- Michele Edwards
- Dorothea Harrell
- Jim Morgan
- Elen Jeqirxo
- Sherlyn Chew
- Andrew Montgomery
- Henry Lwzie
- Jarod Cooper
- Mary Bradd
- karen Smulevitz
- Melvin Tolliver
- Eric Murphy
- Jeff Levin
- Victoria Carsen
- Judy Jackson
- Stephanie Benavidez
- Isabel Barragan
- Kimberly Turner
- Tim Little

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-
- *Jeanne Fahey*
 - *Herb Anderson*
 - *Alex Franklin*
 - *Rosette Costello*
 - *Tara Miller*
 - *Freddy Catierrez*
 - *Cinthya Munoz*
 - *Ada Chan*
 - *Thomas Flynn*
 - *Samee Roberts*
 - *Sottol Weng*
 - *Isaac Simons*
 - *Michele Seville*
 - *Kathryn Sibley*
 - *Deborah Lozier*
 - *Kate Short*
 - *Betty Olson-Jones*
 - *Glinda Potts*
 - *Diane Lewis*
 - *Tom Virsik*
 - *Mary Ferrell*
 - *Sandy Sauders*
 - *Manette Belliveau*
 - *Max Allstadt*
 - *Margo Dunlap*
 - *Gene Hazzard*
 - *Sanjiv Handa*
- [12898 CMS.pdf](#)

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S-19.1 Subject: City Of Oakland Budget
From: Office of the City Administrator
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending Ordinance No. 12502 C.M.S. To (1) Clarify The General Purpose Fund (GPF) Reserve Requirements; (2) Consolidate All Municipal Capital Projects In The Capital Improvements Reserve Fund; (3) Require A Mayoral Declaration Of Fiscal Emergency And Approval By Council Before The GPF Reserve Can Be Drawn Down; (4) Require That Real Property Transfer Tax Revenues In Excess Of \$40 Million Be Deposited In The GPF Reserve And The Capital Improvements Reserve Fund; (5) Require That One-Time Revenues Be Used To Repay Negative Fund Balances And Fund Capital Improvement Projects; And (6) Provide Criteria For Project Carryforwards And Encumbrances In The GPF; And

[07-1641-3](#)

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Continued to *Finance & Management Committee on 10/28/2008

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2) A Resolution Amending Resolution 78747 Setting Forth The City Policy For The Prioritization Of Capital Improvement Projects Related To The City Of Oakland's Infrastructure To Require That The Highest Priority Be Given To Replacement Or Capital Repairs To Existing Infrastructure And Facilities, Limiting New Capital Projects, And Providing That Deviation From The Priority Policy Must Be Approved By The City Council

[07-1641-4](#)

Continued to *Finance & Management Committee on 10/28/2008

20 Subject: Housing, Residential Rent And Relocation Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Alan Flatt, As A Member Of The Housing, Residential Rent And Relocation Board

[07-1748](#)

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

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

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21 Subject: Community Policing Advisory Board Appointment
From: Office of the Mayor
Recommendation: Adopt A Resolution Appointing Deborah Taylor As A Member Of The
Community Policing Advisory Board
[07-1749](#)

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

Votes: ORA\Councilmember Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang,
Councilmember Kernighan, Councilmember Nadel, Councilmember Quan,
Councilmember Reid and President of the Council De La Fuente
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S-22 Subject: Salary Policies And Provisions
From: Councilmember Quan
Recommendation: Adopt An Ordinance (1) Amending The Salary Ordinance, (2) Setting Forth
The Council's Compensation Policies And Provisions For City Employees, Officials And
Officers, (3) Memorializing The Authority And Discretion The Council Has Granted To The City
Administrator Regarding Fixing Compensation And (4) Supplementing Ordinance No. 12187
C.M.S.
[07-1562](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
City Council on 11/3/2008**

The following individual spoke on this item:

- Sanjiv Handa

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S-23 Subject: Entitlement Extensions
From: Council President De La Fuente
Recommendation: Adopt A Resolution Extending For One Year The Expiration Date Of Permits
Issued Under The Authority Of Title 17 Of The Oakland Municipal Code (Planning Code) And
Creek Protection Permits Issued Under The Authority Of Chapter 13.16 Of The Oakland
Municipal Code That Expire Prior To January 1, 2010
[07-1569](#)

**Continued to Concurrent Meeting of the Oakland Redevelopment Agency /
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S-24 Subject: Housing And Urban Development Grants
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For And Accept Funds From The Housing And Economic Recovery Act Of 2008 (H.R. 3221) From The U.S. Department Of Housing And Urban Development And The State Of California
[07-1673](#)
[Play Video](#)

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 Absent: 1 - Councilmember Brunner
ORA\Councilmember Ayes: 7 - Councilmember Brooks, Member Chang, Councilmember Kernighan, Councilmember Nadel, Councilmember Quan, Councilmember Reid and President of the Council De La Fuente
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S-25 Subject: Oakland Unified - Joint Facilities Agreement
From: Office of Parks and Recreation
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Joint Facilities Use Agreement With Oakland Unified School District For A Five-Year Term Beginning July 1, 2008 And Ending June 30, 2013
[07-1246](#)

Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council on 11/3/2008

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S-26 Subject: Status Report On The Crime Fighting Strategic Plan
From: Councilmember Jane Brunner
Recommendation: Receive A Follow-Up Report From The Chief Of Police On The Department's Crime Fighting Strategic Plan, Including The Department's Top Priorities, And Strategies To Address Them, The Proposed Timeline For Implementation Of The Top Priorities And Strategies, And The Processes Used To Measure Effectiveness
[07-1643](#)

Continued to Concurrent Meeting of the Oakland Redevelopment Agency / City Council

The following individual spoke on this item:

- Sanjiv Handa
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Continuation of Open Forum

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The following individuals spoke under Open Forum:

- Oscar Wright
- Sanjiv Handa

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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 Shirley Yoman Johnson at
1:19 AM*

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City Clerk and Clerk of the Council